

submissions

From: submissions
To: [REDACTED]
Subject: RE: Form Returned: P1034 Response by Nutricia Australia December 2014.pdf

Sent: Monday, 22 December 2014 3:41 PM
To: submissions
Subject: Form Returned: P1034 Response by Nutricia Australia December 2014.pdf

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The attached file is the filled-out form. Please open it to review the data.

Best regards,

Regulatory Affairs Manager ANZ
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A footprint for a healthier future

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RESPONSE TEMPLATE

All stakeholders are invited to respond to questions posed in this Consultation Paper.

Please indicate if you are a:

(required)

- ☐ Raw material provider
- ☐ Packaging manufacturer/converter/provider
- ☐ Peak industry/trade association
- ☒ Food business (manufacturer/importer/brand owner/retailer)
- ☐ Consumer
- ☐ Government representative (state/territory or Commonwealth agency)
- ☐ Public health representative
- ☐ Other (please specify)

If you are a business, please indicate the approximate number of employees in your business:

- ☐ 1–20 ☐ 20–200 ☒ <200



Question 1 (refer to p.9)

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

☐ None

Please provide details of your concerns

The packaging of each of our products is designed to protect the integrity of the products throughout the supply chain, from the factory to the consumer's home. This protection must be sufficiently robust to resist physical, chemical and microbiological damage to the integrity of the product, throughout the labelled shelf life of that product.

Our concerns with the packaging of our products are to ensure that the protection is optimized and that the packaging process and the packaging materials themselves all contribute to this protection. Optimisation includes (in no particular order): maximum barrier properties possible, appropriate structural strength, fit with filling systems used, economic costs, environmental costs and the ability to recycle.

We carefully design the process and select the packaging materials to achieve this, however whenever improvements are available we evaluate these for potential future use. The improvement in the barrier properties of any packaging material is one aspect of this evaluation.

It is a fundamental principle that neither the packaging process nor the packaging material itself should contribute any risk to the product nor to its use by the consumer.

We assess the risks of chemical migration from packaging materials into food and monitor known potential risks ourselves using internal testing.

Question 2 (refer to p.9)

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

☐ None

Please provide details

Regular monitoring of the performance of packaging materials, as used in different products, under different conditions, is one measure.

The performance can be monitored in a number of ways, such as oxygen transfer, moisture permeability and also any ingress of chemical compounds from the packaging materials into the food.

The known, demonstrated performance of packaging materials under different conditions for different foods and food types would be a valuable resource and guidance tool. We are not aware of the availability of a comprehensive set of data relating to this performance at this point.

We also check the specifications of any packaging materials against internal standards for oxygen and moisture permeability, accounting for geographical zones.

Question 3 (refer to p.11)

If you are a packaging manufacturer/converter/supplier, please detail the types (s) and relative volumes for the different food packaging materials produced by your business and whether the main components are imported or made locally (in Australia or New Zealand).

Type of packaging material (for example)	Volume (ktpa*)	Local/Imported
Carton board (folding)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Cardboard/paper (virgin)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Cardboard/paper (recycled)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic mono-layers	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic multi-layers	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic laminate	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic rigid	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic co-extruded	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Plastic (recycled)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Metal	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Composites (eg. Paper/foil/plastic)	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Glass	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Ceramic	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported
Other <input type="text"/>	<input type="radio"/> 0-50 <input type="radio"/> 50-500 <input type="radio"/> 500-5000	<input type="radio"/> Local <input type="radio"/> Imported

*Kilo tonnes per annum

Question 4 (refer to p.12)

If you are a peak body/trade association, do you have the expertise to offer food safety advice on chemical migration from packaging into food (CMPF) to businesses within the packaging supply chain?

☒ No ☐ Yes

Please expand on your response

Not applicable.

Question 5 (refer to p.12)

As a peak body/trade association, is there a need for access to further advice on CMPF?

☒ No ☐ Yes

Please expand on your response

Not applicable.

Question 6 (refer to p.13)

Can you please identify the risk identification, characterisation and mitigation strategies that your business uses and whether you use any others?

Please indicate which responses apply

- ☒ Adherence to either a mandatory or voluntary standard, Code of Practice (CoP), handbook or guideline that provides guidance on mitigation of potential risks associated with CMPF
- ☒ Prohibition of specific chemicals that should not be present in food if it is determined that they may migrate into food and present a significant risk
- ☒ Prescriptive regulatory requirements for CMPF to address identified risks (e.g. maximum limits, migratory limits)
- ☒ Recognition of other countries' approaches and/or requirements used to mitigate risk and adopting these for use in Australia/New Zealand
- ☒ Use of certificates of compliance confirming that packaging and packaging inputs adhere to a specific CoP, industry standard or regulation
- ☐ Instructions in the form of labelling requirements to mitigate risks at the consumer level (e.g. preparation instructions)
- ☐ Introduction of a post-market incident response mechanism (for example, to review poor or lack of application of Good Manufacturing Practice (GMP))
- ☒ Establishment by packaging and food manufacturing companies of internal specifications and due diligence systems for packaging supply/use
- ☐ Other

As a company with international affiliations, we are conscious of the need for vigilance, in terms of international standards, reports and science-based deliberations.
Risk posed by packaging materials can occasionally be mitigated at the consumer level by including instructions on the package label.
Certificates of compliance can be assessed against internal standards used by the company.

Question 7 (refer to p.14)

*If you are a food business (manufacturer/importer/brand owner/retailer):
Is information readily available on whether or not food packaging (including for home brand products)
is made from recycled materials?*

☐ No ☒ Yes

Please expand on your response

Yes, we have access to this type of information. We limit the use of recycled packaging materials to those not in direct contact with food products. This would include materials such as shipping cartons.

