

submissions

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To whom it may concern

Please find attached a submission on Proposal P1034 - Chemical Migration from Packaging into Food from AUSVEG.

Regards,

[REDACTED]
Minor Use and Agronomy Coordinator



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Industry communication is facilitated by HIA in partnership with AUSVEG and is funded by the National Vegetable and Potato Levies. The Australian Government provides matched funds for all HIA R&D activities.

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RESPONSE TEMPLATE

All stakeholders are invited to respond to questions posed in this Consultation Paper.

Please indicate if you are a:

(required)

- ☐ Raw material provider
- ☐ Packaging manufacturer/converter/provider
- ☒ Peak industry/trade association
- ☐ Food business (manufacturer/importer/brand owner/retailer)
- ☐ Consumer
- ☐ Government representative (state/territory or Commonwealth agency)
- ☐ Public health representative
- ☐ Other (please specify)

If you are a business, please indicate the approximate number of employees in your business:

- ☐ 1-20 ☒ 20-200 ☐ >200



Question 1 (refer to p.9)

What concerns, if any, do you have about food packaging in relation to food safety?

☐ None

Please provide details of your concerns

AUSVEG believes that there are currently some knowledge gaps regarding consumer safety in relation to some substances used in food packaging and recycled materials, although the Australian vegetable industry remains largely unaffected by these. There is potential for otherwise uncategorised novel materials to migrate into food, which in turn creates an unknown risk that needs to be better understood and managed.

However, currently fresh packed vegetables are usually packed with virgin plastic material, and as such have been following the Australian Standard for Plastic Materials for Food Contact Use - AS2070-1999. These standards result in low risk for packed vegetables in regards to the safety of packaging and currently understood chemical transport.

Question 2 (refer to p.9)

What measures do you think could be implemented to resolve these concerns?

☐ None

Please provide details

AUSVEG recognises that changes in standards through research and understanding is a measure that could better manage the potential risk. Regulations can be structured such that unsafe packaging practices are outlined and regulated against. As new and novel compounds are utilised in packaging further research should be conducted to update the regulations and manage risk accordingly.

AUSVEG believes that clear guidelines for risk management outlining high, moderate and low risk compounds in packaging materials should be produced to provide greater understanding on CMPF. To offer accurate advice a clearly identifiable single point of contact and accountability would be necessary if any implementation of new standards occurs.

Question 3 (refer to p.11)

If you are a packaging manufacturer/converter/supplier, please detail the types (s) and relative volumes for the different food packaging materials produced by your business and whether the main components are imported or made locally (in Australia or New Zealand).

Type of packaging material (for example)	Volume (ktpa*)	Local/Imported
Carton board (folding)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Cardboard/paper (virgin)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Cardboard/paper (recycled)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic mono-layers	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic multi-layers	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic laminate	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic rigid	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic co-extruded	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic (recycled)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Metal	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Composites (eg. Paper/foil/plastic)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Glass	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Ceramic	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Other <input type="text"/>	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported

*Kilo tonnes per annum

Question 4 (refer to p.12)

If you are a peak body/trade association, do you have the expertise to offer food safety advice on chemical migration from packaging into food (CMPF) to businesses within the packaging supply chain?

☐ No ☒ Yes

Please expand on your response

AUSVEG is the peak industry body representing Australian vegetable and potato growers. AUSVEG currently employs resources with scientific understanding to advise growers where necessary. As the risk is currently largely unknown regarding chemicals and novel compounds migrating from packaging into food, no clear advice can be offered to vegetable growers at this time.

AUSVEG believes that clear guidelines for risk management outlining high, moderate and low risk compounds in packaging materials should be produced to provide greater understanding on CMPF. To offer accurate advice a clearly identifiable single point of contact and accountability would be necessary if any implementation of new standards occurs.

Question 5 (refer to p.12)

As a peak body/trade association, is there a need for access to further advice on CMPF?

☐ No ☒ Yes

Please expand on your response

AUSVEG believes that clear guidelines for risk management outlining high, moderate and low risk compounds in packaging materials should be produced to provide greater understanding on CMPF. To offer accurate advice a clearly identifiable single point of contact and accountability would be necessary if any implementation of new standards occurs.

Question 6 (refer to p.13)

Can you please identify the risk identification, characterisation and mitigation strategies that your business uses and whether you use any others?

Please indicate which responses apply

- ☐ Adherence to either a mandatory or voluntary standard, Code of Practice (CoP), handbook or guideline that provides guidance on mitigation of potential risks associated with CMPF
- ☐ Prohibition of specific chemicals that should not be present in food if it is determined that they may migrate into food and present a significant risk
- ☐ Prescriptive regulatory requirements for CMPF to address identified risks (e.g. maximum limits, migratory limits)
- ☐ Recognition of other countries' approaches and/or requirements used to mitigate risk and adopting these for use in Australia/New Zealand
- ☐ Use of certificates of compliance confirming that packaging and packaging inputs adhere to a specific CoP, industry standard or regulation
- ☐ Instructions in the form of labelling requirements to mitigate risks at the consumer level (e.g. preparation instructions)
- ☐ Introduction of a post-market incident response mechanism (for example, to review poor or lack of application of Good Manufacturing Practice (GMP))
- ☐ Establishment by packaging and food manufacturing companies of internal specifications and due diligence systems for packaging supply/use
- ☐ Other

Question 7 (refer to p.14)

If you are a food business (manufacturer/importer/brand owner/retailer):

Is information readily available on whether or not food packaging (including for home brand products) is made from recycled materials?

