

**Retailers and Manufacturers Liaison Committee Meeting (RMLC) 32
Minutes and Actions
Thursday 6 October 2016**

The meeting opened at 10.00am

Item 1 and 2 Welcome, minutes and actions arising

The Chair, Mr Steve McCutcheon (CEO FSANZ), welcomed participants to the meeting. It was noted that most of the actions arising from the previous meeting had been completed except for item 6.6 Benzoate which has been abandoned and items 6.8 Acrylamide and item 6.9 Aluminium which are works in progress.

Mr McCutcheon advised members about senior level staffing changes to FSANZ and changes to the FSANZ Board.

Action arising: Nil

Item 3 Food policy and regulations

Item 3.1 Update from the Department of Health (paper provided with minutes)

Paper provided with minutes.

Belinda Turk (Department of Health) provided an update on the following:

- Front of pack labelling (social marketing campaign, Health Star Rating (HSR) Advisory Committee)
- Healthy Food Partnership
- Low THC hemp as a food
- Analysis of food and nutrition data
- Independent review of mandatory fortification of folic acid and iodine
- Review of the 2006 nutrient reference values
- Marketing in Australia of infant formulas: manufacturers and importers agreement
- Review of the food and medicine interface (FMI) protocol
- Food EPI project

Action arising:

Department of Health update paper to be circulated with minutes - completed
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Item 3.2 Update from the Department of Agriculture and Water Resources

Paper provided with minutes.

Dr Duncan Craig (Department of Agriculture and Water Resources) provided an update on:

- Country of Origin Labelling (CoOL) reforms
- Raw milk cheese imports
- Advice for cassava, seaweed, ready-to-eat meats, peanuts and pistachios and molluscs
- Mandatory declaration of the producer for all imported food.
- Imported food reforms

Committee members sought clarification on some of the recent change to imported food requirements. The department advised that to be able to target specific risk foods for inspection, importers and brokers are often required to answer lodgement questions when declaring the food. These questions mainly relate to the characteristics of the food (e.g. is it of a particular kind and ready-to-eat). It was noted that the department is actively consulting with importers and brokers on the changes, including refinements to the lodgement questions.

Action arising:

Department of Agriculture and Water Resources update paper to be circulated with minutes - completed

Item 3.3 Introduction to the Implementation Subcommittee for Food Regulation (ISFR)

Paper provided with agenda.

Dr Eva Bennet (Chair ISFR) provided an introduction to the RMLC on the roles and responsibilities/purpose of the ISFR.

Dr Bennet asked the RMLC for any feedback/issues that they would like her to take back to ISFR and advised that once feedback is received, an ISFR report could be tailored to suit the RMLC meetings. Dr Bennet also asked for particular aspects of the ISFR work that RMLC would like to feed into.

Members advised that they would like the ISFR to provide ongoing updates to the RMLC on user guides and the opportunity for industry to feed into the user guides.

It was noted that the best way for RMLC members to engage with ISFR would be through the normal process where jurisdictions bring issues to ISFR. General issues can be placed on the RMLC agenda as it is intended that ISFR will be an ongoing presence at RMLC for future meetings.

Action arising: Nil

Item 4 FSANZ Corporate Plan 2016-17

Steve McCutcheon (FSANZ) presented the 2016-17 FSANZ Corporate Plan to the RMLC. Members were encouraged to view the Corporate Plan and provide any suggestions on the broader strategic direction of FSANZ prior to the FSANZ Board commencing preparation of the next (2017-18) corporate plan in December 2016.

The Corporate Plan is available on the [FSANZ website](#).

Item 5.1 Food Safety Response Activities

Paper provided with agenda.

Amanda Hill (FSANZ) provided an update on:

- Food recall statistics for 2016 year-to-date
- Food recall template, aimed at SMEs
- Consideration of allergen-related recalls
- National food incident response – *Salmonella* Hvittingfoss in rockmelons
- Government-industry food incident forum
- Food safety culture

FSANZ encouraged RMLC members to participate in the food incident forum so that they are able to bring any relevant issues to FSANZ's attention.

