



**REVIEW OF THE FOOD STANDARDS
AUSTRALIA NEW ZEALAND ACT 1991
SUBMISSION**

NOVEMBER 2020

FSANZ Act Review discussion questions

This submission is made on behalf of Additive Free Kids, representing over 30,000 members (Facebook, Instagram and email list). Our members are mostly from Australia and New Zealand (94.3%) with other members from the US and UK. This membership includes parents, nutritionists, naturopaths, chiropractors, doctors and other health professionals.

Additive Free Kids provides independent information to inform our members to make educated decisions in the supermarket. Our community are aware that food has impacts on the health and behaviour of children. We provide this information to our community in a number of ways, refer to <http://www.additivefreekids.com.au/> for more information.

The comments for each discussion point included below are collated from the feedback provided by hundreds of our members (via a specific survey addressing the FSANZ Review) as well as input from Managing Director, Francine Bell. Francine Bell is one of Australia's leading activists against harmful additives in food, adviser to the Anti Additive Association, a Mum to 5 boys with personal experience working through the damaging effects of additives, resolving health and behavioural issues in her own children, a trained Chartered Accountant, trained with PricewaterhouseCoopers (audit) – who represents an unbiased, independent agent for the public interest.

1 (a) Is there still a compelling case for regulating food?

99.3% of our respondents believe that our food should be regulated.

Reasons for regulation include ensuring our food supply isn't contaminated, compromised or subject to fraud. That our food is safe to eat and consumers can make informed choices about food.

Australia is amid a children's health crisis and unless action is taken, the health of our children will continue to decline. The vital statistics for Australian children are:

- 24.9% of our children aged 5-17 are now overweight or obese [1]
- 46% of young adults aged 18-24 are now overweight or obese [2]
- 7.4% of our children aged 4-17 now have ADHD [3]
- 6.9% of our children aged 4-17 now have an anxiety disorder [4]
- 2.8% of our children aged 4-17 now have a depressive disorder [5]
- 10-16% of students are perceived by their teachers to have learning difficulties [6]
- 1 in 63 children are estimated to have autism [7]
- Australia has one of the highest asthma rates in the world [8]
- Children as young as 10 are being diagnosed with Type 2 diabetes [9]
- Australia has one of the highest rates of food allergies in children, in the world [10]
- Children aged 4-8 year old are on average eating 4.8 serves of discretionary food per day [11]
- Children aged 9-13 years old are on average eating 6.2 serves of discretionary foods per day [12]
- 58% of the family's weekly food budget is now being spent on discretionary foods [13]

These statistics are alarming. These discretionary foods used to be called junk food or treat foods, as parents used to recognise that they shouldn't be eaten everyday. This daily consumption is contributing to the decline in children's health. We need to find ways to support healthy eating habits at a population level. Food consumption patterns are an important driver of broader public and population health. We need regulation to consider the long term perspective of health and well being.

Consumers want fresh, natural, minimally processed foods with beneficial ingredients; are look for constructive guidance to assist them; want businesses to put their cards on the table to provide information about the nutrition and provenance of food. Consumers wish that there were more 'all natural' products on shelves. We need our Regulator to assist consumers in identifying what is real food as opposed to the abundance of fake food on our supermarket shelves.

There is definitely still a compelling case for food to be regulated, now more so than ever.

1 (b) Are there market failures that governments should address through regulation of food?

98.5% of our respondents believe that there are market failures and these centre along the themes of:

1) Consumers first – health before profits

The key issue that government need to address through regulation of food is the health and safety of each and every Australian consumer. Health needs to be the first and foremost concern ahead of all profit interest. Industry have dominated for too long, unchecked, which has led to the health crisis we now find us in. **Refer Appendix 1 for additional member comments.**

2) Accountability

Consumers rely on reading the ingredients label and front of pack labels and these are grossly inadequate to make informed decisions. Manufacturers are able to deceive consumers by passing off inferior ingredients as natural. Consumers want to see manufacturers held to account when clever marketing and green washing tactics are used to deceive consumers. Consumers would like to see manufacturers incur penalties for not following the Code. FSANZ should be empowered to ensure consistent enforcement across Australia and New Zealand. **Refer Appendix 2 for additional member comments.**

3) Restructure of our regulator is required

Independence and rigorous standards must be a core value and objective of our Regulator. Our Regulator needs to be resourced appropriately so that:

- FSANZ can be provided with additional regulatory powers to ensure consistent enforcement across Australia and New Zealand (instead of a multitude of institutional arrangements)

- Given the power to compel manufacturers to provide information regarding their products
- Ensure consistent review and monitoring of standards in a fast paced and ever changing food environment.
- A register of reactions / complaints can be developed relating to food and publicly monitored and recorded
- A register of ingredients by manufacturer can be developed (similar to Therapeutic Goods Administration).

Refer Appendix 3 for additional member comments

4) Transparency and need for information choice.

Every ingredient in our food should be made known to facilitate educated and informed decisions. Our community want the 5% labelling loophole removed, all processing aids declared and more information made available regarding original source of ingredients and how they are processed. Whilst legislation is in place to provide information on potential allergen alerts, there is no protection for consumers that are allergic or intolerant to additives. **Refer Appendix 4 for additional member comments**

4) Redefining what is food

The definition used by FSANZ is inadequate and allows any food that is presented as food to be sold. We need to revisit the definition of food, back to its common meaning “any nutritious substance that people or animals eat or drink or that plants absorb in order to maintain life and growth”. We need to return back to basics, ensure our food is as close to nature as possible, with as minimal amount of processing. Only in this way will we see our National Health crisis reverse. **Refer Appendix 5 for additional member comments.**

2 Are there other significant focus areas that should be considered as part of the Review?

We require a central authority / legislation / structure for Australia’s food system.

Food related policy frameworks are scattered across numerous government departments and agencies with no co-ordination.

We should have a central body to report reactions to food, so these can be monitored and followed up with manufacturers held accountable. At the moment, these are fed to the individual manufacturers, and there is no incentive to resolve the issue as profits are at stake. This needs to be an independent function

This central authority should develop and approve food standards as well as enforce them.

There should be funding of food research in all aspects including safety for consumers, including but not limited to:

- Define safety – this needs to include easily measured acute physical symptoms, as well as chronic, learning, mental, behavioural or non acute symptoms.
- Acceptable daily intake levels of additives need to be developed for children – they have weaker blood / brain barriers.
- Require testing of additives on the microbiome. Changes in the microbiome will indicate potential issues. For example, preservatives that are designed to kill bacteria are likely to kill the bacteria in your gut too, with long term consequences. We have seen this already with studies conducted on emulsifiers.

- Require testing of food additives over long periods of time prior to being approved for use in our food supply.
- Require audits of additives used in foods meet the limits set
- Additives should be tested in combination, currently they are only tested individually. Additives are used in combination in all foods. We know that they can have a greater impact when they interact with each other.
- Foods with additives prohibited for infants should be labelled so as to warn parents
- Regulate all forms of additives including those in “natural” forms also – for example fermented wheat, cultured wheat, dextrose, hydrolysed vegetable protein...these are not wholefoods. They are disguised additives which should be labelled as such.
- Create a national reporting system so that reactions to foods can be reported and investigated independently of industry. There is a vested interest in manufacturers suppressing these claims. You can't fix the issues, or recall particular additives if you aren't aware that a problem exists.

3 To what degree are the current legislated objectives an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

Current legislated objectives are as follows:

a) High degree of consumer confidence in the quality and safety of food produced, sold or exported from Australian and New Zealand.

In a recent survey conducted in our Additive Free Kids community, the overarching themes are that there is confidence in the quality of food from Australia and New Zealand generally, but not necessarily the safety due to the lack of transparency regarding ingredients and processing:

- There is a lack of confidence that additives are labelled properly
- There is mistrust due to processing aids being used without needing to be declared
- There is a lack of information to make an informed decision.
- Too many loopholes in our current system (for example frozen vegetables imported from New Zealand into Australia but grown in China).

