



CONSUMERS SA

[CONSUMERS' ASSOCIATION OF SOUTH AUSTRALIA INC.]

Member of Consumers' Federation of Australia Inc.

8th December 2020.

APPLICATION A1092 : TO AMEND STANDARD 1.5.3. of the food standards code, IRRADIATION OF FOOD, to include irradiation as a phytosanitary measure for all fresh fruit and vegetables.

The **Consumers Association of South Australia** (Consumers SA) is the consumers' voice in South Australia. It is a community based, non-profit organisation that represents consumers' interests, encourages the dissemination of information on issues affecting consumers, provides a forum for discussion of those issues and lobbies on them to all levels of government.

The Objectives of Food Standards Australia and New Zealand clearly state that their main concern is *the protection of public health and safety*. In descending priority order follows:-

The provision of adequate information relating to food to enable consumers to make informed choices and

The prevention of misleading or deceptive conduct.

In developing or reviewing food regulatory measures and variations of food regulatory measures the Authority must also have regard to the following:-

The need for standards to be based on risk analysis using the best available scientific evidence;

The promotion of consistency between domestic and international food standards;

The desirability of an efficient and internationally competitive food industry;

The promotion of fair trading in food; and

Any written policy guidelines formulated by the Forum on Food Regulation for the purposes of this paragraph and notified to the Authority.

We offer the following comments on Application A1092:

It is the view of Consumers S.A. that A1092 is not consistent with FSANZ objectives. Our reasons are as follows:-

The protection of public health and safety:

FSANZ intends to allow the irradiation of apples, apricots, cherries, nectarines, peaches, plums, honeydew melon, rockmelon, strawberries, table grapes, zucchini and squash, all foods necessary for a healthy diet. In fact the public is encouraged to eat at least 3 fruit and 4-5 vegetables a day.

The Australian public has only been subjected to a few irradiated foods in the past but the irradiation of so many staples must have a bearing on nutritional intake. We won't know just how much unless proper, peer research is carried out. This to be done before allowing irradiation for so many of our staples.

It has been well established that the irradiation of cat pet food was the cause of illness and death among felines in Australia and overseas. However, we understand that the specific mechanism for this toxicity has not yet been elucidated so it is not possible to say with certainty whether the situation for humans would be different. This too would need to be established before allowing so many fruits and vegetables to be irradiated.

It is also well known that irradiation alters vitamins within fruit and vegetables - their nutrient profile changes and not for the good. And while some of these have been established such as with

Vitamin C, E, A, Thiamin and beta carotene, there are many other nutrients that have never been studied sufficiently to know how they are affected. Fruit and vegetables are the main source of many of our nutrients and their integrity needs to be protected. We do know that many nutrients protect against cancer and other debilitating and life-threatening diseases.

While it is pleasing that such methods as fumigation with Methyl Bromide is being phased out there are other phytosanitary measures that can take its place other than irradiation, and these should be investigated before resorting to irradiation. It is not sensible to exchange one unhealthy or unsafe method for another.

The provision of adequate information relating to food to enable consumers to make informed choices - and the prevention of misleading or deceptive conduct:

The only way to ensure this objective is met is to provide readily understood, adequate and truthful labelling. To date consumers have rarely seen such labels. Each piece of fruit should be labelled and the information not placed 'adjacent to' or 'nearby' the particular fruit or vegetables irradiated. Consumers already have stickers, (that they didn't particularly want), on oranges, apples, nectarines etc which advertise the particular grower and/or the type of fruit grown so it is not any imposition to expect to have the same attached to irradiated produce.

The label should be honest and simple such as 'Irradiated'. The plethora of labels adopted in countries anxious *not* to inform consumers has resulted in little trust when it comes to both irradiated and GE foods.

Under the section 'Consumers' in the executive summary, FSANZ states:

'Numerous surveys of consumer acceptance of irradiation have generally indicated consumer opposition or reluctance to purchase irradiated foods, including a 2002 study on New Zealand and Australian consumers (Gamble 2002). Some of the studies, including the local study, suggests that consumers may be more concerned about chemical residues than irradiation. However, most surveys were conducted in situations when irradiated produce was not available for sale and there was no option to fully evaluate or purchase irradiated product.

However there is now significant experience of consumers having the option to purchase irradiated food. A review of actual purchase behaviour suggests that while a fraction of the public will not buy irradiated food, a much larger fraction will. (Roberts and Heron 2015). It is unclear whether this research addressed people actually buying irradiated food or said they would.

We would question the 'significant experience' statement, especially since further on it is stated that 'under 100 tonnes a year' of irradiated product is in the market to date.

The section goes on to talk about 15 years of irradiated produce sales in New Zealand of mangoes and tomatoes and that negative comments were noted at the beginning of this trade but no adverse reaction since. Might this be because once it becomes a fait accompli there is little chance of changing the status quo? In other words, there is no choice.

So far as Australia is concerned, it is stated that the amount of irradiated product available within Australia has been under 100 tonnes per year - and there have been no protests or negative publicity regarding irradiated fruit on the Australian domestic market. FSANZ does not state over how many years. This author has not ever seen a label indicating that a fruit has been irradiated in a local supermarket. (South Australia) There can be no protests or negative publicity if the consumer is unaware a product is irradiated. There is no way a consumer can know whether or not fruit and vegetables have been irradiated unless it is labelled as such. If there has been/is irradiated food on the market and it has not been labelled, who is monitoring and enforcing the labelling requirements?

