

FOOD STANDARDS NEWS



The Newsletter of Food Standards Australia New Zealand

June 2003

FSANZ UPDATES

PUBLIC COMMENT SOUGHT ON AMENDMENTS TO FOOD CODE

Food Standards Australia New Zealand (FSANZ) invites public comment on a number of possible changes to the *Food Standards Code*:

Declaration of sodium in infant foods (P262) – First Review

The Australia and New Zealand Food Regulation Ministerial Council has requested a First Review of the exemption from mandatory nutrition labelling of sodium in foods for infants. The Code presently does not require mandatory labelling for sodium, but rather regulates the sodium content of infant foods to safe levels. Most manufacturers, however, voluntarily include sodium in the nutrition information panels on infant food labels. FSANZ is seeking comment from food manufacturers, health professionals and consumers on whether the declaration of sodium content of infant foods should be mandatory.

D-tagatose as a novel food (A472) – Draft Assessment

Novel foods are foods that have no history, or only a limited history, of safe use in the community. They must undergo and pass a safety assessment by FSANZ before they can be approved for sale in Australia and New Zealand.

D-tagatose is a naturally occurring monosaccharide, which has technical properties similar to traditional sugars, but offers health advantages by being a low energy sugar with a low glycaemic index. The applicant proposes to use D-tagatose in a range of beverages, confectionery and desserts. FSANZ has found no public health and safety concerns with its use as proposed and invites comment from interested parties.

Maximum residue limits (A477, A486) – Initial / Draft Assessment (Australia only)

The Australian Pesticides and Veterinary Medicines Authority (formerly the National

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Maria Said, National President FACTS (centre) with members of FSANZ's Seminar Team, Tracey Rumble (left) and Catherine Deeps (right)

Knowing the FACTS

Addressing a FSANZ seminar, Maria Said, the National President of FACTS stated that there is no cure for anaphylaxis, education is the key. The FACTS mission is to develop anaphylaxis awareness through education, research and support.

Health and teaching professionals, food manufacturers and the community at large must make a collaborative effort to assist in the management of life-threatening food allergy at home, at school, at a restaurant, on an aeroplane, at the workplace and at the supermarket.

'Anaphylaxis will not go away, it is on the increase. As a society we must acknowledge it and move toward a safer environment for all' Maria Said concluded.

FACTS (Food Anaphylactic Children Training and Support Association Incorporated), is a charitable, not for profit organisation established in 1992 to support and assist children and individuals effected by anaphylaxis. FACTS is a member of an international alliance, Food Allergy and Anaphylaxis Alliance (FAAA) with member

countries being Australia, New Zealand, Canada and Quebec, United Kingdom, The Netherlands and United States.

The introduction of the new Food Standards Code and the mandatory labelling of food allergens has been welcomed by FACTS. Concerns still prevail over the risk that allergens have not been labelled. It is, therefore, up to the consumer who has had the allergic reaction to a certain food product to report the presence of that allergen to the manufacturer – to instigate a food recall or alert.

Recently, we have seen a number of food recalls where the labelling of the food product has not declared the presence of a particular food allergen.

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Important Notice:

Changes to Food Standards News -
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FSANZ's role in the new food regulatory environment

The new food regulatory environment, which was put in place in July 2002, provided new challenges for Food Standards Australia New Zealand. In Australia, we were given the task of protecting consumers by developing food standards that apply to the entire food supply chain from primary production right through to food manufacturing and retailing.

FSANZ had the first opportunity to work with the primary production sector with the development of the seafood standard which is progressing well. There are plans in place to start work on a chicken meat standard and, down the track – meat, dairy, grains, horticulture, honey and eggs. We are also making efforts to expand our contacts list into

the primary production sector and would encourage individuals and organisations to make contact with us to help on this.

Recently, FSANZ have spent some time looking at ourselves and how we do business. We believe we need to be more outward looking and engage our stakeholders and government partners more effectively. The food regulatory environment can be quite complex and challenging and as the regulator need to take a fresh look at how well we are working in this environment. We will soon be starting work on a broad strategic review of our operations to see where improvements can be made.

Our current consultation arrangements are also being reviewed to ensure that FSANZ can provide adequate opportunities for active engagement of all interest groups in our processes. It is important that there is early and meaningful consultation with all affected parties so that there is a shared understanding of the issues and an opportunity to shape outcomes.