Our community members are increasingly disappointed with the deception. For those consumers that have confidence, it is only because they have gone to great lengths, to not only read labels, but research and educate themselves as to how and where they manufacture and produce their food. Our community are of the opinion that the due diligence should not be solely up to the consumer to know that they are buying quality foods that are safe. Currently Additive Free Kids is filling this void that exists, performing the due diligence on behalf of the community.

b) An effective, transparent and accountable regulatory framework within which the food industry can work efficiently.

In a recent survey conducted in our Additive Free Kids community, 95.6% of our respondents voted that they believe we don't currently have an effective, transparent and accountable regulatory framework.

In multiple instances we have seen that manufacturers are not held to account for misleading labelling, inaccurate labelling, contravention of the Food Standards Code (ie a baby food. Manufacturer using additives that are prohibited for infants).

c) The provision of adequate information relating to food to enable consumers to make informed choices.

98.9% of our survey respondents believe there is inadequate information provided relating to food to enable consumers to make informed choices. The reason for this is the following:

i) Processing aids are not declared

Consumers want to know what these are so that they can make an informed decision. Manufacturers should be required to provide that information if it has been requested. Additive Free Kids undertakes this work on behalf of its community and advise them accordingly.

ii) Exemptions

There are exemptions (and loopholes – ie 5% labelling loophole) for flavourings and concessions given to manufacturers to protect their intellectual property. As a community we understand that it is not practical to include all the ingredients on a label. However, if a consumer is willing to do the extra work, visit manufacturer websites, call the manufacturer (for example) to find out the detailed information, they should have the right to this information. The Therapeutics Good Administration have just implemented a transparent model based on the growing need for transparency of excipients in their products, not only active ingredients. This has been managed well on a central database on their website.

iii) Original source not disclosed (unless an allergen)

Currently manufacturers are permitted to use additives and only declare the name or number. A particular additive may have a number of original sources. It could be genetically modified, it could be synthetic, it could be of animal origin, it could be of plant origin. The consumer is seeking more information on these sources so that they can make an informed decision – from an allergy, values or lifestyle perspective. Obviously this is difficult to list on an ingredient label. However, if a manufacturer is questioned, they should be required to be transparent and provide the required information.

iv) Processing methods are important to the end consumer.

Our community want to purchase foods that have been minimally processed. The community want to understand the process that the ingredient has been through (how manipulated it is away from its original source). This obviously cannot be listed on the label, however, if a manufacturer is questioned, they should be required to be transparent and provide the required information.

v) Ingredient information not required to be declared for items made on site this is a very frustrating problem encountered all the time in our community.

Our community would love to support businesses that make food fresh on site. However, we need to know what the ingredients are so that we can make an informed decision as to whether it can be consumed or not. If a retailer is questioned, they are not required to provide the information. In times, where we should be encouraging freshly made food, away from ultra processed foods, this seems absurd.

Often the retailer will ask for a specific ingredient that you are specifically looking to avoid. When a consumer is avoiding hundreds of additives due to the impact they have, it is much easier for an educated consumer to review the ingredients, than the reverse. Our community members are highly educated and have spent a lot of time understanding ingredients, their source and their processing. Retailers should be required to have a listing of all the ingredients of each product sold. This will address food fraud also. Some fresh food retailers are claiming that their food is “fresh” yet when questioned to ensure there aren’t any preservatives, they will not provide the information.

Additive Free Kids has experienced rapid growth due to these factors above. Consumers are crying out for this information so that they can make an informed decision. They are seeking guidance from an independent organisation that they can trust.

d) The establishment of common rules for both countries and the promotion of consistency between domestic and international food regulatory measures without reducing the safeguards applying to public health and consumer protection.

More work is required for products that enter Australia via the backdoor (ie New Zealand) and have the same rules and regulations. Often products (such as frozen vegetables) will be imported into Australia from New Zealand. The label will say the produce has been packed in New Zealand, however, the truth is that the product has been imported from China. This isn’t declared on the product. There is not enough oversight and transparency regarding this issue.

The Additive Free Kids Community understands that there is a desire to keep regulations comparable internationally. As a collective if we were to keep or regulations comparable internationally, we would want this to occur with the most conservative of nations, such as Brazil, European Union for example. We shouldn’t blindly follow suit.

Brazil’s dietary guidelines take a holistic approach to healthy eating, advising individuals to consider not just nutrients but also foods, meals, modes of eating, and socially and environmentally sustainable food systems. They also classify foods into four categories according to the NOVA classification and advise people to prioritise unprocessed foods and eat as few ultra processed foods as possible. This brings a new way of thinking to the ways food is processed and the ingredients used in the manufacturer of industrial foods.

This is the way we need to head if we are serious about the health of our nation and reversing the alarming statistics we are seeing.

4. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome

specified for each idea best be achieved?

a) Reform Idea 1 – Define ‘public health’ and ‘safety’ in legislation to affirm the inclusion of long term health and nutrition as a core objective

98.5% of our survey respondents strongly support this reform idea.

The definition of health is to be free from illness or injury. Illness is defined as a disease or period of sickness affecting the body or mind. Public health and safety need to be viewed from this perspective.

Currently, there is unquantifiable damage being done to public health. It is unquantifiable at this stage as a central co-ordination point to monitor reactions to our food doesn't exist. There are short term and long term implications for our public health.

The Additive Free Kids Community regularly suffer from short term illnesses or sicknesses affecting the body or mind and these include:

- Aggressive behaviour
- Allergic and hypersensitive reactions
- Asthma
- Behavioural problems
- Depression
- Gastrointestinal ailments
- Headaches and migraines
- Hyperactivity
- Learning difficulties
- Skin ailments (eczema, dermatitis, itching, hives, rashes)

Given the state of our national health crisis, we believe it is imperative that the objective of long term health is included (including the prevention of obesity related chronic disease). This has a flow on effect for all levels of society in terms of premature deaths, reduced quality of life and economic costs. Studies are being released now that are showing the long term implications that ultra processed foods are having on our long term health. We are already seeing that some emulsifiers have been studied and found to show that they impact and disrupt the gut microbiome. This needs to be the new standard given the state of our nation's health.

b) Reform Idea 2 – Recognise trade as a core goal and reframe consumer choice as a fact to which FSANZ ‘must have regard’

98% of our community vehemently oppose this reform idea.

The objective should be to build regulation that can't be compromised or avoided (due to labelling loopholes) with manufacturers held to account. The role of our regulator first and foremost needs to ensure the public health and safety of its citizens. There is too much focus on industry and trade already. Trade objectives are already considered and this is what has led to our health crisis. We need to be steering our regulatory system back to basics, as nature intended. Innovation progresses without accountability or long term independent scientific studies. The core goal should be first and foremost consumer health.

Consumer choice is paramount. FSANZ should have regard to trade, but it should NOT be a core goal. If Australia has good governance, transparency and regulations around our food, then this will make our products more attractive to international companies for trade purposes. Get this right and trade will follow. Food quality regulation is paramount to trade goals. FSANZ is already perceived by the Additive Free Kids community as an industry biased organisation and failing in meeting its current objectives as outlined in the Act.

The Additive Free Kids community are overwhelmingly crying out for more information, so that they can make an informed choice, it should be there right.