Question 8 (refer to p.14)

If yes to Question 7, how do you ensure that packaging manufactured from recycled materials does not contain chemicals that could migrate into food at levels of potential concern?

- ☒ In-house testing
☐ Request Declaration of Compliance
☒ Auditing of supplier
☐ Other (please specify)

The only recycled packaging materials that we use are those not in direct contact with food materials. We also monitor packaging using internal chemical migration testing.

Question 9 (refer to p.16)

If you are a packaging or food manufacturer, or industry body, is using another countries' legislation (eg US/EU) suitable to ensure compliance with your customer's needs?

☒ No ☐ Yes

Please expand on your response

As a food manufacturer, we must comply with the specific legislation that applies in the country/countries where our products are marketed. International standards and legislation are highly useful as a guide and can assist in providing direction for assessments, however they are only guides.

Wherever our own standards are stricter than international standards, our internal standards apply.

Question 10 (refer to p.16)

In your experience, do the EU or US requirements or guidelines and other CoPs adequately manage risks from CMPF from all recycled materials?

☐ No ☒ Yes

Please expand on your response

As we only use recycled materials in those packaging materials not in contact with food, we are not aware of any significant risks associated with this practice.

Question 11 (refer to p.17)

What would you see as the advantages and disadvantages of a co-regulatory approach to managing CMPF?

Advantages

The manufacturers of packaging materials would need to comply with any proposed new regulation and food manufacturers would then be restricted to using only these packaging materials.

Disadvantages

Any regulation, whether set as law or co-regulation, should only be adopted on the basis of existing, demonstrable market failure. Data showing such a failure needs to be assessed before any form of regulation is contemplated.

Question 12 (refer to p.17)

Does the Australian Standard for Plastic Materials for Food Contact Use – AS2070-1999 supply useful guidance to industry?

☐ No ☒ Yes

Please expand on your response

This standard is useful as a guidance tool.

Question 13 (refer to p.17)

Are there other pertinent industry standards (Australian/New Zealand or International) that you reference and adhere to regularly?

☐ No ☒ Yes

Please expand on your response

As a company that is part of a larger, international corporation, we use a range of international standards as reference for our selection of packaging materials.

Question 14 (refer to p.18)

Would you see benefits if a more prescriptive approach to packaging regulations were introduced?

☒ No ☐ Yes

Please expand on your response

A more prescriptive approach may help to clarify certain issues, however packaging developments can move at great speed at times and this approach may unnecessarily delay the introduction of new packaging types. This prescriptive approach would need to be based on demonstrable market failure.

A comprehensive industry guideline would be potentially a very useful industry tool.

Question 15 (refer to p.18)

Regardless of whether you buy or manufacture packaging, do you have a food safety or quality management program for that packaging?

☐ No ☒ Yes

Please expand on your response

Yes, our food safety and quality system includes using only approved suppliers, using only materials that are within agreed specifications and monitoring packaging materials against internal standards.

Question 16 (refer to p.18)

*What are the key elements pertaining to chemical migration from packaging of this program (if you have one)?
For example, do you comply with a code of practice(s) or a specialist customised in-house program.*

☒ Comply with requirements in Australia New Zealand Food Standards Code

☐ Comply with AS 2070-1999

☐ Comply with Good Manufacturing Practice

☐ Comply with EU regulations

☐ Comply with US regulations

☐ Comply with CoP (if so, which?)

☒ Comply with customised in-house program

☐ Ensure through chain product stewardship

☐ Other

Question 17 (refer to p.18)

*As a food business, what quality assurance and quality controls do you currently use to mitigate risks from CMPF?
Please provide examples.*

Quality Assurance

We have the packaging materials analysed by authorised laboratories, to ensure compliance with our internal standards, prior to using these materials in production of our food products.

Quality Controls

Question 18 (refer to p.18)

As a food business, do you have in-house technical capacity or expertise related to packaging?

☐ No ☒ Yes

Please expand on your response

We have dedicated packaging technologists within our company structure that have the technical capacity and expertise to assess packaging issues.

Question 19 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), if you print on the materials that you produce, do you have a quality assurance and quality control system (or similar) which includes printing inks and related products (eg. resins, adjuvants, mineral oil)?

☐ No ☒ Yes

Please expand on your response

Most in house printing is only on outer packaging - not directly in contact with food. The monitoring of the use of printing inks is part of our normal quality assurance systems.

Question 20 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), do your quality assurance/quality control systems consider the end uses of the packaging?

☐ No ☐ Yes

Please expand on your response

Not applicable.

Question 21 (refer to p.18)

As a packaging manufacturer/converter/supplier (including packaging importer), do you always prepare a Declaration of Compliance with existing legislation in order to meet your customers' needs?

☐ No ☐ Yes

Please expand on your response

Not applicable.

Question 22 (refer to p.18 and SD3)

As a packaging manufacturer/converter/supplier (including packaging importer), as a result of international responses to issues with CMPP (eg. di-2-ethylhexyl adipate (DEHA)), and management measures undertaken by overseas manufacturers (eg. reformulation), have you adopted similar mitigation measures?

☐ No ☐ Yes

Please expand on your response

Not applicable.

Question 23 (refer to p.18 and SD3)

As a packaging manufacturer/converter/supplier (including packaging importer), are you aware if semicarbazide is still used in manufacturing of food packaging materials in Australia and/or New Zealand?

☐ No ☐ Yes

Please expand on your response

Not applicable.

Please detail any other comments you have on the Consultation Paper and the issues raised:

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