

ACKNOWLEDGED

Health Protection Service

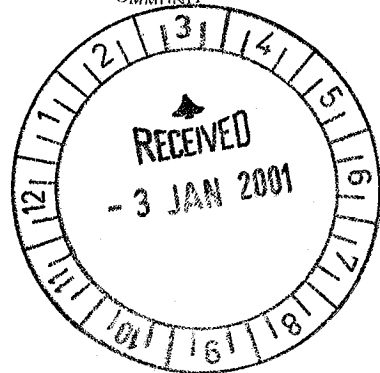
Howard Florey Centenary House, 25 Mulley Street, Holder ACT 2611
Locked Bag 5, Weston Creek ACT 2611

Ph: 02 - 620 51700 Fax: 02 - 620 51705



ENTERED IN DATABASE
3 / 1 / 2002
777 000 6 -

Australia New Zealand Food Authority
PO Box 7186
Canberra Mail Centre ACT 2610



Dear Sirs

Submission – Proposal P242 (Foods for Special Medical Purposes, Initial Assessment Report)

Thank you for the opportunity to comment on the above proposal.

As the majority of foods for special medical purposes (FSMP) are packaged and labelled overseas, it would be appropriate (where possible) that the standard reflects Codex and international requirements.

The ACT Department of Health and Community Care (DHACC) supports any initiative for regulation of FSMP and makes the following comments on the above proposal:

Options for Regulations

The ACT preferred option for the regulation of FSMP is Option 5 - *Regulation by means of pre-market notification*. This option includes regulation in Volume 2 of the *Food Standards Code* and the requirement for the pre-market notification and approval. Option 5 is less prescriptive than Option 4 (Full regulation) and would provide regulators a more efficient means of enforcement and surveillance.

An appropriate transitional period (at least 12 months) for the new regulation would assist industry to minimise any disruption and enable them to come to terms with the new requirements.

Regulatory Considerations

The ACT Department of Health and Community Care is of the view that FSMP are basically special purpose foods and should be regulated as such in Volume 2 of the Code (under Part 2.9 – Special Purpose Foods). Furthermore, the composition and use of FSMP meet the requirements of the current definition for special purpose foods.

Any new standard for FSMP needs to conform to the existing standards for special purpose foods to ensure consistency.

Composition of Foods for Special Medical Purposes

FSMP are used by a small number of people who come from high-risk groups. These foods should be used under medical supervision to ensure full control of the products and to reduce any risk to public health and safety.

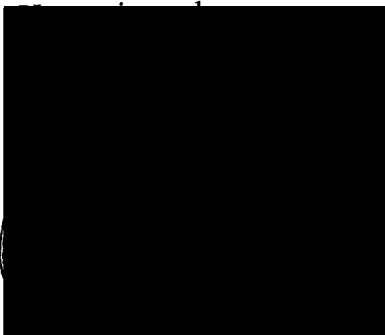
Distribution and Access

Although there is no evidence that FSMP carry any significant public health risk, we believe that such foods should be restricted to health care facilities and pharmacies to reinforce the above mentioned cautionary approach (see previous paragraph).

Labelling of Foods for Special Medical Purposes

Labelling of FSMP should meet the requirements of the *Food Standards Code* and international standards and in particular the requirements for the labelling of special purpose foods. Consumers (people with special medical conditions) need to be fully informed because of their special health status. Health claims (currently prohibited under Volume 2) should conform to the proposed standard, which regulates health and related claims.

Again, thank you for the opportunity to comment on the above proposal. Should you have any questions regarding these comments please do not hesitate to contact Mr Petri Laajoki, Acting Manager, Environmental Health Project Team or Mr Vojkan Stefanovic, Project Officer on 6205 1700.



18 December 2001