

**OFFICIAL**

**Joint Standing Committee on Foreign Affairs, Defence and Trade PFAS Sub-  
committee**

**Inquiry into PFAS remediation in and around Defence bases**

**QUESTIONS ON NOTICE**

**FOOD STANDARDS AUSTRALIA AND NEW ZEALAND PUBLIC HEARING -  
MONDAY 15 JUNE 2020**

**FSANZ Reply**

**Question 1:**

**Update on Australia's status in relation to the Stockholm Convention and the prohibition of PFOA in Australia and in New Zealand**

- The Stockholm Convention is a global treaty to protect human health and the environment from persistent organic pollutant (POP) chemicals. The Convention originally listed 12 chemicals, and more chemicals, including PFOS and PFOA, have been added since then.
- Australia ratified and became a Party to the Convention (including all 12 original chemicals) in 2004. Australia has supported the listing of all chemicals added to the Convention to date. PFOA (including its salts and related compounds) was listed in 2019, with the support of Australia.
- Australia has elected to be an 'opt-in' country to the Convention, meaning new chemical listings under the Convention enter into force for Australia upon deposit of an Instrument of Ratification. Before ratifying a new listing, the Government considers the merits of ratification and ensures that measures are in place to allow Australia to meet any associated obligations.
- Under Australia's federated system of government, responsibility for regulation of industrial chemicals is shared across the Commonwealth, states and territories. There are multiple regulatory systems and a co-ordinated, collaborative approach is required to manage any given chemical.
- Commonwealth, state and territory governments are currently working together to establish the National Standard for the Environmental Risk Management of Industrial Chemicals. The National Standard will set a nationally consistent environmental management approach for the use and disposal of industrial chemicals. The National Standard will be established by Commonwealth framework legislation, and implemented through regulatory frameworks in each jurisdiction.
- Having a nationally consistent framework for the environmental management of industrial chemicals will help to put the necessary regulatory measures in place when a new chemical is listed on the Stockholm Convention in a more streamlined way, allowing the Government to then consider ratification.
- Similar to Australia, New Zealand also ratified the Convention in 2004. However, New Zealand has elected to be an 'opt-out' country. For New Zealand, the Convention obligations associated with the listing of PFOA automatically come into effect in December 2020. New Zealand is currently amending domestic legislation to create the regulatory measures necessary to meet the obligations.

In order to provide the information above FSANZ consulted with the Department of Agriculture, Water and the Environment who has expertise in the area and manages environmental chemicals and Australia's involvement in the work around the Stockholm Convention. Further questions on this area should be directed to that department for consideration as required.

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**Question 2:**

**Advice on the potential for FSANZ to provide coordinated, consistent and tailored advice on safe food levels and clarification for cattle producers at the local level.**

FSANZ's statutory functions are specified in the *Food Standards Australia New Zealand Act 1991* (the Act). The predominant function of FSANZ is the establishment of food standards for both Australia and New Zealand. These standards are enforced by: state and territory departments, agencies and local councils in Australia; the Ministry for Primary Industries in New Zealand; and the Australian Department of Agriculture, Water and the Environment for food imported into Australia.

FSANZ also has a statutory role coordinating national surveillance and monitoring activities, when required, for food available in Australia. This occurs through established processes under the Implementation Sub Committee for Food Regulation's (ISFR) Coordinated Food Survey Plan. ISFR supports the joint Australian and New Zealand Food Regulation System by ensuring food standards are implemented and enforced consistently.

Local state and territory government authorities are generally responsible for undertaking site investigations and providing health advice for people and communities living on or near PFAS contaminated land.

Upon request and co-ordinated through the Federal Department of Health and the Food Regulation Standing Committee (FRSC), FSANZ may be contracted to provide food-related risk assessment advice. FSANZ (2017) determined trigger points for site investigation to provide guidance for state and territory authorities managing site investigations. If a food is found to contain a PFAS concentration at or above the trigger point, further investigation or management may be required by the local authority, such as providing recommendations around serving sizes and eating frequency to reduce dietary exposure and mitigate risks to an acceptable level.

FSANZ continues to play a key role in a whole-of-government response to PFAS contamination in accordance with the Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination. This involves ongoing advice to jurisdictional authorities investigating and managing local contamination issues through the Environmental Health Standing Committee and other fora as required. The committees of the Food Regulation System, including FRSC and ISFR, also provide a forum for jurisdictions to seek advice from FSANZ on PFAS related matters.

FSANZ is currently in discussions with members of the Australian Government PFAS taskforce to provide targeted guidance and communication materials to ensure the consistent application of trigger points.