We disagree with amending the objectives of the Act in Section 3. The goals should be:

- a) A high degree of consumer confidence in the quality and safety of food produced, sold or exported from Australian and New Zealand*
- b) The provision of adequate information relating to food to enable consumers to make informed choices*
- c) The prevention of misleading or deceptive conduct.*

There must be regard to the following (in order of priority):

- Need for standards to be based on long term health implications*
- The need for standards to be based on risk analysis using the best independent scientific evidence available*
- The promotion of consistency between domestic and international food standards*
- The promotion of fair trading in food.*

Supporting an efficient and internationally competitive food industry shouldn't be the function of our regulator. The regulator should be here for the protection of the consumer, not industry!

c) Reform Idea 3 – Establish criteria in the Act that the Forum must meet to request a review of a draft regulatory measure

This is a process issue. There should be appropriate levels of review and critique for any regulatory changes.

5. Are there other potential solutions to problems relating to legislated objectives?

1) Creation of a National Food Authority / Council to undertake the following functions:

- a) Compilation of a register of all ingredients used in food that aren't wholefoods and the manufacturer of this ingredient.**

This could utilise the existing additive coding system and then provide the next level of information indicating the source of origin (ie plant, GMO, bacteria, synthetic etc). This register could be modelled on that used by the Therapeutics Goods Administration. In

this way, each and every ingredient is transparent and can be traced back to its original source.

b) Central co-ordination of registering reactions to food and ingredients

The data can be collated on reactions to products and tied back to the ingredients (in the register listed above), so then decisions can be made as to whether those ingredients remain in our food supply, or should be included in our foods for children, or labelled accordingly.

c) Enforcement of Standards and Codes and manufacturers held to account via penalties and informing the public.

Currently this is very difficult when manufacturers trade across multiple states. A concerned consumer is passed backwards and forwards between FSANZ, manufacturer, state authorities, ACCC, local authorities with no expertise on hand without resolution for the consumer.

d) Warning labels on food if they contain additives that shouldn't be consumed by infants.

Currently there are many instances of manufacturers using ingredients in infant foods that are expressly prohibited without consequence.

e) Independent research to be undertaken on any ingredients in our food supply that aren't wholefoods.

- i) This research should look for any impacts on health (whether short term or long term) and impact on the gut microbiome.
- ii) This research should determine appropriate Acceptable Daily Intake (ADI) levels for children.
- iii) This research should review the impact of additives consumed in combination

6. To what degree are FSANZ's functions (as currently stated in the Act) an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

As mentioned previously, consumers as stakeholders feel:

- a) Lack of transparency in ingredients used.
- b) Lack of accountability for manufacturers
- c) Consumers right to know what is in their food is not acknowledged, manufacturers are afforded protection.
- d) Definition of food to be revisited, back to basics, wholefoods and degree of processing to be a key focus.
- e) Consumers interests to be put before industry

Consumers are feeling let down by our regulator as FSANZ's functions currently stand. Consumers feel powerless. They are unable to obtain full transparency of information to make informed decisions. Reports of reactions to ingredients to manufacturers fall on deaf ears and are silenced. Reports of this to regulator and health authorities (state and local) including ACCC end up nowhere due to inadequate systems and lines of accountability. Additive Free Kids has had to advocate on consumers behalf as a result of a failing regulatory system.

7. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

- **Reform Idea 4 – Amend the Act to better reflect the functions FSANZ currently delivers, particularly as they related to supporting long term health and nutrition.**

Our community strongly support the inclusion of long term health and nutrition objectives as outlined previously.

- **Reform Idea 5 – Amend s13 of the Act to reflect a broader range of functions that FSANZ could deliver now and in the future.**

As previously outlined, consumers support the broader range of functions of Reform Idea 5.

8. Are there other potential solutions relating to FSANZ's statutory functions

As previously outlined in Discussion Question 5.

9. To what degree are the current processes for strategically reviewing standards an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

1) Lack of independent Australian analysis and research.

It appears that if other countries around the world have conducted their own risk assessments on a particular standard and conducted their own research, Australia accepts that it is reasonable without independent verification or audit. We have the opportunity to be a world class leader in food, but this won't be possible if we follow the pack.

- 2) Lack of acknowledgement and feedback on responses provided by industry groups that are representing consumers**

Consumer groups such as Additive Free Kids canvass the opinions of consumers for amendments made to standards, or the introduction of new novel ingredients. Submissions are made (which consume enormous amounts of time, energy and cost for small business) without acknowledgement or feedback in a timely manner. This continues to perpetuate the view that FSANZ is biased towards industry.

10. What would be the impact (positive, negative, or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

Reform Idea 6 – remove exemption of food standards from sunseting arrangements

The Additive Free Kids community supports the reform idea to remove the exemption of food standards from sunseting arrangements. This will provide a much needed mechanism to ensure that the law is considered to ensure the ongoing usefulness and appropriateness of regulations. It will also allow an opportunity to re-examine new scientific evidence that has been published since. This will ensure that the standards overarching purpose and intent with the Code and food regulatory system are revisited and may ensure that they remain fit for purpose, outcome focused and mitigate risks of unnecessary regulations being introduced over time.

Reform Idea 7 – Resources FSANZ to undertake regular, more holistic reviews of food standards.

The Additive Free Kids community supports the reform idea to undertake regular, more holistic reviews of food standards. This would ensure that it is performed on an ongoing basis, keeping track of what is happening world wide, and identifying areas for improvement.

We strongly suggest that this is done in consultation with all key stakeholders, most specifically with consumer bodies such as Additive Free Kids and other similar advocacy based organisations.

11. Are there other potential solutions relating to the timing of reviews of food standards?

By supporting Reform Idea 7 above, this will resolve problems relating to the timing of reviews of food standards.

By creating a central Authority / Council to record adverse reactions to ingredients or to collate misleading or deceptive conduct this may assist with prioritising the review of food standards.

12. To what degree are the current statutory applications and proposed processes an issue for the system? What are the types of problems that

different stakeholder groups face as a consequence?

a) The current system is inherently flawed when industry drive applications and priorities

This means that FSANZ are unable to maintain an overarching independent and strategic position when it comes to maintaining a robust framework. This needs to be resolved and rectified.

b) Time, effort and costs with applications is warranted

It is important that our regulator takes its time and expends effort and if warranted costs to ensure that new innovative foods are safe for the public in the short term and long term.

c) Duplication of effort can be eliminated

Australia could leverage off the work that other countries have already performed, if they are from the most conservative nations. We see many discrepancies in how additives are treated around the world. The Community want Australia's regulator to adopt the most conservative view on these additives. Once again, putting the health of consumers as a priority before industry concerns.

13. What would be the impact (positive, negative, or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

- Reform Idea 8 – Reframe legislation to support more agile, risk based processes.

As consumers we support moving cumbersome parts of the Act into Regulations (according to the framework suggested). We expect an agile, risk based process with appropriate checks and balances in place from all relevant stakeholders.

- Reform Idea 9 – Redefine the decision making arrangements to support timelier and more efficient sign off of regulatory measures

Our concern is that amendments that may appear to have low regulatory impact could be a cause for great concern for the consumer and be signed off without the rigour that they require. For example, processing aids as mentioned as limited relevance to the Forum, has a very large impact on the consumer. Our community was outraged to hear of processing aids that are to be applied to their fresh fruits and vegetables without their knowledge. FSANZ and the Forum don't have these insights. As a consumer advocacy based organisation, we have this feedback, which is important to incorporate into the decision making processes.

At this stage, we would not support redefining these arrangements until we are able to have trust that FSANZ is able to meet its current core objectives and put consumer interests ahead of trade interests.

14. Are there other potential solutions relating to streamlining current legislative process to develop or vary regulatory measures?

No comment.

15. To what degree is the current approach to using only applications and proposals to develop or vary food standards an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

See item 12 above. Our system needs to allow consideration of emerging and strategic issues rather than being reactive to industry and external submissions.

16. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

- Reform idea 10 – Provide for FSANZ to adopt or accept risk assessments from overseas jurisdictions

This appears to be the case already? FSANZ perform assessments using industry provided material provided by CODEX and other international committees.