FSANZ advised that there is now a separate email for food safety culture issues: FoodSafetyCulture@foodstandards.gov.au

Action arising:

- **Amanda Hill to circulate outcome notes from the food safety culture meeting held in August 2016**

Item 6.1 Proposal P1024 – Review of Nutritive Substances and Novel Food

Paper provided with minutes.

Jonathon Kite (FSANZ) advised that the comment period for P1024 closed in April 2016. FSANZ's preferred option was to develop an alternative approach to regulating nutritive substances and novel foods.

FSANZ advised that a further consultation paper will be released in the first quarter of 2017.

Action arising: FSANZ to provide update paper with minutes - completed

Item 6.2 3MCPD esters

Dr Glenn Stanley (FSANZ) provided an update on 3MCPD esters.

NZFGC noted that they will have an update and will alert their industry on the prospect of sampling of oils.

Members asked if industry had protocols in place to reduce or minimise the risk of contamination and if the testing was valid. In response, Dr Stanley advised that FSANZ is liaising regularly with oil manufacturers regarding risk management and mitigation measures.

It was further advised that there were two methods of testing and that FSANZ and NZMPI are currently in discussions regarding which is the best method to use.

Action arising: FSANZ to provide update paper with minutes

Paper provided with minutes.

Dr Glenn Stanley (FSANZ) provided an update on arsenic in rice advising that work is continuing with international counterparts investigating arsenic levels in rice.

FSANZ will continue to undertake surveillance activities. These activities may result in FSANZ reviewing the existing maximum level for arsenic in cereals and our consumer advice.

Action arising: FSANZ to provide update paper with minutes - completed

Item 6.4 Perfluorinated Compounds (PFAS)

Paper provided with minutes.

Dr Glenn Stanley (FSANZ) advised that FSANZ does not plan on considering risk management options until the health based guidance values (HBGVs) is finalised and FSANZ has undertaken a preliminary dietary exposure assessment.

If a dietary risk is identified, FSANZ may prepare a proposal in late 2016 or alternatively, consider non-regulatory options.

If a proposal was prepared to introduce a regulatory measure in the Code, the FSANZ Board would consider a recommendation on PFAS in mid to late 2017. This would allow a Ministerial Forum decision by late 2017.

Action arising: FSANZ to provide update paper with minutes - completed

Item 6.5 Proposal P1026 - Lupin as an Allergen

Paper provided with minutes.

Dr Mark Fitzroy (FSANZ) advised that fourteen submissions were received from the call for submissions. Most submissions were supportive of the approach proposed however, a number of issues were raised which need to be addressed in the approval report.

A Decision Regulatory Impact Statement (DRIS) is required to be written. FSANZ advised that limited additional information was received with submissions to assist with this work, so a qualitative approach is required.

FSANZ will continue to work on P1026 and will meet the Office of Best Practice Regulation (OBPR) requirements. The approval report will not be completed until the first quarter of 2017.

Action arising: FSANZ to provide update paper with minutes - completed

Item 6.6 Update on Health claims

Dr Diane Bourn (FSANZ) advised that FSANZ is continuing consideration of the remaining EU-authorized health claims.

The FSANZ webpage was updated on this work in August 2016 with decisions about the EU-authorized 'reduction of disease risk' claims and two claims about docosahexanoic acid (DHA).

FSANZ is currently preparing systematic reviews relating to three EU-authorized claims about blood glucose (chromium, pectin, arabinoxylan), and a review about a range of fatty acids and blood cholesterol. FSANZ anticipates this work will be completed in the first half of 2017.

The review of an existing high level health claim about beta-glucan and blood cholesterol is underway. FSANZ has completed an update on evidence relating to the relationship between trans-fatty acids and blood cholesterol.

FSANZ anticipates liaising with relevant industries about their interest in the claims and any work completed to date to help determine the scope of work for consideration of the remaining EU-authorized claims.