More up to date research should be carried out assessing the public's attitude towards irradiated product before this Application is progressed further.

The final paragraph under this section is without doubt hypocritical. It states, 'There is educational material to help consumers make better-informed choices regarding fruit and vegetables. The mandatory labelling of irradiated fruit and vegetables provides consumers with choice when it comes to purchasing or not purchasing irradiated fruit and vegetables.'

As the 'educational material' is aimed at persuading the consumer why they should accept irradiated food, it cannot be unbiased.

Most importantly however, CSA is aware that FSANZ will be reviewing the labelling of irradiated foods with the intention to remove it altogether. Should this happen it would go against both, the above two objectives. It also makes a mockery of using labelling under this Application to say that consumers will have labelling information to be able to make an informed choice, when the intention is to later remove it.

The need for standards to be based on risk analysis using the best available scientific evidence:

As stated earlier there is still more research needed on nutrients in irradiated food and while in the past few irradiated foods were consumed, if this application is granted there will be many more foods that will have altered nutrient profiles that people will consume. Why should the public have to take this risk when irradiation is not necessary?

FSANZ has determined. *'The estimates for the percentage of fresh fruits and vegetables that may be irradiated if phytosanitary irradiation is permitted for all fresh produce suggest that the effect on the overall volumes and types of fresh produce consumed will not be large. This is because the majority of fresh produce is consumed within the production region and not subject to a phytosanitary treatment, and alternative treatment methods will still be available.'*

Two issues arise from this statement. The first is that FSANZ has admitted that there are alternative treatment methods available - without irradiation.

The second issue is the 'thin edge of the wedge' situation, whereby permission is given for a limited number of products to be irradiated (as has happened previously) and then later expand the permission for every fresh fruit and vegetable to be treated similarly, while promulgating that there will be no great detriment to public health.

The claim by FSANZ that the loss of nutrients (Vitamin C only), is no greater than for other processing methods ignores the fact that fruits and vegetables are often further processed once a consumer purchases the product, thereby decreasing the nutrient(s) further.

The promotion of consistency between domestic and international food standards - and The desirability of an efficient and internationally competitive food industry:

FSANZ has stated that, While Australia is expanding exports of irradiated fruit to several Asian countries and the USA, some economically important fruits grown in such countries cannot be irradiated and imported into Australia as they are not already FSANZ approved. As they are not grown significantly in Australia, local industry is unlikely to lodge an amendment application. Overseas markets can question why Australian industry seeks to export produce to their country when that product is not approved (i.e. considered safe) within Australia. *Access to a market can be expedited if the importing country knows that a reciprocal approval for its commodities is possible.'* (Our emphasis)

Therein lies the problem of FSANZ placing trade over its two main objectives. FSANZ is not a trade organisation. If our producers want to export product overseas to countries who want such products irradiated then let them do so. It should not mean that Australian consumers have to have irradiation as a phytosanitary treatment for imported produce when other treatments are available. The expansion of the use of irradiation is not welcomed by consumers, as it is far from the 'clean' technology that proponents claim it to be.

In addition, while irradiation may kill insects, larvae etc, it does not prevent the detritus from remaining in or on the product.

FSANZ also claims that there are at least 15 countries trading in irradiated food. Worldwide that is not a lot of countries. It would seem the majority are not. So the question is, does any other country *explicitly require* the irradiation of Australia's apples, apricots, nectarines, honeydew melon, plums, peaches, strawberries, rock-melon, table grapes, zucchinis or winter squash?

It is concerning to consumers that in matters of 'harmonisation' it is the lowest common denominator that presides and this has been the case ever since FSANZ's (NFA, ANZFA's) original objective in this regard was downgraded to accommodate international trade.

The promotion of fair trade:

Following on from the above two objectives, it stands to reason that if as a result of exporting irradiated fruit to overseas countries and Australia having to accept their produce, it is likely to place our own local growers and producers at a disadvantage, the further competition potentially reducing the number of growers in an already competitive and vulnerable field. Vulnerable because of the impact of climate change. They do not need further impediments to their livelihood.

Any written policy guidelines formulated by the Forum on food regulation for the purposes of this paragraph and notified to the Authority:

Queensland, as is the case for all States and territories, is represented on the Legislative and Governance Forum on Food Regulation which has a decision-making role when final Applications come before it. The Forum consists of Health and Food ministers.

There appears to be a conflict of interest here as it is the Queensland government that is making this Application, while their representative is a member of the Forum. How is this being managed?

In summary, CSA is of the opinion Application A1092 should be rejected. It does not meet with FSANZ's primary objectives as outlined above.

In addition, there is no call for irradiated fresh produce from either industry or the public. This is a Queensland government Application.

It is misleading in that the consumers' only protection in avoiding irradiated produce is truthful and properly placed labels, which FSANZ will shortly be seeking to remove from the legislation.

FSANZ should also abide by its original time-line of April 2021 for consultation and comments as due to Covid and Christmas people have not have time to engage.

We thank you for the opportunity to make comment on A1092.