As a community we do not support this reform idea as we don't see a demonstrable difference to what is currently occurring.

As mentioned previously, it is the consumers perspective that FSANZ should commission or undertake research to ensure an independent risk assessment. We understand that Australia and New Zealand are very small markets on the international scale. To save time, adopt the most conservative nations reviews, risk assessments and research so that other areas can be prioritised and researched. Whilst this may cost extra, it will pay back in terms of reducing health costs.

- Reform Idea 11 – Enable FSANZ to adopt international standards

As a community we are unable to support this reform idea without knowing more information.

Which standards would be adopted, who is given the authority to make that decision? Unfortunately consumers have lost all trust in our regulator in putting consumers interests first.

We foresee that this will allow FSANZ to cherry pick standards that suits its agenda or industry

agenda. There are many examples where Australia has chosen to adopt greater acceptable daily intake levels in comparison to other countries when adverse effects are widely known – such as our sulphite levels. Australia has the highest asthma rates in the world. Other countries that have removed sulphites have low prevalence of asthma. If health was the core priority, this is a no brainer to remove them, to ensure the health of our public.

Other countries around the world require warning labels on food that contain artificial colours – “May have an adverse effect on activity and attention in children” or “Artificial dyes can cause behavioural problems or hyperactivity in children”. Why should our Australian children be subjected to these ingredients without warning?

Other countries do not have the 5% labelling loophole, yet we do.

Unfortunately, the food industry and profits are put before consumer health time and time again. We could not support this reform when we have lost trust in our regulator to perform its function to protect us.

- **Reform Idea 12 – Create industry led pathways to expedite applications and bring new products to market**

We vehemently oppose this reform idea.

We have a system that is currently failing due to the industry led pathways that are already in existence. This goes back to the fundamental objective of our regulator – FSANZ should have regard to trade concerns as the lowest priority.

There is not enough rigour in place now to ensure our food supply is safe due to issues outlined above numerous times. There isn't transparency in our food. There isn't a mechanism in place to report or track reactions to ingredients in food. Manufacturers aren't held accountable.

Let's fix our current system first, before suggesting reforms such as this. There is a LONG way to go!

17. Are there other potential solutions relating to additional pathways to develop or vary food regulatory measures?

We recommend that FSANZ review the Therapeutic Goods Administration (TGA) model in terms of transparency of ingredients, collecting adverse reactions and creating post approval feedback loops.

18. To what degree is the current alignment between policy development and standards setting an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

As an advocacy based consumer organisation one of the biggest frustrations we experience is the lack of alignment between FSANZ and ACCC. It is impossible for manufacturers to be held

accountable with FSANZ unable to provide guidance on the Code, and issues go back and forth without resolution. To circumnavigate this, we educate our members to vote with their dollar and leave those products on supermarket shelves.

19. What would be the impact (positive, negative or otherwise of implementing) each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

- Reform Idea 13 – Facilitate joint agenda setting between FSANZ and the Forum

Our members fully support this reform idea and frankly are surprised that this hasn't happened already. Establishing a two way dialogue to agree priority of work given, available resources and FSANZ's statutory requirements should be a given. Routine joint priority setting mechanisms to regularly agree priorities should be implemented. This should cover both general strategy priorities and priority changes to food standards. FSANZ and the Forum should come together for annual planning to agree the proposals and project work that will be progressed as part of FSANZ's work plan with a view to removing or abandoning lower priority items.

- Reform Idea 14 – Amend statutory timeframes to support more strategic prioritisation of work.

Our members support the reform idea to amend statutory timeframes to support more strategic prioritisation of work. The Act should be amended to enable timeframes to be established within which a proposal should be assessed and completed. We support that this is done by FSANZ in consultation with the Forum, with appropriate flexibility to adjust based on new information.

20. Are there other potential solutions relating to agreeing systems priorities between FSANZ and the Forum?

We are surprised that it is taken this long to identify these issues. There needs to be a continuous improvement mechanism within FSANZ to capture this feedback is captured on a regular basis for discussion so that changes can be implemented to ensure that FSANZ is running as efficiently as possible.

21. To what degree does inconsistent interpretation of food standards present an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

This question predominantly relates to food manufacturers. However, we believe that there should

be consistent food standards Australia wide. This will assist smaller businesses that are wanting to enter the market and make it less legalistic and complex for them.

From a consumer perspective, the issues we experience is consistent and manipulative efforts to work around the Code by manufacturers for their profit. A most recent example is a product manufactured by Coles, rice crackers, labelled as “PLAIN”. This product contained many flavour enhancers. This goes against the spirit of the code. A reasonable consumer would expect “PLAIN” to mean free from Flavour enhancers. There is no accountability for this manufacturer. Meanwhile this product is being served to thousands of children in daycare centres, when this product contains ingredients that are prohibited in foods for infants.

These are serious issues that need to be addressed and rectified. The average consumer should be able to trust that the food on their supermarket shelves are not deceptive or misleading.

22. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

- Reform Idea 15 – Enhance FSANZ’s role in providing guidance about food standards within its current statutory remit

Our members strongly endorse this reform idea. FSANZ should be resourced to provide comprehensive guidance about food standards. A statement of intent alongside food standards in the Food Standards Code to describe what FSANZ wants to achieve in the writing of each food standard would be highly beneficial for all stakeholders involved. FSANZ should be resourced appropriately to ensure this can be performed and to keep this up to date. FSANZ should also issue industry guidelines based on specific interpretative issues and requests for clarification.

- Reform Idea 16 – Provide for FSANZ to give binding interpretative advice on food standards

Our members strongly endorse this reform idea. FSANZ should be granted new legislative powers to provide binding interpretative advice about standards to jurisdictions and industry. We would welcome a library of binding interpretations or rulings about the food standards which could provide legal protection to regulated entities. The Australian Tax Office model for providing binding advice about tax law should be reviewed to provide inspiration for a model for FSANZ.

- Reform Idea 17 – Enhance FSANZ’s regulatory role by providing limited enforcement powers.

Our members are crying out for this, we wholeheartedly support this reform idea. We need FSANZ to undertake a broader regulatory role by being provided appropriate statutory powers to enforce compliance with food standards, especially in relation to food health claims and novel foods. FSANZ has an enormous amount of technical expertise that needs to be leveraged for the health of the

Australian public. FSANZ should be able to compel the provision of information and apply sanctions in response to non compliance. This will restore some faith that consumers have lost in FSANZ.

23. Are there other potential issues or solutions relating to interpretation of food standards?

No comment

24. To what degree is the food-medicine interface and the oversight of health claims an issue for the system? What are the types of problems that different stakeholder groups face as consequences?

Yes we agree that there is ambiguity and contention between the food-medicine interface. From our members perspective the same issues prevail. We want transparency of information, so that we can make informed choice. The Therapeutic Goods Administration have made the task easier for us by recently providing all ingredients in their products (active and excipient). From there our community have been able to make informed choices as to whether they can ingest the product due to health issues / allergies / intolerances.

Collectively, we desire the same for our food. We believe that FSANZ and TGA should be aligned. We are what we eat. If we are eating wholesome food, with minimal processing, many medicines will not be needed. Consumers want this information so that they can take personal responsibility for their health, as they believe their regulator is failing in this regard.

We also believe that FSANZ and TGA working together should be able to determine objective criteria that consistently (and in all cases) distinguish food from medicine. This requires collaboration and co-ordination.

25. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

Reform Idea 18 – Focus efforts on improving the food -medicine interface through regulatory practice

We believe that FSANZ and TGA working together should be able to determine objective criteria that consistently (and in all cases) distinguish food from medicine. This requires collaboration and co-ordination. We welcome the idea of refining the guidance tools relating to this.

