

Response to

## **Call for submissions – Application A1090**

### **Voluntary Addition of Vitamin D to Breakfast Cereal**

**FSANZ – closing 6pm 27<sup>th</sup> February 2015**

Prepared by Dairy Australia

on behalf of the Australian Dairy Industry

#### **Contact**

February 17, 2015

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# The Australian Dairy Industry

Dairy Australia is the dairy industry-owned service company, limited by guarantee, whose members are farmers and industry bodies, including the Australian Dairy Farmers, and the Australian Dairy Products Federation

The dairy industry advocates the following core principles within which all regulatory requirements must operate,

- Minimum but effective regulation that is risk (science or evidence) based;
- Outcomes focussed;
- Proportionate to risk;
- Nationally consistent and enforceable;
- Support innovation;
- Support and promote international and domestic trade; and
- Support competition.

Dairy Australia welcomes the chance to present this submission in response to **Application A 1090 – Voluntary Addition of Vitamin D to Breakfast Cereal** providing the following comments for consideration.

## Overarching comment

To deliver the best outcome in addressing population Vitamin D insufficiency/deficiency through the food supply significant permissions should not be restricted to one particular food product. Consideration of this application must allow room for other foods. In particular, generally identified foods with international evidence of providing highly bioavailable Vitamin D making a significant contribution to addressing population Vitamin D concerns must also have significant fortification permissions. For example dairy foods.

From a regulatory perspective, we note that the consultation documentation recognises that the maximum amounts proposed through this application are out of step with how maximum amounts are applied to other foods with current Vitamin D fortification permissions. We suggest there should be consistency in how maximum amounts permissible of vitamin D are applied for different foods – there should be parity

Overall, the general concept of increased permissions for vitamin D fortification of the food supply is supported based on:

- Data presented in supporting document 1 from the Australia Health Survey (2011 -12) New Zealand Adult Nutrition Survey (2008 -09) and 2002 New Zealand Children's survey identify significant subpopulations with low vitamin D status (e.g. <40nm, <30nm) gives some indication there is an issue. It is noted, the true prevalence of vitamin D deficiency/insufficiency in Australia is unknown due to methodological assay issues and the lack of agreement re cut off reference points.
- Though vitamin D can be synthesised through sun exposure, guidelines are complex, depend on location, time of year etc. and difficult to follow, particularly in the context of skin cancer sun safety messages.
- Vitamin D fortification permissions (voluntary and mandatory) are variable internationally and include permissions in a number of jurisdictions for breakfast cereals, dairy products and other foods that can be significantly fortified to greater amounts than this application and current Food Standards Code fortification permissions for other foods combined. In jurisdictions with extensive permissions there is no current evidence of population harm that has been presented that we are aware of.
- Increasing voluntary fortification permissions is a recognised first step to facilitate increased nutrient intake with view to deliver a health benefit where there is evidence of sub population deficiency/insufficiency

## Further considerations

Though the general concept is supported, there are a number of points that warrant further consideration in the context of how best to address any vitamin D insufficiency/deficiency issues for Australia and New Zealand.

- The proposed permissions for breakfast cereal is 2.5 x permissions for other foods with current Vitamin D fortification permissions except for Formulated Beverages. With the rNRV based on the current NHMRC AI which assumes that a significant portion of vitamin D needs are provided by sun exposure, these proposed permissions provides consumers with options limited to highly fortified foods to provide any significant amounts of vitamin D when not obtaining adequate vitamin D from sun exposure.
- It is not well understood as to whether those population groups with the greatest prevalence of low vitamin D status are regular breakfast cereal consumers throughout the year, and subsequently increasing the availability only through breakfast cereals may not address specific subpopulation current issues. A wider range of foods with significant fortification permissions (levels equivalent to 'good source') is more likely to be successful. Consumers are not likely to substitute breakfast cereal fortified with vitamin D for other fortified foods such as dairy or naturally occurring sources such as fish but are likely to add. Any permissions for breakfast cereal must leave scope for safe increased fortification permissions in other suitable foods.
- Absorption/bioavailability of vitamin D from breakfast cereal is unknown, however there is evidence that vitamin D is well absorbed/bioavailable from milks with a range of fat levels including skim milks. The consumption of breakfast cereal with milk may enhance vitamin D absorption/bioavailability. The absorption/bioavailability of vitamin D from different food formats and combinations needs to be better understood to best determine foods most suitable for fortification.
- Significant increased fortification permissions for predominantly 'core' foods, particularly those currently under consumed which includes for Australia: dairy<sup>12</sup>, vegetables and fruit, should be considered to enable a level of consistency with promoting consumption patterns consistent with the food based 2013 Australian Dietary Guidelines.
- It is unclear as to what effect the identified issues with testing of Vitamin D status and any change in cut off reference points by the medical and public health professions will have on Vitamin D status, the awareness of the need for vitamin D intake and recognised sources by the broader population.
- The effect of any revision of the current NHMRC vitamin D AI in light of any review of the current evidence on both the scope of the prevalence of population vitamin D insufficiency/deficiency and subsequent change to the rNRV that may result in increased quantities permitted to be added to foods should be further considered.

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<sup>1</sup> Commonwealth Scientific Industrial Research Organisation (CSIRO) (2008) Preventative Health Nutrition Research Flagship and University of South Australia 2007 Australian National Children's Nutrition and physical Activity Survey: Main findings. Australian Government Department of Health and Aging: Canberra, ACT. Australia.

<sup>2</sup> Doidge JC & Segal L (2012) Most Australians do not meet recommendations for dairy consumption: findings from a new technique to analyses nutrition surveys. Australian and New Zealand Journal of Public Health. 36; 236-40