FSANZ looks forward to moving into 2003-04 with a fresh outlook and a commitment to working more effectively with our stakeholders and government partners. We encourage you to make contact with us if you have particular views on any of these issues and wish to make them known to us.

« FSANZ Update cont.

Registration Authority for Agricultural and Veterinary Medicines) has applied to FSANZ for maximum residue limits (MRLs) for certain agricultural and veterinary chemicals in the Code. The dietary exposure assessments indicate that the residues associated with the proposed MRLs do not represent an unacceptable risk to public health and safety. There are no antibiotic MRLs in these applications.

Insect-protected GM corn (A484) – Draft Assessment

Genetically modified foods must undergo a pre-market safety assessment by FSANZ before they are approved for sale in Australia and New Zealand. They are only approved if they are at least as safe and as nutritious as their non-GM counterparts. FSANZ has carried out a safety assessment on food derived from MON863 corn – a genetically modified corn containing two novel proteins for protection against the insect pest corn rootworm. FSANZ has concluded that MON863 corn is as safe and as wholesome as food derived from other corn varieties. FSANZ welcomes comment from interested individuals and organisations.

Extension of the folate/NTD health claim (P275) – Draft Assessment

The *Food Standards Code* prohibits the use of health claims by food manufacturers. These are claims that link a food or food ingredient with a particular disease or physiological condition. The only exemption is a claim that links the consumption of folate by women to a reduction in the risk of neural tube defects (NTD), such as spina bifida, in babies.

This health claim was approved until 14 February 2004 or until the approval of a new health claims standard in the Code. The proposal seeks to extend the exemption for the folate/NTD health claim to 13 February

2006. FSANZ invites comment from the food industry and other interested parties.

Saccharin and cyclamate in water-based flavoured drinks (A69) – Initial Assessment

The application seeks to increase the maximum permitted levels of saccharin and cyclamate in water-based flavoured drinks.

Iodine as a processing aid (A493) – Initial Assessment

The application proposes that iodine be approved as a washing agent to reduce the levels of pathogenic bacteria and natural microflora on the surface of food, particularly fresh produce.

Wine issues (A485, A474) – Initial Assessments

These applications seek to extend the stock-in-trade provisions for wine and wine products indefinitely (A484); and to update the lists of food additives and processing aids which winemakers are permitted to use and to standardise the terminology used in Standard 4.1.1 – Wine Production Requirements (Australia only) with that of the rest of the Code and also with internationally recognised terminology (A474).

Submissions:

Submissions should be received by FSANZ by **2 July 2003** or, in the case of P262, by **18 June 2003**.

More information:

Assessment reports for the Applications and Proposals described above can be found on the FSANZ website at www.foodstandards.gov.au under What's New / Documents for Public Comment.

« Knowing the FACTS cont.

Another issue that raised concern was the variation in allergen declaration statements and the statement 'may contain traces'. Statements such as this limits the choice that the children and individuals effected by anaphylaxis have available.

Anaphylaxis is the most serious and sudden form of allergic reaction and usually involves a generalised allergic reaction involving two or more body systems simultaneously.

1% – 2% of the overall Australian population are estimated to suffer from food allergy, including 8% - 10% of children.

An anaphylactic reaction usually occurs within minutes of exposure to a trigger and can be life-threatening. The triggers can vary greatly from food ingestion, medication, stings or contact with latex.

The most common food triggers of anaphylaxis are: peanuts, tree nuts (walnuts, almonds, cashews, pistachios, pecan, etc), egg, cow's milk, fish or shellfish, sesame, soy and some food additives. Other causes include insect venom (bee, wasp) and some medications, such as antibiotics, penicillin through herbal and natural products.

FACTS is dedicated to helping those with anaphylaxis manage their condition more successfully and enable them to cope with everyday life without risk to their safety and health. It is a volunteer-based organisation supported by medical advisors from the Australian Society of Clinical Immunology and Allergy (ASCIA).

For further information or support contact the FACTS Info line on 1300 728 000 or email coordinator@allergyfacts.org.au or visit the FACTS website: www.allergyfacts.org.au.