Reform Idea 19 – Broaden the roles of FSANZ to assess general level health claims

We believe that FSANZ and TGA working together should be able to determine objective criteria that consistently (and in all cases) distinguish food from medicine. This requires collaboration and co-ordination.

We believe that FSANZ should be resource to take a greater role working with businesses pre market entry phase, providing greater support to food businesses to understand their obligations. We welcome the ideas for FSANZ to take on regulatory responsibility for health claims and provide interpretative advice about food health claims to jurisdictions and industry.

Reform Idea 20 – Align definitions and powers in legislation between therapeutic goods and foods.

We support this reform idea. We need to ensure that food manufacturers aren't taking the path of least resistance as the Food Standards Code is less onerous than regulation of therapeutic goods. The approaches should be consistent and should be monitored and enforced.

However, we believe the definition of food needs to be revisited. Currently the FSANZ Act defines food in broad terms to include “any substance or thing of a kind used, **or represented** as being for use, for human consumption”

This highlights where everything has gone awry!

The common definition of food is:

“Any **nutritious** substance that people or animals eat or drink or that plants absorb **in order to maintain life and growth**”

The current definition in the Act allows manufacturers to develop any novel foods with inferior ingredients as food to make a profit without regard to maintaining life and growth as they aren't held accountable if their product doesn't meet these requirements. The reality is, the foods that they aren't food. They are fake food. This is why our country is experiencing a health care crisis.

If FSANZ is serious about public health, it all starts with revising the definition of what is food.

We need to revert back, as Brazil has done, to what is real food, and look at the degree of processing it has been subjected to.

26. Are there other potential solutions relating to improving the food-medicine interface?

No comment.

27. To what degree are FSANZ's governance arrangements an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

The fundamental issue that our community notices is that FSANZ's current governance does not adequately represent or engage with consumers. While there has been a "consumer representative" on the Board, we aren't convinced that the consumers voice is heard.

There has been no contact initiated by this representative to Additive Free Kids (one of the largest consumer based organisations in Australia that care about what is in their food). We believe that for consumer voices to be heard, an independent consumer representative such as one from Additive Free Kids or the Food Intolerance Network is considered. Both organisations are in touch with thousands upon thousands of consumers daily.

As you will see in this review, there are many and varied insights that FSANZ does not get to hear as they don't have appropriate consumer advocacy representation. This is a daily frustration as we educate our community about food labels, how to report reactions to manufacturers. When manufacturers silence our members, we pick up the baton to share this information with the wider community so that they are informed. We are picking up the work that needs to be done by our Regulator. We are the organisations that have thousands of members reporting illegal labelling to us and can provide adequate consumer representation.

28. What would be the impact (positive or negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

Reform Idea 21 – Streamline board appointments and nominations

We believe that the process sounds overly long and drawn out. It should be streamlined, however, the appropriate due diligence should remain in appointing board members with appropriate diversity in skills and experience. These are important roles, this is the safety of our food and public health. Given the number of stakeholders involved in our food supply, it would be hard to reduce this number by many to ensure that you still had diversity in skills and experience.

Reform Idea 22 – Establish minimum term length for Board members

Happy to support this reform idea – however most board members understand that when joining they are required to ensure at least 1-2 years are served. If there is significant turnover happening, this is a cause for concern and should be investigated as to the reasons why this is happening. Are there mechanisms in place to capture feedback from Board members that are leaving? Are there cultural issues at play? Is there excessive dominance by particular individuals / industry? Perhaps the composition of the board needs to be revisited to ensure that consumer interests are put first (more representatives from consumers, health perspective and less from industry)?

Reform Idea 23 – Reduce Board size

Our community does not support this reform idea. We are supportive of the view of more efficient decision making. However, we believe that you need a diverse range of opinions, skill sets and experience that need to be filled from industry, public health and consumer interests. Reducing the board size will inherently reduce this diversity. Fiscal considerations should not be a reason for ensuring there is appropriate governance across our food supply. Our regulator needs to be resourced appropriately to fulfil their duties of ensuring public health and safety across our food supply.

29. Are there other potential solutions relating to FSANZ's governance arrangements?

Not in addition to the ones already outlined previously above.

30. To what degree does FSANZ's approach to setting its own workplan and resourcing its work present an issue for the system? What are the types of problems that different stakeholder groups face as a consequence?

As discussed previously, FSANZ should set its strategy and work plan in advance with other regulatory agencies. FSANZ should be accountable for meeting these priorities.

31. What would be the impact (positive, negative or otherwise) of implementing each of the reform ideas below? How could the outcome specified for each reform idea best be achieved?

Reform Idea 24 – Expand scope of applications for which FSANZ can recover costs

We do not support this reform idea. There is a fundamental issue with our regulatory being compensated if a food standard is amended and it gives a capturable commercial benefit to an applicant! Our regulator needs to be INDEPENDENT from industry. The regulatory should be resourced appropriately through the Commonwealth, NZ Government, States and Territories. Additional recovery from industry compromises their independence!

If FSANZ is resourced appropriately to give guidance, interpretation, definitive guidance on the legislation, the need for this type of work should reduce.

Reform Idea 25 – Provide for limited expansion of scope of activities for which FSANZ can recover costs.

We do not support this reform idea. As mentioned in the previous reform idea – the regulator needs to be resourced appropriately to ensure its independence is maintained and it is free from influence of industry.

32. Are there other potential solutions relating to FSANZ's operations.

Not in addition to the ones already outlined previously above.

33. What are the top 2-3 most pressing issues to resolve through changes to the Act and associated operations and responsibilities of FSANZ

1) Consumers first

The key issue that government needs to address through regulation of food is the health of the consumers. We have seen that when industry interests are put first, profits trump health all the time. This includes reviewing the definition of food. FSANZ needs to be free from industry influence. The Board needs to have representatives from true consumer based advocacy organisations that are in touch with consumers on a daily basis and understand consumer concerns.

2) Accountability for manufacturers

Manufacturers are not held accountable for their actions. There are issues in terms of enforcement of the Act. FSANZ should be responsible for consistent enforcement across Australia and New Zealand not relying on a multitude of institutional arrangements instigated by state and territory governments (for enforcement within Australia) and Minister for Primary Industries (for enforcement of New Zealand).

Food fraud is rife. Manufacturers are able to deceive consumers by passing off inferior ingredients as wholesome and fresh. Consumers rely on reading the ingredients label and front of pack labels and these are grossly inadequate to make informed decisions. Manufacturers are able to do this as there is no consequence for their actions. There is a lack of accountability. Our members want full disclosure so that they can make informed decisions.

3) Transparency

The rapidly growing Additive Free Kids community requires information to make an educated decision. Whilst legislation is in place to provide information on potential allergen alerts, there is no protection for consumers that are allergic or intolerant to additives. This has highlighted issues for us with consumer law and consumer protection.

34. Are there key issues or challenges related to FSANZ and the Act that are not represented in the scoping paper?

We require a central authority / legislation / structure for Australia's food system.

Food related policy frameworks are scattered across numerous government departments and

agencies with no co-ordination.

We should have a central body to report reactions to food, so these can be monitored and followed up with manufacturers held accountable. At the moment, these are fed to the individual manufacturers, and there is no incentive to resolve the issue as profits are at stake. This needs to be an independent function

This central authority should develop and approve food standards as well as enforce them.