Action arising: Nil

Item 6.7 Labelling review update

Jenny Hazelton (FSANZ) provided an update on the following:

- Recommendation 34 – review of mandatory labelling of irradiated food. FSANZ anticipates completing work by the end of 2016 with a view to providing a report to the Ministerial Forum (the Forum) in the first half of 2017.
- Recommendation 12 – FSANZ has completed its technical evaluation of this recommendation on the grouping of added sugars and added fats/oils in the statement of ingredients and it is expected the Forum will consider this report in November 2016.
- Recommendation 6 and 47 – FSANZ's technical evaluation concerning food safety elements (Rec 6) and emboldening of warning/advisory statements and allergen declarations (Rec 47) is also expected to be considered by the Forum in November 2016.

There were questions from members regarding the timeframe and next steps for Recommendation 12. In response, FSANZ advised that these matters will be considered by the Forum at its November meeting.

Action arising: Nil

Item 6.8 NUTTAB progress report

Paper provided with agenda.

Alex Craven (FSANZ) provided an overview on the NUTTAB database advising that NUTTAB will be upgraded with the revised reference dataset due for release in early 2017 and a revised NPC dataset to follow.

FSANZ asked industry to provide data to FSANZ. Guidelines have been developed to assist in designing analytical programs suitable for provision of data to FSANZ; this is available at: www.foodstandards.gov.au/science/monitoringnutrients/nutrienttables/Pages/default.aspx

Once validated, all submitted data will be incorporated into the next published version of NUTTAB.

There were questions raised regarding the degree that processing plays in nutrient values referenced (i.e. heat treatment of juice), the concern being that nutrient values can change significantly depending on the processing treatment. In response, Ms Craven advised that at this stage, FSANZ is only using the reference database which uses the nutrient values for fresh juice only.

Members asked if FSANZ could consider making NUTTAB a live document. In response, FSANZ advised that moving towards a live document would be desirable but beyond current resourcing.

Members asked for a period of grace when rolling out the new NUTTAB and NPC dataset. In response, Ms Craven advised that there will be user guides and a period of grace for industry.

Action – FSANZ to arrange consultations with industry and regulators before rollout of new version of NUTTAB and NPC.
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Item 7 Science, information and emerging issues

Item 7.1 New plant breeding techniques

Paper provided with agenda.

Dr Lisa Kelly (FSANZ) advised that FSANZ held a workshop with jurisdictions and other interested government agencies to begin developing some consensus and clarity around the regulatory status of New Plant Breeding Techniques (NBTs) under standard 1.5.2.

Following feedback from the workshops, FSANZ will undertake more technical work to further develop and refine the framework in consultation with jurisdictions. FSANZ is proposing to establish an expert advisory group to assist with this work.

Members asked how this work will feed into the Office of the Gene Technology Regulator (OGTR) requirements. In response, Dr Kelly advised that FSANZ is working very closely with the OGTR on this topic and also its New Zealand counterpart. FSANZ noted there are historical reasons for having different definitions in the Code than the OGTR and that they are trying to achieve clarity on what is/isn't in the scope.

Members requested that FSANZ consult more broadly on this topic. FSANZ advised that they have been maintaining dialogue with industry groups and that they will be consulting

more broadly once the framework is further developed, noting the wider community interest in the regulation of GM food.

Action - FSANZ to provide an update on NBTs at the next RMLC meeting in April 2017.

Item 7.2 Maximum Residue Limit (MRL) activities

Paper provided with minutes.

Jacinta Dugbaza (FSANZ) advised the RMLC that FSANZ has progressed Proposal P1027 – Low-level Residues of Ag & Vet Chemicals in Food to the Approval stage. The draft Approval Report with the summary of submissions from stakeholders and the risk assessment methodology is to be considered by the FSANZ Board on 19 October 2016.

FSANZ anticipates that there will be a call for submissions on the latest MRL harmonisation proposal - M1014 - in February 2017.

Ms Dugbaza advised that an MRL application - A1133 - is currently being assessed. Details are available in the FSANZ work-plan on the FSANZ website. It was noted that the assessment is being undertaken in close consultation with the APVMA.

FSANZ applied for and secured additional funding for the 2016-17 financial period for implementation of the *APEC Import MRL Guideline*. The funds will be used to provide technical training to APEC member economies in the early part of 2017.