Ministerial Council Policy Guideline on the Addition of Caffeine to Foods

Endorsed by the Ministerial Council on 4 April 2003

SCOPE/AIM

To limit the exposure of vulnerable individuals to foods containing caffeine.

HIGH ORDER PRINCIPLES

1. Give priority to protecting public health and safety.
2. Ensure that consumers have access to sufficient information to enable informed and healthy food choices.
3. Ensure that industry innovation and competitiveness is supported, except where public health and safety is affected.
4. Be consistent with, and complement, Australia and New Zealand national policies and legislation including those relating to nutrition and health promotion, fair trading, industry growth and international trade and innovation.
5. Be cost-effective overall, not more trade restrictive than necessary, and comply with Australia's and New Zealand's obligations under the WTO Agreements.

OTHER PRINCIPLES:

1. Endeavour to limit the possible adverse effect of caffeine containing foods on vulnerable sub-groups of the population.
2. Ensure that the effect of caffeine additions to individual foods is considered in the context of the total diet.
3. Ensure the appropriate use of advisory statements on caffeine-containing foods in alignment with scientifically substantiated risk to vulnerable sub-groups of the population.

POLICY GUIDANCE

Until further evidence becomes available, maintain the status quo (as currently in place in Australia) for caffeine regulation by:

- Maintaining the current additive permissions for caffeine; and

- Restricting the use of new products containing non-traditional caffeine rich ingredients (including guarana) to boost the caffeine content in other food, beyond the current provisions for caffeine.

Caffeinated kola drinks and formulated caffeinated beverages will be permitted in accordance with the current standards.

Foods, which naturally contain caffeine and have a long history of use and consumer awareness/association with caffeine, such as tea, coffee and cocoa, are to be exempt from the labelling provisions and the use of these foods naturally containing caffeine to be added to other foods will continue to be allowed. Guarana, as a non-traditional food containing caffeine, will continue to have special labelling provisions outlined in the Food Standards Code.

Ensuring a Safe Food System: 2003-2004 Federal Budget

The Australian Government has provided a total of \$2.8 million over four years to strengthen food safety standards in Australia, through the development of new Primary Production and Processing Standards and information to the food industry.

The Primary Production and Processing Standards will be developed by Food Standards Australia New Zealand (FSANZ), to ensure that all domestic food standards are integrated into a single national framework, applying across the food supply chain - from the paddock to the plate.

The Primary Production and Processing Standards will contribute to public health and safety, provide nationally consistent guidelines to industry for producing safe food and help enhance consumer confidence in the safety of Australian food.

\$0.8 million of the total funding over four years will be used to assist in the implementation and to inform stakeholders of the changes to FSANZ, especially in rural and regional areas.

The Seafood Standards Development Committee (SDC) met in Melbourne in March to examine twenty-five public submissions made to FSANZ in response to an issues paper released in December, 2002.

The SDC addressed issues in shaping the proposed direction of the new seafood standard for Australia. They are:

- The scope of the new seafood standard;
- That no further risk assessment was required for seafood;
- The kind of management needed for seafood safety in Australia; and
- The mandating of fish names.

Deon Mahoney, FSANZ Principal Microbiologist and a member on the SDC, is excited about the new standard. "The standard will mean all areas in the seafood industry will be food safety regulated. For the first time, Australia will have national safety standards covering the whole of the seafood sector collectively".

Both imported and domestically produced seafood will be included in the scope of the new seafood standard. Crocodile meat, seaweed and other aquatic plants are not included within the new seafood standard.

Because so much is known about the microbiological hazards associated with seafood, the SDC does not believe that it is

necessary to conduct any further risk assessments on the issue of seafood safety.

"There is enough scientific material carried out by industry to render further risk assessments unnecessary" says Mr Mahoney. "Australian seafood can be generally described as low risk, with a few exceptions. Higher risk seafood will receive special attention in chapter 4, such as the implementation of Food Safety Programs (Standard 3.2.1)."

Expert scientific committees are looking into the matter of mandating fish names. The SDC referred this matter to the experts, as a number of members feel mandating fish names will benefit consumers in terms of information and health and safety.

Another meeting for the seafood SDC will be held on 30-31 July 2003 to consider preliminary legal drafting and to discuss preferred regulatory options. FSANZ expects that an essentially complete Draft Assessment Report should be available for consideration by the SDC at its meeting in Perth on 22-23 September 2003.