There should be funding of food research in all aspects including safety for consumers, including but not limited to:

- Define safety – this needs to include easily measured acute physical symptoms, as well as chronic, learning, mental, behavioural or non acute symptoms.
- Acceptable daily intake levels of additives need to be developed for children – they have weaker blood / brain barriers.
- Require testing of additives on the microbiome. Changes in the microbiome will indicate potential issues. For example, preservatives that are designed to kill bacteria are likely to kill the bacteria in your gut too, with long term consequences. We have seen this already with studies conducted on emulsifiers.
- Require testing of food additives over long periods of time prior to being approved for use in our food supply.
- Require audits of additives used in foods meet the limits set
- Additives should be tested in combination, currently they are only tested individually. Additives are used in combination in all foods. We know that they can have a greater impact when they interact with each other.
- Foods with additives prohibited for infants should be labelled so as to warn parents
- Regulate all forms of additives including those in “natural” forms also – for example fermented wheat, cultured wheat, dextrose, hydrolysed vegetable protein...these are not wholefoods. They are disguised additives which should be labelled as such.
- Create a national reporting system so that reactions to foods can be reported and investigated independently of industry. There is a vested interest in manufacturers suppressing these claims. You can fix the issues, or recall particular additives if you aren't aware that a problem exists.

35. What other reform ideas should be considered to address the issues identified in the paper assuming no resource constraints?

These have already been outlined in the paper. Thank you for the opportunity to have our say. We sincerely hope that reform will come and this isn't just a paper exercise. We have a phenomenal

opportunity to be a world leader in the cleanest food, which will drive industry and trade in due course. We should aspire to having a nation of the healthiest people!

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Appendix 1

Consumers first – health before – profits - additional comments made by members

“Consumers are kept in the dark and our health and that of our children comes after profits and business. We should be protected by a regulating body not fearful that no one has our interests at heart. The medical costs of the crap that is put on and into our food should also be considered, not just short term profits. We have access to more medical treatments than ever before but we are sicker, more tired and can't focus for long periods. Not enough protection of the people.”

“Profit before health is a disgusting way of looking at things. How is it ok putting this crap in our bodies?”

“I would like the health of consumers to be the main goal of the FSANZ.”

“It needs to be health over money, unfortunately that has never been the case. I need to know what I am feeding my family.”

“A transparent, user friendly system that focuses on the impact of the consumers health - rather than multinational FMCG companies profits - is long overdue. Regulation is needed so the consumer can make an informed choice”

“I feel like the regulators need to put the health and safety of consumers above the interests of large food manufacturers who are profit-driven”.

“Businesses are taking advantage of consumers”

“The need to change the continued ignorant dialogue built in the mid 1900's is past the due date. Making the commodities market a second tier focus after health is an underlying goal, but more so is the political and commercial gain from the large corporation and food companies.”

“Food Safety Standards should be about exactly that - keeping our food safe for consumers. It is a conflict of interest to be worried about trade issues or aiding manufacturers to make more profit by supporting their requests to cover fruit and veg in a substance that's only purpose is to make the fruit and veg last longer and therefore be able to travel further and be held in cold storage for longer. You cannot have quality control also in charge of production/profit concerns because they are generally opposing forces where safety concerns come second to profit (this is not standard private industry practice).”

“Standards need to be higher! Protect consumers!”

“It has become abundantly clear that our regulators do not have the public's safety at heart. We are constantly failed by poor or misleading labelling, hidden information about how ingredients are processed and manipulative marketing. I have no confidence in our regulators”

“There is plenty of support for producers but the consumer seems to be left out of the equation. There needs to be more transparency and manufacturers should have to prove their product is safe and healthy for consumers - they should be on our side, not the producers' side.”

“There's a lack of communication between them and the final consumer. Everything seems money driven with no regard for the consumer.”

Appendix 2

Accountability – additional comments made by members

“We need more accountability, less processed food and more whole foods”

“I am so angry that consumers are deceived by clever marketing and packaging. It disgusts me.”

“It is confusing that we can put preservatives into our bodies legally through food yet they have the same effect as some illegal drugs on my children”

“Ingredients that have been backed by science which have been proven to be harmful should not be allowed in products for example titanium dioxide.”

“Transparency and accountability are key.”

“The food labelling to trick people, effective greenwashing by pretending there is no additives or msg when there is, the hidden 5%. Everything should be about health and shouldn't be able to use nasty ingredients Companies should have to prove them first before selling”

“Dangerous additives that have negative health effects should not be part of our food supply.”

“Increased regulation of marketing ploys used by process food manufactures”

“I would love to see greater consistency in food labelling and penalties for manufacturers that ‘trick’ consumers”

“Foods that are labelled as plain should not be permitted to contain flavour additives. simple! Colours are not needed in every product! I would rather buy Australian, but when they are the companies adding all the additives - they miss out on my dollar sadly.”

“Transparency on food labels and the need to be held responsible for reactions to food and additives”

“Consumers should be able to hold manufacturers accountable”

“That manufacturers should be held accountable for misleading statements or information”

“Make manufacturers accountable to display ingredients”

“Manufacturers must be made and held much more accountable than they currently are. Greater consistency and transparency in food labelling is also a must/”

“Enforcement”

“FSANZ needs to be able to go in and check that manufactures are following the rules.”

Appendix 3

Restructure of regulator required – additional comments made by members

“More government funding, more regulatory powers to enforce the standards, greater separation from dependence on industry, more streamlined end product ie transparent food safety standards so consumers can make appropriate choices”

“Ensuring consumers know what is in their foods Is additives and keeping track of how these adversely affect consumers”

“Unfortunately I think vested interests will probably win in the end but hopefully there's enough people who care to help make a difference. And judging by the amount of crap products still on supermarket shelves, I guess there's a lot of people who just want cheap and easy food and either don't care about the effects, or believe it is OK because 'they wouldn't be allowed to sell it otherwise'. And most of the people in the regulatory authorities believe that additives etc are safe because they are a product of science and 'have been tested'.”

“Let's get the foxes away from guarding the henhouse, which is what is happening in food regulation at the moment. We need honesty and transparency!”

“It's about time the regulations were reviewed to protect consumers”

“There should be a mechanism for consumers to report on issues with food and for this to be recorded and collated.”

“Common reactions to foods (even specific products) should be allowed to be publicly recorded and shared - so that the community are able to make better-informed choices when it comes to purchasing food.”

“The food industry has a lot to answer for and there should be more regulatory reviews and documentation. I think all ingredients and their origin should be documented especially things like flavours. I also feel those products that have ingredients that have basic investigation and are sometimes not approved by the FDA. I struggle with reading items that claim sugar free but then they have the artificial sugar in the food, I don't see this as being a better healthier option and the long term affects are devastating.”

“I'd like to see them doing more research into the harmful additives they deem 'safe' in low numbers and how 'safe' these are when combined with many other harmful additives they also deem 'safe'. As far as I'm aware testing is done on additives in isolation.”

“Give FSANZ the power and effective processes to hold producers to account, and ensuring consumers are at the centre of decision making”

“Clarity and enforcement of food regulations.”

“Independence and rigorous standards must be a core value and operational objective”

“For the industry to be transparent. Producers should not be able to pay for what they want”

“Old regulations that need to be updated asap, more focus on consumer health, rather than money and FSANZ needs more power to be able to make actual changes to benefit the consumer and be held accountable too”

Appendix 4

Transparency – need for informed choice – additional comments made by members

“People should be aware of what they are eating. It is our right”

“How and where our food is grown needs to be considered and consumers informed about how their food is grown”

“Every ingredient in our food should be made known to us. There should be no such thing as "Intellectual Property" in food.”

“Consumers need 100% transparency surrounding food trade and production.”

“I hope to see much better transparency and no hidden ingredients. Buying good food shouldn't have to be so time consuming and confusing. We all should be able to make the best choices possible for our children's health. With a disease ridden population we should be seeking how to prevent not cure. This I believe starts with the food we are consuming”

“This is so important. Please be transparent and fix our food”

“Every ingredient should be listed and all the codes and numbers should not be allowed in our foods and children's foods.”

