

Australian Food and Grocery Council SUBMISSION

FEBRUARY 2013

TO:
FOOD STANDARDS AUSTRALIA NEW ZEALAND

IN RESPONSE TO:
APPLICATION A1055 – SHORT CHAIN FRUCTO-
OLIGOSACCHARIDES

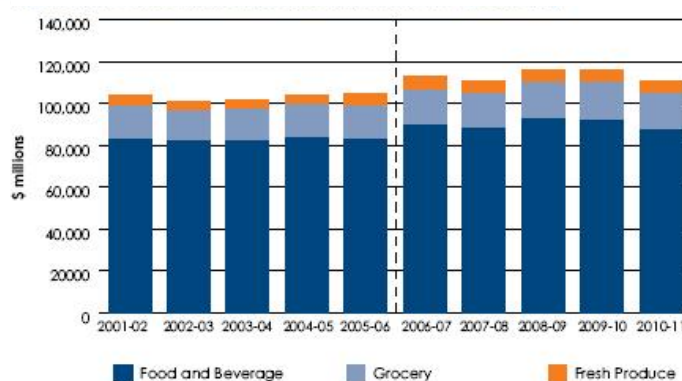


Australian Food and Grocery Council

The Australian Food and Grocery Council (AFGC) is the leading national organisation representing Australia's food, drink and grocery manufacturing industry.

The membership of AFGC comprises more than 150 companies, subsidiaries and associates which constitutes in the order of 80 per cent of the gross dollar value of the processed food, beverage and grocery products sectors.

Figure 1. Composition of the industry's turnover (\$2010-11)



Source: Based on ABS, catalogue number 8221.0 and 8159.0

With an annual turnover in the 2010-11 financial year of \$110 billion, Australia's food and grocery manufacturing industry makes a substantial contribution to the Australian economy and is vital to the nation's future prosperity.

Manufacturing of food, beverages and groceries in the fast moving consumer goods sector¹ is Australia's largest manufacturing industry. Representing 28 per cent of total manufacturing turnover, the sector the second largest industry behind the Australian mining sector and accounts for over one quarter of the total manufacturing industry in Australia.

This diverse and sustainable industry is made up of over 22,600 businesses and accounts for over \$49 billion of the nation's international trade. These businesses range from some of the largest globally significant multinational companies to small and medium enterprises. The industry spends \$466.7 million a year on research and development.

The food and grocery manufacturing sector employs more than 296,300 Australians, representing about 3 per cent of all employed people in Australia, paying around \$11.3 billion a year in salaries and wages.

Many food manufacturing plants are located outside the metropolitan regions. The industry makes a large contribution to rural and regional Australia economies, with almost half of the total persons employed being in rural and regional Australia². It is essential for the economic and social development of Australia, and particularly rural and regional Australia, that the magnitude, significance and contribution of this industry is recognised and factored into the Government's economic, industrial and trade policies.

Australians and our political leaders overwhelmingly want a local, value-adding food and grocery manufacturing sector.

¹ Fast moving consumer goods includes all products bought almost daily by Australians through retail outlets including food, beverages, toiletries, cosmetics, household cleaning items etc.

² About Australia: www.dfat.gov.au

1. INTRODUCTION

AFGC welcomes the opportunity to make this submission to Food Standards Australia New Zealand (FSANZ) in response to the call for submissions for Application A1055 – *Short Chain Fructo-oligosaccharides*.

AFGC notes this application seeks to amend the *Australia New Zealand Food Standards Code* (the Code) to:

1. Permit the optional addition of short chain fructo-oligosaccharides produced from sucrose by enzymatic action (short chain FOS_{sucrose}) to Infant Formula Products (Standard 2.9.1), Foods for Infants (Standard 2.9.2) and Formulated Supplementary Foods for Young Children (FSFTC) (Standard 2.9.3 Division 4).
2. Permit the use of a new microbial source of invertase (EC 3.2.1.26) enzyme from a strain of the fungus *Aspergillus niger* (*A.niger*) as a processing aid (enzyme) to be used in the production of short chain FOS_{sucrose}.

2. AFGC POSITION

The AFGC **supports** this application on the basis that FSANZ's risk and technical assessment concludes that short chain FOS_{sucrose} produced by invertase-catalysed condensation of sucrose is technologically justified and is as safe as inulin derived substances (IDS) already permitted to be added to foods generally and to infant formula products, infant foods and FSFYC, alone or in combination with IDS and/or galacto-oligosaccharides (GOS) up to the currently permitted amounts. AFGC notes that the risk and technical assessment identified no public health and safety issues with the proposed use of invertase from *A.niger* as a processing aid in the production of short chain FOS_{sucrose}.