☐ No ☐ Yes

Please expand on your response

Question 8 (refer to p.14)

If yes to Question 7, how do you ensure that packaging manufactured from recycled materials does not contain chemicals that could migrate into food at levels of potential concern?

- ☐ In-house testing
- ☐ Request Declaration of Compliance
- ☐ Auditing of supplier
- ☐ Other (please specify)

Question 9 (refer to p.16)

If you are a packaging or food manufacturer, or industry body, is using another countries' legislation (eg US/EU) suitable to ensure compliance with your customer's needs?

☐ No ☒ Yes

Please expand on your response

It is the view of AUSVEG, the peak industry body for Australian vegetable growers, that aligning Australian legislation with established legislation from key international markets will not adversely impact the Australian vegetable industry. As the Australian vegetable industry complies with Australian Standard for Plastic Materials for Food Contact Use - AS2070-1999, little further change would be required to comply with any new standards.

Question 10 (refer to p.16)

In your experience, do the EU or US requirements or guidelines and other CoPs adequately manage risks from CMPF from all recycled materials?

☐ No ☐ Yes

Please expand on your response

Question 11 (refer to p.17)

What would you see as the advantages and disadvantages of a co-regulatory approach to managing CMPF?

Advantages

AUSVEG recognises that a co-regulatory approach allows Government to work more closely with industry to develop framework and guidelines for management, which should result in clearer requirements that are more effectively implemented. In addition there are advantages to a co-regulatory approach, for example, providing a single point of contact regarding questions concerning CMPF will ensure there is consistent effective information and advice provided to all industries using packaging.

Disadvantages

AUSVEG however understands that co-regulatory approaches do have a cost. There must be a clear mandate and structure, along with terms of service to ensure there is effective focus and output from this model. Furthermore, as this proposed concept would be a co-regulatory approach to manage CMPF and potential regulation changes, funding should be provided by Government and not lead to a financial imposition on industry.

Question 12 (refer to p.17)

Does the Australian Standard for Plastic Materials for Food Contact Use – AS2070-1999 supply useful guidance to industry?

☐ No ☒ Yes

Please expand on your response

AUSVEG believes that the Australian Standard for Plastic Materials for Food Contact Use - AS2070-1999 supplies useful guidance with effective descriptions of terms for industry. This can be seen within the vegetable sector, as currently the majority of the fresh vegetable packaging has to comply with these standards. The standards have shown to be clear and industry suppliers who provide advice and products to the vegetable growers have complied with the standards appropriately.

Question 13 (refer to p.17)

Are there other pertinent industry standards (Australian/New Zealand or International) that you reference and adhere to regularly?

☐ No ☐ Yes

Please expand on your response

Question 14 (refer to p.18)

Would you see benefits if a more prescriptive approach to packaging regulations were introduced?

☐ No ☐ Yes

Please expand on your response

Question 15 (refer to p.18)

Regardless of whether you buy or manufacture packaging, do you have a food safety or quality management program for that packaging?

☐ No ☐ Yes

Please expand on your response

Question 16 (refer to p.18)

*What are the key elements pertaining to chemical migration from packaging of this program (if you have one)?
For example, do you comply with a code of practice(s) or a specialist customised in-house program.*

- ☐ Comply with requirements in Australia New Zealand Food Standards Code
- ☐ Comply with AS 2070-1999
- ☐ Comply with Good Manufacturing Practice
- ☐ Comply with EU regulations
- ☐ Comply with US regulations
- ☐ Comply with CoP (if so, which?)
- ☐ Comply with customised in-house program
- ☐ Ensure through chain product stewardship
- ☐ Other

Question 17 (refer to p.18)

*As a food business, what quality assurance and quality controls do you currently use to mitigate risks from CMPF?
Please provide examples.*

Quality Assurance

Quality Controls

Question 18 (refer to p.18)

As a food business, do you have in-house technical capacity or expertise related to packaging?

☐ No ☐ Yes

Please expand on your response

Question 19 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), if you print on the materials that you produce, do you have a quality assurance and quality control system (or similar) which includes printing inks and related products (eg. resins, adjuvants, mineral oil)?

☐ No ☐ Yes

Please expand on your response

Question 20 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), do your quality assurance/quality control systems consider the end uses of the packaging?

☐ No ☐ Yes

Please expand on your response

Question 21 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), do you always prepare a Declaration of Compliance with existing legislation in order to meet your customers' needs?

☐ No ☐ Yes

Please expand on your response

Question 22 (refer to p.18 and SD3)

As a packaging manufacturer/converter/supplier (including packaging importer), as a result of international responses to issues with CMPF (eg. di-2-ethylhexyl adipate (DEHA)), and management measures undertaken by overseas manufacturers (eg. reformulation), have you adopted similar mitigation measures?

☐ No ☐ Yes

Please expand on your response

Question 23 (refer to p.18 and SD3)

As a packaging manufacturer/converter/supplier (including packaging importer), are you aware if semicarbazide is still used in manufacturing of food packaging materials in Australia and/or New Zealand?

☒ No ☐ Yes

Please expand on your response

Please detail any other comments you have on the Consultation Paper and the issues raised:

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