

## submissions

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**From:** [REDACTED]  
**Sent:** Wednesday, 24 December 2014 3:09 AM  
**To:** submissions  
**Cc:** [REDACTED]  
**Subject:** Submission: P1034 – Chemical Migration from Packaging into Food: MeadWestvaco  
**Attachments:** MWV Response P1034-Packaging-Consult-CFS Dec 232014.pdf

Dear FSANZ representative,.

Please find attached our submission for the subject line proposal.

Best Regards,

[REDACTED]  
Lead Product Steward, Paperboard Operations  
[REDACTED]



Evadale, Texas

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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

History has largely demonstrated that food packaging represents a minor fraction of the overall food safety issues. Recent examples of chemicals migrating from packaging into food present valid concerns, but also open the door for an excessive response. These include:

Potentially over conservative threshold levels for non-evaluated substances

Default assumptions that are overly conservative for some types of food packaging.

The manufacturing problems presented by a lack of globally applicable limits and mutual recognition of other national regulations.

**Question 2** (refer to p.9)

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

☐ None

Please provide details

Increased global collaboration to develop a harmonized system for food packaging safety

### 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 checked="" type="radio"/> 0–50 <input type="radio"/> 50–500 <input type="radio"/> 500–5000	<input type="radio"/> Local <input checked="" type="radio"/> Imported
Cardboard/paper (virgin)	<input checked="" type="radio"/> 0–50 <input type="radio"/> 50–500 <input type="radio"/> 500–5000	<input type="radio"/> Local <input checked="" type="radio"/> Imported
Cardboard/paper (recycled)	<input checked="" type="radio"/> 0–50 <input type="radio"/> 50–500 <input type="radio"/> 500–5000	<input type="radio"/> Local <input checked="" 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 checked="" type="radio"/> 0–50 <input type="radio"/> 50–500 <input type="radio"/> 500–5000	<input type="radio"/> Local <input checked="" 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 checked="" type="radio"/> 0–50 <input type="radio"/> 50–500 <input type="radio"/> 500–5000	<input type="radio"/> Local <input checked="" 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

**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

### 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

Use of outside technical and legal counsel to evaluate risk and establish limits for product safety.

Routine and targeted analytical testing on raw materials and finished product for substances of concern.

**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

**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)

**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 global supplier, the combination of US FDA and EU regulations and national recommendations is acceptable to our customers and assures the safe use of our products in direct contact with food.

**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

Recycled materials must meet FDA and EFSA guidelines and the BfR Recommendations to demonstrate that potential contaminants are controlled and/ or removed in the recycling process. In addition we require the use of responsible sourcing practices to control and manage the potential risks introduced into the process per the Confederation of European Paper Industry (CEPI) guidelines.



**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 co-regulatory approach adds regionally appropriate guidance, without the burden on manufacturers of another regulatory platform.

Disadvantages

Too frequently, guidance documents are adopted by customers as requirements to be followed as strictly as regulations, but without the flexibility that was intended within the guidance.

**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

unknown

**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

CEPI Industry Guidelines and GMP  
EuPIA Guideline on Printing Inks  
ECMA Industry Guidelines  
PAS 223

**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

While a prescriptive regulation provides clear instruction on selection of appropriate raw materials, the addition of new national regulations adds challenges in producing products that are globally compliant.

**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

Manufacturing processes meet the ISO 9001 standard and include elements of FSSC 22000 (PAS 223) where appropriate. Other GMP systems are used as appropriate, including ISO 22716, ISO 15378, and BRC/ IoP.

**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

CEPI CoP.

**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

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

**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

We establish specifications and controls for printing inks and use low-migration inks for sensitive applications. These controls would be implemented within our certified quality and/or food safety 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

The end use of the packaging is the basis for all process considerations: determining the product design, raw material selection, routine analysis requirements, specifications. and final product analysis.

**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

Documents are available upon customer request

**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 CMPF (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

Our organization's raw materials and products have had limited impact from the identified CMPFs. However, our policy is to react quickly when an identified substance is linked to our products composition to identify the risk associated with the actual end uses and food contact exposures of our customer's finished products. If the risk exceeds established safe limits (either regulatory or customer specification), we will move to reformulate and find alternatives.

**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

Unknown

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

We appreciate the efforts taken by FSANZ to evaluate the risks proposed by possible chemical migration from packaging. Any actions taken should take into account existing global regulations, that in some cases, have approved the use substances that can migrate through understanding the real risk associated. It is important to have an assessment that has flexibility for different types of food contact materials that have varying levels of contact with food. For example, long term retail food storage packaging versus quick service restaurants products; these represent significantly different risk profiles. In addition, migration methods should realistically replicate the actual migration in various food types.

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