For the latest developments on the progress of the Seafood Standards visit our website www.foodstandards.gov.au.

Australia and New Zealand Food Regulation Ministerial Council

JOINT COMMUNIQUE: FOOD MINISTERS AGREE TO A RANGE OF POLICY INITIATIVES

The Australia and New Zealand Food Regulation Ministerial Council met in Sydney on 4 April 2003. This was the first face-to-face meeting of the newly expanded Ministerial Council. As the body responsible for food policy development in Australia and New Zealand, it made a number of important policy decisions.

Country of Origin Labelling of Food

Food Standards Australia New Zealand (FSANZ) has asked the Ministerial Council for policy advice to guide it in its review of country of origin labelling of food.

The Ministerial Council agreed to a policy direction on mandatory country of origin labelling of food. Ministers emphasised that this is not a public health and safety issue, as the safety of the food supply is assured through other means. The Council's support for country of origin labelling is on the grounds of enabling consumers to make informed choices. Ministers noted that access to information on country of origin was an important factor in consumers making choices. At present there is a temporary arrangement in place for mandatory country of origin labelling to continue in Australia. In New Zealand, there has been longstanding provision under fair trading legislation for voluntary country of origin labelling.

Added Caffeine in Foods

In response to public concern about caffeine intake, particularly when consumed by vulnerable sub-groups such as children, the Ministerial Council has been considering the addition of caffeine to foods.

The Ministerial Council agreed, until further evidence becomes available, to maintain the status quo for caffeine regulation by:

- maintaining the current additive permissions for caffeine; and
- restricting the use of new products containing non-traditional caffeine rich ingredients (including guarana) to boost the caffeine content in other food, beyond the current provisions for caffeine.

Caffeinated kola drinks and formulated caffeinated beverages will be permitted in accordance with the current standards.

Any transitional arrangements will be reviewed in light of this decision.

In addition, the Ministerial Council asked for further investigations to be done on the:

- use of guarana and guarana extract; and
- definition of kola drinks.

The Ministerial Council also agreed to review any further scientific evidence in two years time.

Review of GM Labelling

The Ministerial Council agreed to proceed with a review of the labelling requirements for genetically modified food. The review will include a review of legislation in place around the world. The Food Regulation Standing Committee (FRSC) has been asked to develop terms of reference and advice on the scope of the review.

Consultation Mechanism

The Ministerial Council considers it important that the community has confidence in the new food regulatory system and that the process of policy guideline development is transparent and allows input from all interest stakeholders.

To this end, the Ministerial Council has endorsed new Principles for Operating Protocols for Stakeholder Consultation. The Ministerial Council has asked that these Principles be reviewed in 12 months time.

Maximum Residue Levels for Ceftiofur (for Australia only)

The Ministerial Council had previously agreed to adopt draft variations to the *Food Standards Code* to include maximum residue levels (MRLs) for Ceftiofur except for edible offal and fat (cattle). The Council asked FSANZ and the National Registration Authority (NRA) for further advice on the proposed MRL for Ceftiofur for cattle edible offal and fat.

The Ministerial Council has now received advice from FSANZ, the NRA, the Therapeutic Goods Administration (TGA) and the Expert Advisory Group on Antimicrobial Resistance (EAGAR) that they have found no evidence of harm to humans at the MRLs proposed for Ceftiofur. In particular, Ministers noted that Ceftiofur is not registered for use in humans and that its use in animals is limited to the treatment of individual animals for bacterial infections of the respiratory tract only by injection.

The Ministerial Council agreed to the MRLs for Ceftiofur for cattle, edible offal of 2mg/kg and cattle fat of 0.5mg/kg for Australia.

Bovine Spongiform Encephalopathy Risk Assessment and Management (for Australia only)

Prior to this meeting, the Ministerial Council agreed out of session to notification of the FSANZ Bovine Spongiform Encephalopathy (BSE) Risk Assessment and Risk Management Strategy and the resulting amendments to the BSE clause in the Meat and Meat Products Standard. This is an Australia only standard. This decision was based on the currently available scientific evidence that indicates negligible contamination and transmission risks of the BSE agent in the exempted materials.