“More transparency of ALL ingredients, including additives and chemicals”

“I would like to have better labelling about what's in my food. The numbers, where food is made & how much is Australian. Is it GMO? Does it have palm oil & not a different word to disguise this. So many things need to be sorted out for long term health of Australians. Thank you”

“I'd like more transparency with food labels and products. I'm so sick of food labels claiming to be healthier and have “no nasties” which is not the case. As a teacher I notice the behaviours of children connected with the contents of their lunch boxes and it's not fair for the children.”

“Food additives, products used to keep fresh produce longer should be labelled clearly . No loopholes.”

“We need to ensure absolute transparency in our labelling of food, nothing hidden -everything on the table. That way manufactures would be wholly accountable for what they put in their products so that consumers can make an informed choice on what they buy to feed their family.”

“I would like to see labelling of foods clearer for example using the name of additive/preservative rather than numbers”

“More transparency in ingredients and labelling”

“It bothers me that ingredients are sometimes listed as numbers, sometimes by name, sometimes by a variety of names so that it makes it hard to avoid ingredients we want to avoid. requiring consistency would be a consumer plus.”

“Knowing what's in our food will help others with allergies as well”

"As consumers, we can't make an informed choice without all the information - all ingredients, including additives."

"There is so much I simply don't know. I find the printing on the labels so small as to almost be unreadable at times. It shocks me as to what passes for food. Our regulator has let us down"

"We deserve to know what is in the food we eat. 100% of it."

"I believe the onus shouldn't be on the consumer to have to research the safety of every ingredient. I feel like our labels are too confusing - and not just for the average consumer. My sons attend a day care where the cook takes genuine care in preparing healthy, nutritious food (she is educated in nutrition), yet even she wasn't aware that the 'plain' rice crackers she was giving the kids contained flavour enhancers and other nasties. If those who are educated in food are easily swayed by persuasive and misleading packaging, how can we expect the average consumer to have a chance?"

"I wish for honest, clear labelling so that consumers can trust the decisions they've made when picking food for their family."

"Consumers have the right to know what is in and on our foods"

"Parents are time poor and it is difficult to educate yourself about food chemicals. We rely on regulators to do this for us - but can we?"

"I believe that manufacturers should legally have to disclose the ingredients/chemicals that make up 'natural' flavours/colours."

"It is difficult to identify and source food free of my child's allergens as well as free of additives that may harm her."

"We need to get rid of loop holes. Every ingredient needs to be listed on item despite less than 5%. For some people that 5% matters"

"Consumers should not need a degree in nutrition to understand if food being sold is safe and healthy to eat. Food manufacturers need to be more accountable in the way that they label our foods."

"Just let us know what is in our food!!!!"

"Labels/ingredients should be simple not a challenge to read."

"It is up to the consumer to make choices about food according to their interests values and health concerns. Food regulation should be transparent to enable this choice."

"I want access too ALL information about how my food was produced- not just the minimum the producers can get away with telling me"

"Without Additive Free Kids I wouldn't know where to turn. Reading labelling, I just want it to be clear if there are additives and preservatives rather than guessing if while foods is a brand name or a type! Clear labelling and clear indicators of the impacts of certain "extras".

"Transparency about what is in the foods needs to be made clearer. It is unfair in this day and age with all this technology it is still unclear about what's in the foods we eat. Enough is enough, it's time to our health ahead of \$\$\$. I'm happy for these products still to appear on the

shelves but make it clear what we are buying so we can decide for ourselves if we wish to purchase these products.”

“Be transparent about what they are putting on fresh produce! And what they add to all processed food!”

“I am very sensitive and the current standards do NOTHING to help me have any confidence in our food system we currently have.”

“I would like to see fresh foods labelled with a pick date, how long they have been stored for, and if / what chemicals / pesticides they have been sprayed with during the growing, ripening and storing phases - Wishful thinking!!”

“I want to ensure that what I am feeding my family is exactly what it states it is. And that is free from contaminations”

“I am now not seeing on some packaging where items come from. They have the graph percentage of what comes from Australia but not they don’t even seem to have where it is actually from anymore. So many things that are disappointing and not enough time”

“There needs to be an overhaul on ingredients in food and labelling needs to be fact”

“We deserve to know what is in our food. There needs to be complete transparency.”

“Please stop hiding nasty ingredients under different names, we deserve to know what’s going into our bodies - more importantly for our children who are suffering!!!

“Australians should be given all the information regarding the food we are purchasing to feed our families. I should be able to choose if I want chemicals, GMO or anything else in my food. We need transparency so we can make informed decisions!”

“Consumers deserve to know the whole truth of what is in our food. Food Standards should work for the public's best interest and start removing undesirable additives and chemicals previously approved as GRAS from our food supply. Minimum standards on chemical residuals should be lifted and some approved chemicals need to be removed from our food supply. thank you”

“I would also like Country of Origin information declared on all products. eg. Made in Australia from 95% Australian product etc.”

“Food labelling and manufacturing needs to be much more transparent”

“I believe all ingredients including all additives should be labelled regardless of the percentage and there should be a register of flavours that is accessible to consumers so we can find out exactly what is in our food.”

“Transparency of information and the environmental factors also need to be balanced”

“FSANZ should be concentrating on the labelling of foods, the content issues where not all ingredients are required to be included by manufacturers (why is that practice acceptable?), how additives effect our bodies (do they build up in our systems after prolonged and high volume exposure?).”

“If the government won’t ban the harmful additives in foods and food processing, we should at

least be made aware of what all of these additives are (especially those in “natural flavours” and things like “rosemary extract”). Where harmful additives are in food, a warning label should be present on the package (as are on cigarette packages).”

“We should be allowed to make the choice ourselves re what additives and processing aids we're okay with. Absolutely all should be declared”

“We are just asking for the right to know what is in our food and what is on it so that we can make an informed choice.”

“People believe that if a product is on our store shelves then it is safe to eat, I want this to actually be true because it is far from the truth at the moment. We should know every ingredient in a product so we can make our choice whether to eat it or not - every ingredient!”

“I just want to be easier/more transparent to feed our families food that hasn't been tampered with.”

“They need to focus on consumer health and make sure manufacturers are held accountable. Ingredients need to be clear on packets and transparency needs to occur as to how the food is grown/ sustained etc”

“Consumers have a right to know what is in their food and how it is prepared”

“The public needs to be able to access information and consumers need to be able to report back to the FSANZ. There needs to be open communication.”

“Ensuring consumers know what is in their foods Is additives and keeping track of how these adversely affect consumers”

“Making sure that all ingredients are declared on packaging, that additives in food are properly tested for safety and that appropriate ingredients are used in specialised products, for example food targeted at children and infants.”

“Accurate depiction of ingredients, transparency. Difficulty in ascertaining what ingredients, preservatives and additives are included.”

“More transparency - more focus on enforcing guidelines - more need for decisions to be based on the best health outcomes for consumers, not what helps the producer keep their product fresh for longer”

“To be clearer about ingredients”

“Transparency. Manufacturers shouldn't be able to claim "Natural" and all the other hype when foods have additives. There needs to be much tighter guidelines around food labelling. They should have to use numbers to declare artificial products, this includes so called "natural" products that have been modified. Consumers will then know at a quick glance that an ingredient is modified, not having to remember thousands of strange names, and sometimes numbers as well. There is no regulation around how they declare these on labels. They need to have a better focus on health, rather than big corporations bottom line.”

“The amount of crap that is allowed in our food. Banning more of these additives and

preservatives that do more harm than good to us and our families. More accountability on manufacturers to actually make healthy things.”

“The definition of what is food. Trade being accountable for the health related implications of what they are manufacturing. Health first, profit second.”

“Ensuring Australian Food is safe and sourced from Australia as much as possible.”

