Ministry for Primary Industries
Manatū Ahu Matua

26 October 2017

Project Officer Application A1143
Food Standards Australia New Zealand
PO Box 10559
The Terrace
WELLINGTON 6036

Dear Sir/Madam

Food Derived from DHA Canola Line NS-B50027-4 – Call for Submissions

Thank you for the opportunity to comment on this application. The Ministry for Primary Industries (MPI) has the following comments to make.

Safety Assessment

MPI agrees with the FSANZ assessment that no potential public health and safety concerns have been identified relating to food produced from DHA Canola Line NS-B50027-4. However some amendments to the Safety Assessment Report to further reinforce the outcomes of no public health and safety concerns are suggested.

Supporting Document 1 (SD1) describes the compositional differences, including the nutritional differences. We note that the results for the fatty acids were Commercial in Confidence (CIC), at the point in time that the Safety Assessment Report was prepared. This means that the results for the individual fatty acids are summarised in section 5.3.2 (page 48-51) of SD1, but that results for individual fatty acids are not provided in detail (as was provided for the proximates and fibre). We have the following comments for consideration at the Approval Report stage:

- We suggest that Table 10 is amended, to contain an extra column that provides the high level information for DHA canola already summarised in section 5.3.2, paragraph 4, also with colour coding to show the statically significant differences. This will make is easier to view the differences.
- If the full fatty acid data information becomes available (i.e. it is no longer CIC) at the time the Approval report is prepared, we request that the full fatty acid data for DHA canola is included in Table 10.
- In any case, in order to provide added confidence that trans fatty acids are not at levels of concern, we request that the data for trans fatty acids is provided in more detail, than it is at present. The information provided is only that the TFA content of DHA canola (in the crude oil) is less than 1% of

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total fatty acids, and that this is a statistically significant increase compared with the AV Jade, the non GM parental control (and the reference range of other canola varieties). Because of health concerns around trans fatty acids, and the fact the levels will increase when the oil is refined, bleached and deodorised, it is not known what levels of trans fatty acids could be in the resultant oil. It would be helpful to know the mean and standard deviation of TFAs in DHA canola oil, to provide assurance around TFA levels in the refined oil. The Applicant could be asked to provide more information on the individual trans fatty acids, making up the total fatty acid percentage. It is not clear why this information would be withheld, or considered to be CIC.

- The conclusion in section 5.4 states the following, in relation to TFA content:
  The mean fatty acid profile of DHA canola seed in Table 10 is expected to be the same for crude oil extracted from the seed. On this basis, the mean trans fat content of crude DHA canola oil would be within the range analysed in retail canola oil. Deodorisation of DHA canola oil (as for all RBD oils from all sources) may increase the trans fat content but the extent will depend on processing conditions appropriate for a highly polyunsaturated food. Given the likely care that would be taken by processors to limit the formation of trans fatty acids across all RBD oils, the trans fat content of DHA canola oil is not expected to vary significantly from other retail oils.

  However, Paragraph 6 of section 5.3.2 compares the levels of TFAs in crude DHA canola with retail oils. We suggest that section 5.3.2 should also contain the information provided in the Summary (section 5.4). As noted above, this needs to include an analysis of the total potential level of TFAs, after refining, based on the more detailed information that is presently considered to be CIC.

Nutrition Assessment

MPI agrees with FSANZ's assessment that the consumption of DHA canola will not pose a nutritional concern to the Australian and New Zealand populations with regard to the potential increase in DHA intake. No dietary intake data on the intake of long-chain omega-3 fatty acids is available for New Zealand but MPI agrees with FSANZ that it can be assumed that intakes in New Zealand are likely to correspond to those in Australia. MPI considers that DHA canola will potentially provide an additional dietary source of DHA and, depending on the fatty acid profile, other long-chain omega-3 fatty acids, which typically are only available from fish and seafood. However, without the information on the fatty acid composition of DHA canola oil, MPI is unable to comment on the significance of the oil as a potential alternative source of DHA in the diet.

MPI considers that the Nutrition Assessment (SD2) should include a discussion on the increase in trans fatty acids in the context of Australian and New Zealand diets, or at least a cross reference back to SD1.

Labelling

MPI supports the proposed labelling approach, whereby all foods from Canola Line NS-B50027-4 are required to be labelled as genetically modified, regardless of the presence of novel DNA and or novel protein. We agree that further additional labelling (i.e. stating the nature of the genetic modification) is not warranted. We agree with the reasons set out in paragraph 2.2.2.2 of the Call for Submissions (CFS) report. In particular, we agree that requiring a statement about the DHA could confuse consumers (unless a very specific labelling statement that described DHA was developed). However, more importantly, a statement about DHA could conflict with nutrition content claim requirements for omega-3 fatty acid claims. If DHA canola products do

meet the conditions for a claim, then food producers can consider making claims on a voluntary basis (as described in paragraph 2.2.2.3 of the CFS report).

Restrictions on Use

MPI supports the restriction proposed, ie that oil derived from DHA canola line NS-B50027-4 is not permitted to be used in infant formula products, for the reasons set out in paragraph 2.2.1 of the CFS report, and as reflected in the proposed draft variation in Attachment A to the CFS report. If in the future a permission was granted, a specification in the schedule 3 (Identity and Purity) would be needed. We note that no such specification has been included presently.

Yours sincerely

Jenny Reid
Manager Food Science and Risk Assessment