

29<sup>th</sup> Dec 2014

**Re: Ref: P1034 – Chemical Migration from Packaging into Food**

Ecolab appreciate the opportunity to comment on the proposal to assess whether there are any unmanaged public health and safety risks relating to chemical migration from packaging into food, and if any such issues are identified, to assist FSANZ with determining how those risks can be managed.

**ECOLAB & Our Food Safety Management Approach.**

Ecolab is a Global leader in water, hygiene and energy technologies and services; we help our customers meet their sustainability goals at more than one million locations around the world. Protecting people and vital resources is core to our purpose at Ecolab.

The purpose of our company is to provide and protect what is vital: clean water, safe food, abundant energy and healthy environments. Our associates are working on-site at more than 1.3 million customer locations in more than 170 countries around the world. Our 25,000 sales and service associates are supported by 1,600 scientists working in our global innovation centres in Europe, North America, and Asia, as well as additional technical centres in strategic locations.

Ecolab believes in maintaining the highest food safety standards. Safe food is essential to life. At Ecolab, we deliver an integrated approach to food safety. We provide solutions that minimize risk of foodborne illness. These solutions are supported by training, audits and expertise to help customers implement food safety best practices throughout their operations.

Ecolab regularly partners with governmental, industry and professional associations to support forums for discussion and promotion of food safety. We sell products and services that are safe for customer use and protect the health and safety of their customers, employees and the environment. All Ecolab products are developed using responsible ingredients with careful consideration for the impact our solutions will have on human health, water, air, energy and waste streams, without compromising performance.

**Ecolab's Paper Service Division;**

Ecolab's Paper Services Division offers a comprehensive portfolio of products and services that are used in all principal steps of the papermaking process and across all grades of paper, including communication paper, tissue and containerboard grades. Some examples of our product applications include pulp digestion, microbiological control, drinking agents, retention and drainage aids and strength resins. In these applications, our products and services help our customers maximize production rates, optimize the quality of the finished paper and minimize down time. Our

customers include 25 of the largest paper companies in the world, which collectively accounts for over 50% of global production capacity.

Ecolab's Paper Services Division manages a global product line so that our customers can use the same products all around the world. These products are developed in our research and development facilities located in Chicago, USA and Shanghai, China. They are developed to meet both North American and global standards/regulations in product safety and environmental compliance.

Our paper Division has worked cooperatively with government agencies worldwide on regulatory issues relating to packaging for over 50 years. Ecolab has worked closely with the U.S. Food and Drug Administration and the European Food Safety Authority (EFSA), and more recently with Health Canada, the Japanese National Institute of Health Sciences (NIHS), the Chinese National Centre for Food Safety Risk Assessment (CFSA) and the Chinese National Health and Family Planning Commission (NHFPC), as they have worked to develop and improve the regulatory framework governing food-contact materials in their respective jurisdictions.

### **Current Food Standards Code**

Currently, the Food Standards Code in Australia and New Zealand requires that packaging must be safe and suitable for its intended use.

We believe this safety standard, should be very similar to the underlying standards for food packaging regulatory schemes in the US, EU, China and Canada with regard to the robust and rigorous data requirement of these advanced countries for their local approval.

However, if FSANZ does consider it necessary to implement more stringent measures, we recommend based on our global experience, we would suggest that an effective approach would be to utilize the existing expertise and knowledge behind the comprehensive schemes in China, the USA and Europe. These are the standards that we use as reference points in product development, and are also respected by our customers. Recognition of China GB9685 or US FDA compliance or meeting BFR standards would ensure that both new and recycled plastics or paper are subject to rigorous premarket regulatory schemes that are recognized worldwide for ensuring that food packaging materials are safe and suitable.

Paper industry took EU BfR requirements as the most stringent standard to comply with the EU framework directive. Other regions in the world such as China and South America follow both BfR principles and US FDA data requirements for their local registration.

Relying on these existing regulatory systems and approvals would ensure that materials, both virgin and recycled, have been subject to rigorous premarket review, without imposing new any new and potentially resource-intensive procedural requirements on either industry or FSANZ.

## Packaging and Food Safety

Packaging is an essential component in ensuring the safety and quality of food. For this reason, companies design and manufacture their products to prevent the transfer of substances in the packaging to food, and in this way ensure that the food packaging materials will serve their intended role in protecting food from spoilage and tampering. The potential remains, nevertheless, for substances to migrate from food packaging to food.

Based on minimal documented evidence reported we consider food packaging to present a very low risk to the safety of food.

Ecolab being a major chemical supplier to global food packaging manufacturers have invested substantial resources and money to produce chemicals that are safe for use in contact with food, thereby ensuring the continued protection and success of our chemistries and the brand of our paper manufactures.

## Recommended Approach for Food Packaging

The FDA , EU and Chinese systems are comprehensive and robust with the level of assessment for mutagenicity testing, migration testing and oral toxicity testing of active and formulated products used directly or indirectly to paper processing application , while protecting public health. This demonstrates that the intended use of the food contact material (FCM) is safe, meaning there must be a reasonable certainty of no harm. These are the standards that many of our customers look to for verification of the safety of our products.

The recent positive announcement by our Government to cut Regulatory red tape facing Australian businesses by – **ACCEPTING TRUSTED INTERNATIONAL STANDARDS** is a welcome step in our longstanding advocacy for essential reform of Australian over-regulation of low-risk and/or already approved products and ingredients. The Government has agreed to adopt a new principle that if a system, service or product has been approved under a trusted international standard or risk assessment, then our regulators should not impose any additional requirements for approval in Australia, unless it can be demonstrated that there is a good reason to do so.

This will remove regulatory duplication, reduce costs and delays for businesses and consumers, increase the supply of products into the Australian market and allow regulatory authorities to focus on higher priorities.

A new / additional scheme for approval that is unique to Australia/New Zealand may add little additional benefit in terms of safety, but may hamper Australian and New Zealand businesses' access to the latest technologies and more innovative, often safer, products and ingredients.

We appreciate the opportunity to submit our comments on Proposal P1034, and trust that FSANZ will continue to engage stakeholders in the consultation process. If you should have any questions regarding our comments, or if we can provide you with any additional information regarding the regulation of food packaging materials in the U.S or EU or other jurisdictions, please do not hesitate to contact us

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Yours sincerely,

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Ecolab Pty Limited