Ministers are aware that further research is still being undertaken in the field of BSE and transmissible spongiform encephalopathies (TSE) contamination and transmission risks. The Ministerial Council has therefore asked FSANZ to review the latest scientific evidence on BSE and TSE contamination and transmission risks and international regulatory measures for managing these risks, and report to the Ministerial Council in 12 months time.

Soy Based Infant Formula

Ministers agreed that FSANZ should continue to monitor developments relating to soy-based infant formula and to advise the Council of any significant issues.

Do you make Submissions or Applications to FSANZ?

We are currently developing a new Standards Management System which will manage the workflow of applications to change the *Australia New Zealand Food Standards Code*.

It will help us track the process automatically. We can handle your submission or application more easily if it is sent to us electronically through the website form. You can make a submission through our website at <http://www.foodstandards.gov.au/forms/index.cfm?fuseaction=Submission> or make an application at

<http://www.foodstandards.gov.au/forms/index.cfm?fuseaction=Application>. Alternatively, if you do not have Internet access, please send us a copy on CD or disk.

The new system will enable us to publish submissions on our website as we receive them. At the moment our Public Register files can only be viewed in our Canberra and Wellington offices.

If either your application or submission has commercial-in-confidence information do not

lodge it through our website but mail (preferably also on disk or CD) it to:

The Standards Liaison Officer
PO Box 7186
Canberra BC ACT 2610
Australia

Or for New Zealand our Wellington address is:

PO Box 10559
The Terrace, Wellington 6036
New Zealand.

Important notice

Food Standards News goes electronic – don't miss out

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This will be the last hard copy subscription version.

To make sure that you continue to receive Food Standards News log on to our website at <http://www.foodstandards.gov.au/mediareleasespublications/information-service.cfm> and enter your details and email address or complete the enclosed form and fax or mail to us.

Not only will you get Food Standards News emailed but also regular updates in between editions.

You can also register to receive some of the other regular FSANZ publications such as our Gazette notices or our Food Standards Information Service.

With so many subscribers this hard copy service has proved very costly as the printing, handling and mailing costs are significant. We would rather spend this money providing more regular and more detailed content.

If you genuinely have trouble accessing an electronic version please contact our Information Officers in Australia on 02 6271 2241 or in New Zealand on 04 473 9942 and we will make other arrangements.



Australian Food Safety Week 2003

The Food Safety Information Council has announced that the topic for the 2003 Australian Food Safety Week will be preparing food for large groups at parties, barbecues and other home-based functions.

The topic, which was decided by a vote of all Council members at the recent AGM, was chosen because figures show that when consumers, who are used to catering just for the family, have to cater for larger groups of people the result can be food poisoning. A short time ago, food produced by volunteers at a fund-raising event in Melbourne, for instance, led to over 300 people being hospitalised.

Last year's Food Safety Week set a record level for media coverage which brought the Council's food safety messages to around 20 million Australians. We are confident that the 2003 Campaign will live up to this very high standard.

The Food Safety Information Council is a voluntary group of State and Federal governments, food industry and professional associations. Membership is open to any organisation which has an interest in promoting safe food handling practices for consumers.

If you would like more information about Food Safety Week 2003 or about joining the Food Safety Information Council, visit the Council's website on www.foodsafety.asn.au, send an email to info@foodsafety.asn.au or phone the Council's Project Officer, Tania Bradley on (02) 62544896.

For more information about the Safefood Partnership in New Zealand see the New Zealand Food Safety Authority's website www.nzfsa.govt.nz.

No health risk in your cuppa

There have been recent media reports about low level pesticide residues found in imported tea. Food Standards Australia New Zealand (FSANZ) has examined a summary of these test results and found that in all cases, the residue levels are well below the relevant health limits.

FSANZ does not believe that these low-level residues are a risk to public health and safety and all of the tea products tested are safe to consume.

The test data relate to dried tea leaves and this is not something we would usually consume. The brewed tea, which is consumed, would contain much lower levels than the tea leaves. This is because not all of the residue would transfer into the infusion, there is a significant dilution with the water and there may also be further chemical losses when boiling water is added to the leaves. Past Australian Total Diet Surveys, which survey residues in the food consumed, have not detected any pesticide residues in brewed tea.