AFGC supports a modified Option 1:

AFGC **supports** amendment to special purpose Standards 2.9.1, 2.9.2 and 2.9.3 to permit the optional addition of short chain FOS_{sucrose} to infant formula products, infant foods and FSFYC up to the same maximum amounts currently permitted for IDS or IDS and GOS.

AFGC **supports** an amendment to Standard 1.3.3 to permit invertase from *A.niger* as a processing aid to be used to produce short chain FOS_{sucrose}.

AFGC **supports** short chain FOS_{sucrose} not to be regulated as a nutritive substance.

AFGC **does not support** the revised definition proposed for Standard 1.1.1.

3. SPECIFIC COMMENTS

The AFGC supports international consistency in regulation to reduce the potential for trade barriers and additional cost and regulatory burden to manufacturers and suppliers in Australia and New Zealand and to support innovation. AFGC agrees that amending the Code would provide consistency between the Code and international and overseas food standards with respect to the permission for short chain FOS_{sucrose} and *A.niger*.

Questions

Question 2: Are there any other parties you think the proposed variation to the relevant Standards may affect?

AFGC considers that food manufactures may be impacted by the proposed definition changes.

Question 3: Does the proposed terminology and definition provide appropriate clarity and consistency?

AFGC considers the proposed terminology and definition is not clear and does not provide appropriate clarity and consistency.

AFGC agree that a clear definition will provide clarity in the Code for both manufactures and enforcement agencies.

AFGC **does not support** the proposal to replace the current term “inulin-derived substances” with the term “inulin-type fructan” (ITF) defined as:

Mixtures of saccharide chains that have predominantly B (2->1) fructosyl-fructose linkages with or without a terminal glucose.

The proposed terminology and definition **does not** provide appropriate clarity and consistency for the following reasons:

- Technically incorrect - fructo-oligosaccharides produced from sugar are synthesized by adding fructose to a sucrose molecule. They are fructans as well, but **not** inulin-type fructans;
- Inconsistent with terminology used in other countries by other regulatory agencies;
- Inconsistent with terminology used within industry – even FSANZ in the CFS refer to short chain FOS_{sucrose};
- Companies or individuals reviewing the Code to determine if short chain FOS_{sucrose} is permitted to be added to foods in ANZ will be looking for the term FOS and would not think to look for ITF;
- Removing the current term IDS from the Code has the potential to cause confusion in industry as a term that they are familiar with will be removed and replaced with a different term; and
- Short chain FOS_{sucrose} would be labelled as such in the ingredient list of products containing it and also in the NIP.

Inulin is a term referring to a group of fructans derived from plants. Commercially, the leading source is by hot water (non-enzymatic) extraction of chicory root. The use of the term “inulin” in the proposed definition “inulin-type fructan (ITF)” implies that the fructans in question are also derived from the same sources as inulin which is incorrect. The definition could be appropriate to summarize fructans from plant sources, such as chicory, extracted by hot water extraction (inulin and oligofructose that is the result of a partial enzymatic hydrolysis of inulin). However, it is clearly misleading to extend this definition to synthesized fructans that are not inulin nor produced from inulin.

AFGC understand that the term ITF has been used in some research papers (e.g. Boehm and Moro in *The Journal of Nutrition* 2008; 138: 1818S-1828S), however the use of the term “fructo-oligosaccharides” is widely in use by other regulatory agencies. The EU (EFSA Journal 2010; 8(3):1462 *Dietary Reference Values for carbohydrates and dietary fibre*) and the FAO/WHO (*Carbohydrates in human nutrition*; Report of a joint FAO/WHO Expert Consultation, Rome, 14-18 April

1997) both use the term “fructo-oligosaccharides” for these substances. Furthermore, the IUPAC/IUB *Joint Commission on Nomenclature of Carbohydrates* (1996) refers extensively to “oligosaccharides” in a large number of forms.

4. CONCLUSION

In the absence of safety concerns and in light of widespread use of short chain FOS_{sucrose}, and in light of similar considerations in relation to the use of invertase enzyme produced from *A. niger* in the production of short chain FOS_{sucrose}, the AFGC supports a modified Option 1 of the two regulatory options presented by FSANZ.

AFGC does not support the proposed definition and request that FSANZ reconsider the proposed definition in order to provide appropriate clarity and consistency.

AFGC would be willing to work with FSANZ on this matter.

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Australian Food and Grocery Council

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