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Food Standards Australia New Zealand
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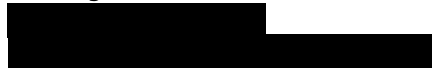
By email: submissions@foodstandards.gov.au

**SUBMISSION on
Proposal P1034 – Chemical Migration from Packaging into Food**

1. Introduction

Thank you for the opportunity to make a submission on Proposal P1034 (Proposal). This submission is from Consumer NZ, New Zealand's leading consumer organisation. It has an acknowledged and respected reputation for independence and fairness as a provider of impartial and comprehensive consumer information and advice.

Contact: Sue Chetwin
Consumer NZ
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Wellington 6141



2. Our submission

We only wish to respond to two questions in the Proposal.

Question 1: What concerns, if any, do you have about food packaging in relation to food safety?

FSANZ's preliminary work on the chemical migration from packaging into food (CMPF) has confirmed that the leaching of some chemicals may pose a public health risk, although the magnitude of the risk is unknown.

As the discussion document notes, other jurisdictions have responded to this risk by introducing regulations aimed at safeguarding public health. However, New Zealand has not followed. Instead, reliance has been placed on the general requirement that food packaging should be safe. Given many substances used in food packaging have not been adequately assessed, we have been concerned this stance puts consumers at risk.

Of particular concern is the potential risk from cumulative exposure to packaging chemicals. We've previously reported on phthalates research by the US National Academy of Sciences that found widespread human exposure to these chemicals at all stages of life.¹

¹ National Research Council. (2008). *Phthalates and Cumulative Risk Assessment*, <http://dels.nas.edu/Report/Phthalates-Cumulative-Risk-Assessment/12528?bname=>

Certain phthalates have been restricted for use in cosmetic products in New Zealand.² However, the approach of regulatory agencies has not been consistent and there are no similar restrictions on the use of these chemicals in other consumer products, including food packaging.

The discussion document acknowledges there is evidence from recent surveys and international incidents there may be a risk from dietary exposure to CMPF "if risk management strategies are not implemented". In our view, these strategies must ensure there is robust regulation to adequately safeguard public health.

Question 2: What measures do you think could be implemented to resolve these concerns?

We support the development of additional measures for managing food-safety risks arising from CMPF. In particular, we support a more rigorous and prescriptive approach to the control of chemicals that may migrate from packaging into foods, similar to the requirements in the EU and US.

The fact some businesses appear to be unaware of the risks associated with CMPF is concerning. The results of FSANZ's consultation indicate knowledge of CMPF within the business community is variable. This strongly suggests the current regulatory approach is inadequate.

Given the scientific uncertainties around the safety risks from chemicals in food packaging, we believe a precautionary approach is justified. Where there is evidence of the potential for harm, then the use of that chemical should be regulated.

Finally, in our view, consumers have the right to know what chemicals are contained in their food packaging. We would therefore support a requirement for food manufacturers to identify the types of food packaging they use.

Thank you for the opportunity to make a submission on the Proposal. If you require any further information, please do not hesitate to contact me.

Yours sincerely

A black rectangular box used to redact the signature of Sue Chetwin.

Sue Chetwin
Chief Executive

² See the Cosmetic Products Group Standard. The standard is administered by the Environmental Protection Authority and can be found at <http://www.epa.govt.nz/hazardous-substances/approvals/group-standards/Pages/cosmetic.aspx>