

**SUBMISSION TO FOOD STANDARDS AUSTRALIA NEW ZEALAND
PROPOSAL P1004
FIRST ASSESSMENT REPORT
PRIMARY PRODUCTION AND PROCESSING STANDARD FOR SEED
SPROUTS (Australia Only)**

The Victorian Government provides the following comments in response to the First Assessment Report for a Primary Production and Processing Standard for Seed Sprouts. It includes the views of the Department of Primary Industries (DPI) and the Department of Health (DoH, formerly the Department of Human Services).

1. General Comments

Victoria recognises that there are many health benefits that may be derived from eating fresh produce, including sprouted seeds. It is also recognised that sprouts pose a particular public health challenge because the sprouting process is ideal for microbiological growth and these products are typically consumed raw (without any heat treatment). Victoria acknowledges that this proposal has arisen following the outbreak of food-borne illnesses associated with the consumption of seed sprouts worldwide, including two outbreaks in Australia in 2005 and 2006.

It is clear from international studies that the scientific understanding regarding contamination of seeds and subsequent pathogen control is still developing. Consequently, the reliability of risk mitigation strategies that are practical and cost effective may not provide a level of confidence appropriate for the protection of vulnerable populations. Victoria acknowledges that while this is a proposal for developing a Primary Production and Processing standard, other risk management strategies to achieve the objective of minimising adverse health effects and addressing the issue of risk to vulnerable populations should be considered as part of this process. This could, for example, include additional information to consumers.

2. Objectives of FSANZ Proposal

Victoria supports the objective of minimising the risk of adverse health effects associated with the consumption of seed sprouts through analysing the requirement for any through-chain control measures. However, Victoria is cautious that any proposed control measures should not be overly prescriptive, resulting in impractical requirements on the seed and sprout production sectors and/or excessive costs that are inevitably passed on to consumers. See also general comments.

3. Affected Parties

Victoria notes that the majority of affected parties have been identified in the first assessment report. It is recognised that the sprout industry consists of a number of small business, not all of which are represented by the recently established Australia New Zealand Sprouters Association. A reasonable effort should be made to identify as many sprout producers as possible, as well as organisations that represent organic growers (rather than sprouters specifically), for example, Biological Farmers of Australia. It is important to specifically consider organic growers as some risk mitigation methods, such as a possible reliance on chemical sanitisers, have the potential to have a strong impact.

Victoria also notes that, while the majority of sprouts are sold by retailers (including supermarkets and health stores) and at wholesale markets, a small amount of sprouts and seeds for home sprouting can be purchased on line. For example, see:

- <http://frootssalad.com.au/index.php/vegetables/fresh-pre-pack-products/alfalfa-sprouts-125gm-punnet.html>; and
- http://www.sprout.net.au/prd_sprouting_seeds.htm

4. Scientific Evaluation of the Risk

Victoria supports the use of scientific evidence to identify the main hazards. Given that sprout producers are considered to be *primary food producers* and, as such, Food Safety Standards under Chapter 3 have not been applicable, other factors that may be worthy of consideration include (but are not limited to) handling by and hygiene of workers; and transport.

In evaluating the risks, consideration should be given to the different risk profiles associated with each type of sprout and any evidence of food-borne illness associated with each. These differing risk profiles may be associated with the type of germination¹ (epigeal versus hypogeal), primary production method and post-harvest treatments, for example, scarification. Taken together, this suggests that it may be inefficient to regulate all seed sprouts in the same manner. A detailed understanding of these factors and current evidence will help determine the most appropriate and efficient method for managing identified risks through regulation or other means, such as education/information and industry codes of practice.

5. Risk Mitigation Methods

As noted above, different seed sprouts have differing levels of inherent risk. These differences need to be accounted for when considering risk mitigation methods, particularly if regulation is pursued, to ensure that methods are practical.

Victoria notes that the risk mitigation measures identified in the proposal are consistent with Codex measures and many are currently in place in various countries. In relation to efficacy and practicality, consideration should be given to:

- The use of grazing animals on farm in some systems (alfalfa/lucerne) to improve sprout yield, including the costs of a negative impact on sprout yield if grazing animals are removed and segregation of seed for sprouting which is a minor use or the possibility of requiring specialist seed growers for seeds used in sprouting.
- The cost of microbiological testing and subsequent cost to consumer (although this will depend on frequency and type of test required) including determination of what should be tested (ie. the seeds, sprouts or the processing water).
- The applicability of sanitisers in organic settings
- Occupational health and safety issues that may arise from the use of certain sanitisers (for example, chlorine), particularly if used at high levels

¹ The type of germination can alter the risk profile of a seed sprout. Sprouts that have epigeal emergence, such as alfalfa, may pose an increased risk due to the seed coat being retained. This may provide additional reservoirs for the attachment of pathogens.

6. Options – Costs and Benefits

Victoria supports the need to protect public health, while ensuring that any regulation is proportionate to the inherent risks. Victoria recognises that the sprouts industry has made changes to its practices following the outbreaks of *Salmonella* in 2005 and 2006 in connection with alfalfa sprouts. However, further improvements are currently impeded by a significant gap in knowledge on the most effective risk mitigation methods. For example, it is recognised that none of the currently used sanitisers completely eradicate pathogens. Identifying the most effective sanitiser and method of sanitation is critical in reducing the risk of food-borne illness arising from the consumption of seed sprouts. Research into application of existing or novel technological solutions may also be required. Victoria therefore supports the need for further research to help guide the sprout industry. Any data arising from such research may help further guide the industry in improving practices.

Should option 3 be pursued, changes to some of the risk mitigation strategies may result in increased cost to industry and therefore the consumer, although this depends on the level of regulation implemented and any subsequent compliance activities required. These costs may result from:

- On-farm practices that increase costs of production (eg removal of grazing animals), subsequent through chain segregation of seeds
- Decreased germination rates through use of particular sanitisers
- Prescribed testing

Care should also be taken to ensure that any regulation that may be implemented is not unnecessarily restrictive and is sufficiently flexible to allow a proportionate response to the range of risks posed by various sprouted seeds.