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To Whom it May Concern

Please accept this submission regarding FSANZ's "Call for comment on the 12 month review of the kava food standard.

<https://www.foodstandards.gov.au/code/proposals/Documents/P1057%20-%20Call%20for%20submissions%2012%20month%20review%20.pdf>

Having read the accompanying documents I'm somewhat confused.

How is it possible to call this a review of the [revised] kava food standard when all that has been presented is a rehash of the history of mostly subjective and biased so-called 'science' undertaken over the 20 or so years prior to the standards amendment in March 2022.

By way of example.

Despite claiming that the review includes evidence up to and including 2022, there is no [zip-zero-nil-nyet] scientific or any other evidence that post-dates the introduction of the revised standard... none.

The variation of the Code was approved to:

- add a requirement that kava food products must only be obtained from the Noble varieties of the species of *Piper methysticum* that are named in the Codex Regional Standard for Kava
- explicitly prohibit the addition and use of food additives and processing aids in the manufacture or processing of dried or raw kava root and kava beverages.

FSANZ has also taken it upon itself to extend the review to

FSANZ also has considered specific labelling matters as part of the full assessment of the approved variation. This assessment of labelling requirements examined whether:

- the existing warning statements about kava are appropriate and whether new warning and/or advisory statements are needed as risk management options, and
- the application of warning/advisory statements to foods not required to bear a label e.g. bowl of kava beverage.

FSANZ then says;

"Given there has been little change in the evidence base for the current health risk assessment compared with that in 2002, and there is limited evidence about consumption patterns, FSANZ is proposing to maintain the existing warning statements for permitted kava foods."

"FSANZ also considers there is insufficient evidence of health risks from the consumption of kava beverage to justify additional warning or advisory statements on kava foods"

It beggars belief that Australia has these draconian, and dare I say, racist, food standards in place under the pretence of public health risk management and has not undertaken any studies about consumption patterns and acknowledges the lack of significant risk.

I note a 'desktop' search found that kava drink is available in Australia and New Zealand via the internet.

"2.1.1.1 FSANZ review assessment Further desktop research has been conducted by FSANZ during the 12-month review stage of the proposal after the variation to the Code was made.

The final consideration report prepared in relation to urgent proposal P1057 – Review of the kava standard, identified that commercial kava beverage products are on the market or available in Australia and New Zealand via the internet that contain food additives or have been produced using processing aids.

A number of these kava beverage products appear to be manufactured in the USA and available for purchase online. One such product is a flavoured, carbonated canned kava beverage that contains L-theanine (an amino acid) and vitamin B-1210. It also contains food additives such as flavourings and carbon dioxide. A USA bottled kava beverage contains the food additives vegetable glycerine (glycerol) and lecithin<sup>11</sup>. "

This is a really embarrassing example of bureaucratic incompetence or mischief or both.

Reference 11 Kava Drink Mix To - Make Kava Drink Recipes - Root of Happiness ([rootofhappinesskava.com](https://rootofhappinesskava.com))

This belongs in the 'So What?' category. This internet site has been alive and well since at least September 2012. It has been **Saved 82 times** between [September 29, 2012](#) and [September 23, 2022](#)  
[https://web.archive.org/web/20220000000000\\*/https://rootofhappinesskava.com/](https://web.archive.org/web/20220000000000*/https://rootofhappinesskava.com/)

Likewise, reference 10 has been alive and well for 20 years.

To imply that these two websites provide evidence that warrants review of a regulation amended in March 2022 is really embarrassing...

FSANZ's claim that "The presence or availability of these products on the market demonstrates the need to more explicitly prohibit the use of processing aids and the addition of food additives to kava beverages in order to achieve the original policy intent of the kava standard." is appalling.

FSANZ provides ZERO evidence that the products promoted on these two USA websites are imported into Australia or New Zealand... [see attached map]

FSANZ has simply created a strawman under 2.1.1.2 Risk management options... no doubt to make out it was working through some risk management process. The process is a sham.

The whole "Call for submissions – Urgent Proposal P1057 Review of the kava standard" document is 22 pages long.

It pretends to be a thorough review of the revised standard

It provides no new information post the revised standard (March 2022).

As such, it is 22 pages of verbeage designed to give the appearance of a scientific and policy review.

This consultation is a sham.