“Everything that is in the food being purchased should be able present on the label. So many foods have hidden items. Providing information about what is contained in the food being purchased will give us more control of what we eat”

“Clearer labelling of food, including chemicals used in the various processes To have the word natural removed as it's misleading Only non carcinogenic ingredients to be in food (colours) like Europe”

“Independence of FSANZ - no industry funding 2. Long term health 3. Consumers ability to hold manufacturers accountable”

“The health tick and rating system is flawed. Promotion of unhealthy foods such as vegetable oils needs to be investigated. “

“Transparency of origin of food (not 'NZ made' if the ingredients are coming from China). We need more transparency of ingredients - more and more people suffer with allergies and not providing clear information is a huge issue. We also need to understand the health implications of the additives and chemicals that are added to food. If Australia wants to reduce the population's reliance on the health system, this Act is a good place to start. As for additional comments, I believe there need to be a very clear separation between FSANZ and the food industry. You are not their friend. Your duty is to protect the health and wellbeing of Australians and protect them from harmful substances being added to their food. Also, efficiency needs to be the order of the day - improve timelines across the board for all interactions with consumers, companies and government.”

“Foods/products with ingredients banned in infants food should have to declare that they contain ingredients banned in infants food”

“The current system in Australia is failing our children and the lack of transparency in food labelling and consumer education in turn adds an increasing burden on our healthcare system This must be a priority... Human health hinges upon these decisions!”

‘We need more transparency from manufacturers. WHY are they able to add ingredients/chemicals to our foods that are KNOWN to create health issues?!’

Appendix 5

Redefining what is food – additional comments made by members

“It is difficult for a regulatory body to determine what to regulate when there are so many different 'ideas' as to what is healthy - there are still people who think fat is the most important, others sugar, others (like me!) how much 'whole food' is in a product and which has the least preservatives etc. We can't even decide what to put in the food "pyramid" to be "healthy"

“The fact that so many toxic colours, flavours, preservatives, additives, enhancers and fillers are allowed in our food is a disgrace and goes to show you that our government has no interest in our health. Most childhood behaviour problems can be linked to food and alleviated once these are removed from their diet.”

“Enough is enough. This is costing the country in Medicare so clean up and it will clean up.”

“I don't want to be feeding my child rubbish that is or will impact their health. Stop putting harmful chemicals in our food”

“Humans need to consume food that is as close to nature as possible. It is the role of government to facilitate the modernisation of food in line with the scientific knowledge of the destructive impact on human health of additives in our food.”

“Australia needs to get with the times and start banning the use of a lot of additives and preservatives in our food. Other countries are putting the health of their people first it's time Australia did the same. At the very least have labels on foods that are ACTUALLY additive free, without the sneaky marketing.”

“An unhealthy population due to suspect food ingredients ends up costing the country more in the long run.”

“Our food regulations should be in line with other developed countries. Why should Aussie kids be exposed to harmful additives that are banned in other countries. This is a disgrace!”

“Start governing food additives, you are slowly poisoning us Aussies.”

“I think there's generally a blanket trust by the public in terms of ingredients in foods. It becomes difficult to change their purchasing habits because many consumers faithfully take the approach that, “if it wasn't good for me, they wouldn't be able to sell it.” I don't think many people consider who ‘they’ are, or how these decisions are actually made.”

“I also believe the additives/preservatives in our foods are responsible for the allergies, cancer and health issues in our population, and they should be made accountable!”

“I'm passionate that there needs to be a change! Our kids (and us) are suffering as there's so much crap in our food! Parents aren't aware and have too much trust in our government! Things need to change!!”

“My son has a salicylate intolerance and it is so hard to find food that will not cause him to have a reaction. Companies need to be accountable for what they are using so at least those with health issues aren't becoming research assistants just to feed their children a diet that won't cause ongoing health problems. Taking care of him gives me mental fatigue on a daily basis and if companies were made to follow regulations that made it easy for consumers to know exactly what is in their food, life would be a lot easier.”

"We are eating chemicals, excess amounts of sugar & fats in our food, no regulations, fresh fruit is filled & coated with chemicals, were all getting sick from our environment, things need to change ASAP"

"I feel the food industry needs to focus on simple real food. And a push to support local/Aussie producers. A crack down on ingredients that just don't belong in food."

"The definition of food needs to be better. For example. A man made chemical that could be eaten but hasn't been studied to know enough isn't food."

"The whole system is broken. The health star rating is misleading, the loops holes allowing ingredients in food and other consumables that are not required in the label is just wrong. It's no wonder we are dealing with more chronic illness and disease and our kids will die sooner than we will. It makes me angry and sad"

"Food regulators should be aware of the long term effects on health - physical and mental and should guide customers towards choices that will support health instead of big corporates dollars. It can't allow "sexy marketing and regulatory loopholes that enable corporates to sell harmful products."

"Our food is becoming poison, this isn't a future we want or can afford to have."

"Food additives are causing a lot of problems compared to 50 years ago when disease was rare"

"Food is medicine, and those that produce it should be held to the highest of standards in all aspects from responsible farming, minimal and safe non toxic processing to transparency on labelling. No excuses"

"The costs involved in keeping foods wholesome would be less than the costs of failing health in the future."

"I believe foods should be made ethically and be as healthy as possible, this is good for the planet and people's long term health. If they are not, manufacturers need to make the consumer aware so it is their choice. As an example Palm Oil being called vegetable oil or "flavours", just tell the consumer what that is so we can make the choice whether to purchase."

"I truly believe the additives in processed foods were a contributing factor to my breast cancer. I thought if it was allowed in foods it would be safe. Unfortunately, I learnt the hard way this is not true."

"When a manufacturer puts a request to FSANZ to introduce a new additive or food content (like GMO corn) have the manufacturer's safety claims been independently verified? In the latest FSANZ public consultation (A1202 – Food derived from herbicide-tolerant and insect-protected corn line DP2321:) page 9 of the supporting document talks about "other organisms" and states "Genetic elements from several other organisms have been used in the genetic modification of DP23211". Is this low level of information acceptable? I would hope that the FSANZ would thoroughly investigate the manufacturers claims before allowing new GMO foods to be sold for consumption in Australia. Unfortunately so many people don't realise what is in our foods and like me only find out when our loved ones have bad reactions. It's so exhausting trying to make the right choices. It's shouldn't be this hard."

"Remove food additives from school canteens"

“Health of people should be paramount”

“Public health and safety should always be #1 priority. So sad!”

“Definitely need more focus on consumers and reactions to food. Perhaps someone on the board to collate this info and represent consumers.”

“People and health need to be at the centre of our food standards”

“Consumers should be able to and be invited to report reactions to food and that information be collected and acted on accordingly”

“FSANZ appears to represent the old bureaucratic structure and principles of a bygone era. Its powers need to be increased, funding needs to be increased, and it must become a dynamic organisation with the interests of Australian and NZ consumers at its heart. We need to get back to basics with our food and stop allowing powerful lobby groups from the food industry to influence standards. Health before profits...Now!”

“If there is evidence from consumer or other countries that substances added to foods could cause harm, then an immediate independent investigation should be launched. We shouldn't have to wait for these important changes.”

“Much more accountability and just because something makes it cheaper to manufacture should not take precedence over our health. I'd rather have to pay a bit more for something if they're banned from using certain preservatives and additives”

“Products/ingredients/processes banned overseas should have to be reviewed here and if not banned should have very good quality current safety evidence. Why wouldn't we ban ingredients banned in other countries if they've found them dangerous/carcinogenic/etc”

“We are what we eat but the problem is so many people don't know what they are eating because labelling is so misleading! Our Government and health care needs to focus on wellness!”

“To make sure our food is food! So many additives are not food and are harming us. Please adopt the most conservative recommendations from around the world to ensure our food is as safe as it can be and prevent so many health issues in years to come.”

“Definition of food. More efficient decision making to regulate food manufacturers. A better mechanism for safer healthier food.”