We have noted that a number of the residues found are for pesticides for which there are no tea maximum residue levels (MRLs) in the Food Standards Code. This is not surprising because the MRLs in the Food Standards Code reflect domestic use of chemical products and yet most tea is imported.

However, the residues are in breach of food legislation and may therefore be the subject of enforcement action.

Given the minimal public health significance of the residues, FSANZ has contacted the industry and suggested they should make an application to FSANZ to include the relevant MRLs in the Food Standards Code. This process would allow FSANZ to conduct a detailed assessment and also allow public consultation on any proposed amendments to the Food Standards Code on pesticide residues in imported tea.

For more information see the fact sheet on 'Limiting chemical residues in food the role of Maximum Residue Limits' at <http://www.foodstandards.gov.au/mediareleasespublications/factsheets/factsheets2002/limitingchemicalresi1424>



Chief Scientist Dr Marion Healy discusses CODEX

FSANZ applies a risk and evidence based approach to the development of food regulatory measures. To maintain this approach our processes and procedures are refined and updated on an ongoing basis to reflect international developments, particularly in response to outputs of the international standard setting body for food, the Codex Alimentarius Commission (CAC). Over the past several months FSANZ staff have participated in meetings of Committees/Taskforce of the CAC that resulted in guidance which may impact on the way in which FSANZ develops/reviews food standards and undertakes other functions. Some of these are outlined below.

Risk Analysis:

The proposed risk analysis principles to apply within the framework of the Codex Alimentarius are being finalised by the Codex Committee on General Principles (CCGP). Principles are proposed for the three stages of risk analysis (risk assessment, risk management and risk communication), and if adopted, it is expected that Codex Committees and Taskforces will apply the principles. The CCGP also held preliminary discussions on principles for risk analysis for food safety purposes that would be applied by member countries.

The application of risk analysis to nutritional issues is gradually being implemented in the work of the Codex Committee on Nutrition and Food for Special Dietary Uses (CCNFSDU). The first step has been the recognition of the use of upper safe levels for nutrients in developing appropriate permissions for the addition of vitamins and minerals. At its next meeting CCNFSDU will consider the application of risk analysis more generally, particularly in relation to the principles that have been developed by CCGP.

A broad framework for applying risk analysis to foods derived from biotechnology, together with guidance on conducting safety assessments for foods developed using

recombinant plants and recombinant micro-organisms have also been finalised. The Taskforce on Foods Derived from Biotechnology developed these three guidance texts during its four year life span, and they are the first to address the health and safety aspects of foods derived from modern biotechnology developed within the Codex framework.

Equivalence Determinations:

A framework for judging equivalence of sanitary measures associated with food inspection and certification systems was progressed to the final step by the Committee on Food Inspection and Certification Systems (CCFICS). Although the framework was developed in the context of inspection and certification requirements, it nonetheless also provides a general framework for determining if equivalent food safety outcomes are delivered by alternative food control systems, including food standards.

Information Exchange:

CCFICS examined in detail a revision of the guidelines for the exchange of information in food emergency situations. Although this revised guideline is still in the early stages of development, it is likely in the future to assist FSANZ obtain information more rapidly as food borne hazards are identified, particularly those potentially affecting food products imported into Australia.

FSANZ is drawing the key elements from the Codex guidance texts for incorporation into its risk analysis and equivalence determination frameworks. Documents outlining FSANZ's approach to these matters are available at www.foodstandards.gov.au or www.foodstandards.govt.nz.

The official reports summarising the discussions and outcomes from the meetings of the Committees/Taskforces of the CAC can be accessed at <http://www.codexalimentarius.net/>



What is FSANZ?

Food Standards Australia New Zealand (FSANZ) protects the health and safety of the people in Australia and New Zealand by maintaining a safe food supply.

We are a bi-national independent statutory authority that develops food standards for composition, labelling and contaminants, including microbiological limits, that apply to all foods produced or imported for sale in Australia and New Zealand.

In Australia, Food Standards Australia New Zealand develops food standards to cover the whole of the food supply chain – from paddock to plate – for both the food manufacturing industry and primary producers.

Food Standards Australia New Zealand works in partnership with Australia's Commonwealth, State and Territory governments and the New Zealand Government. We also seek to engage industry, consumers and public health professionals in our work.

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