Action – Nil

Item 8 Communications

Saffron Urbaniak (FSANZ) provided an update on the new Communication and Stakeholder Engagement Strategy and mentioned that the audit of FSANZ's engagement with SME's was complete.

Some recommendations from the audit included more targeted use of FSANZ social media and providing more specific industry publications.

Ms Urbaniak advised that FSANZ will be providing more visual materials (infographics) to their work, with the next one being for acrylamide.

Members provided positive feedback on FSANZ's social media and requested more of the "ask the expert" weeks.

Ms Urbaniak asked for feedback on how they might reach out to small businesses via social media and other technologies. The CEO noted that the Board has asked FSANZ to be more pro-active and any feedback that members could provide would be appreciated.

Action – Nil

Item 9 Industry matters

Fiona Fleming (AFGC) provided a general update on AFGC matters. Ms Fleming advised that industry is holding a round table discussion on 15 November 2016 regarding coconut

recalls. An update on the outcomes of the round table discussion will be provided to the next RMLC meeting.

Ms Fleming informed the RMLC that the AFGC plans to provide an updated version of the Allergen Guide advising that they will be broadening the scope and taking outcomes from FSANZ's work. A draft version of the updated Allergen Guide will be put out for comment before being released in early 2017.

Ms Fleming advised that AFGC would be updating content on product information forms from an excel platform to an online platform. The AFGC anticipates that the delivery of the new platform should be available in early 2017.

Ms Fleming noted that the recent country of origin workshops were well received by AFGC members and, as such, they would be looking at holding more.

Ms Fleming advised that an AFGC survey on product recalls has been sent out to members this week. It was noted that the AFGC would share the results of this survey with RMLC members and FSANZ.

Finally, Ms Fleming advised that there was a scoping study conducted last year by AFGC on food safety auditing, noting that there was a lot of time being put into audits however; this was not necessarily improving food safety. The AFGC has launched a project using the produce industry/HARPS model for food safety auditing, focussing on baked goods initially with the hope that this project can assist with developing food safety benchmarks.

Action

- **AFGC to provide update at RMLC 33 on the outcomes from the coconut recalls roundtable held on 15 November 2016.**
- **Distribute results from product recalls survey to RMLC members and FSANZ.**

Item 10 Other business

Carol Inkster (NZFC) advised that the New Zealand Advertising Standards Authority is publishing a new guide for advertisements to children. This guide is due to be released within the next few weeks.

Action – RMLC secretariat: FSANZ staff and members providing updates at the RMLC will need to provide talking points/formal update papers to the RMLC secretariat for distribution along with the agenda for all future meetings.

Next meeting

Thursday 6 April 2017 10:00am – 3:00pm AEST (12:00pm – 5:00pm NZT)

Attendees:

FSANZ: Steve McCutcheon (CEO), Cathie Humphries, Saffron Urbaniak, Lucinda Barlow, Amber Wood, Gabrielle Weidner, Jonathon Kite, Dr Glenn Stanley, Dr Mark Fitzroy, Dr Diane Bourn, Jenny Hazelton, Janis Baines, Alex Craven, Dr Lisa Kelly, Ben Sutherland and Jacinta Dugbaza.

ISFR: Dr Eva Bennet (Chair)

Australian Department of Health: Belinda Turk

Australian Department of Agriculture and Water Resources: Dr Duncan Craig

AFGC: Fiona Fleming

Parmalat Australia Ltd: Kim Staples

LionCo: Bree Pagonis

Dairy Australia: Susannah Tymms

Coles: David Miles

Woolworths: Paul Kelly

FoodStuffsNZ: Melissa Hodd

Nestle: Stephanie Rajczyk

Food and Beverage Importers Association: Tony Beaver, Carolyn Macgill

NZFGC: Katherine Rich, Carol Inkster

AI Group: Jennifer Thompson

Arnotts: Michael Depalo

Fonterra: Peter Bristow

Unilever: Kim Tonnet

Apologies:

Mars Food Australia: Anne Porta

Australian Beverages: Colin Felder

Retail Kiwi: Greg Harford