

## submissions

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**From:** [REDACTED]  
**Sent:** Thursday, 18 December 2014 9:36 AM  
**To:** submissions  
**Cc:** [REDACTED]  
**Subject:** Submission to FSANZ Proposal P1034  
**Attachments:** Submission\_FSANZ\_P1034\_Packaging Consult CFS\_16 Dec 14.pdf

Dear Sir or Madame,

I have tried to fill in the online pdf to make a submission, however it did not work. Therefore I have copied the questions into a word document. The document is attached.

Best regards,  
Eva Gaugler

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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)

**Crown Research Institute**

**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?*

No   **Yes**

Please provide details of your concerns

Our biggest concern is that there are no clear guidelines for demonstrating food packaging safety compliance for products sold in Australia and New Zealand.

**Question 2** (refer to p.9)

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

No   **Yes**

Please provide details

Introduce compliance recommendations or regulations, including positive lists and compliance testing. It is also important that this information is easy to understand. Therefore at the very least there should be searchable online data base, but it would also be very useful to have a tool which can advise users what

**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).*

**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

As a research organisation

**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

**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)

n/a

**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

Most of the food companies who will adopt the technologies we develop are aiming to export their products. This means they are interested to show compliance in the countries they sell their products. Therefore it would make it more simple to adopt one of these existing regulations, and our preference in this case would be to adopt EU(i.e. 10/2011, BfR...) or US(i.e. FDA 21 CFR) as they are they are well established.

**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

We do not work a lot with recycled materials, but understand that the EU/US requirements or guidelines do not provide a realistic method to asses the risk of NIAS.

**Question 11 (refer to p.17)**

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

Advantages

Working together with government, industry, and community will ensure buy from all parties and the most realistic outcome.

Enables support to industry to help them show compliance.

Also provides the opportunity to educated the community(consumers) about what compliance means for their safety.

Disadvantages

**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

It is not thorough enough to give us confidence we are adequately managing the risks of chemical migration from packaging into food.

**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

Plastics  
Regulation EU 10/2011  
FDA 21 CFR

Paper  
German BfR recommendations  
CEPI industry guidelines  
CoE Regulation  
FDA 21 CFR

**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

This is our view as a packaging research institute:

We need to improve the current standards in order to protect our consumers from the risk of chemical migration from packaging into food. As part of due diligence and GMP companies could develop their own risk management system, but this is resource draining and would not be consistent across the industry. A prescriptive approach will ensure it is easy for companies to manage this risk and protect consumer.

**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

Our normal procedure is;

1. Ask suppliers of raw materials for compliance documents
2. Check legislation if it is authorisation(positive) and restrictions(SML)
3. Conduct calculation of worst case migration (if relevant)
4. Conduct migration/extraction test (if required)

**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?) CEPI

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

We are a packaging research institute with in-house technical capacity and expertise related to packaging

**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

We try to follow the same system as in question 15, but find it harder as the guidelines for ink are less thorough than those for plastic and paper.

**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

We rely on the packaging converter and/or the food industry to tell advise us of the end use.

**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

As we are only a research organisation it will be the manufacturer of our technologies who will need to demonstrate and maintain compliance.

**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

We are a packaging research organisation.  
These issues have not affected our work.

**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

We are a packaging research organisation.  
These issues have not affected our work.

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