



13 June 2019

Food Standards Australia New Zealand  
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Danone welcomes the opportunity to make this submission in response to the FSANZ Call for submissions – *Application A1173, Minimum protein in follow-on formula*.

Our comments on the Call for submissions document and draft variation to amend the Code are contained in the attached submission.

We note that as a member of the Infant Nutrition Council, we also provide our support for the views expressed in their submissions.

We thank FSANZ for its consideration of our submission. If you have any questions or require any further information on this submission, please contact Peter Sutherland, Head of Regulatory and Industry Affairs on +61 2 8870 0467 or at [peter.sutherland@danone.com](mailto:peter.sutherland@danone.com).

Yours sincerely

General Secretary, Danone Oceania

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**Danone Oceania**

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## DANONE

### **SUBMISSION: *Application A1173 Minimum protein in follow-on formula***

Danone supports the need for the *Australia New Zealand Food Standards Code* (the Code) to ensure that infant formula products on the market in Australia and New Zealand protect the health and safety of formula-fed infants.

As a member of the Infant Nutrition Council (INC), we also provide our support for the views expressed in their submissions.

#### **1. The minimum level of protein**

- i. Danone supports the movement of the permitted protein range in follow-up formula to that more closely found in human breast milk at the same age stage.
- ii. The proposed change creates greater alignment with regulations in similar overseas markets. This would remove potential trade barriers created through differing protein requirements.
- iii. The proposed draft variation considers protein levels for milk and soy protein formulas only. To allow for further innovation and to future proof this clause within the Standard further consideration to dealing with other protein sources is required.
- iv. Therefore, based on the above concerns, Danone cannot support the draft variation proposed in the Call for submissions document. Our preferred Option aligns with that proposed by INC (Option A) which is outlined below.

#### **2. Application of the reduced minimum level of protein**

- i. Danone supports the proposed Option outlined by INC below:

Option A <i>Based on current provisions of the Food Standards Code 2.9.1—9:</i>
(2) Follow-on formula must have: (b)(i) a protein content of no less than 0.38 g/100 kJ and no more than 1.3 g/100 kJ; (ii) despite subsection 2(b)(i), a protein content of no less than 0.45 g/100 kJ applies unless there is appropriate data to support no less than 0.38 g/100 kJ.

- ii. This Option addresses Danone's concerns stated above. Allowing for innovation within the category to consider further protein sources and future proofing this clause within the Standard. This also aligns with regulations in similar overseas markets.