Supporting document 1

Current requirements in the Code for the control of chemical migration from packaging into food in Australia and New Zealand – Proposal P1034

Chemical Migration from Packaging into Food

The state and territory Food Acts contain general provisions for packaging. These make it an offence to sell food packaging or handling materials that are unsafe or will make food unsafe. Food businesses must also comply with pertinent requirements in the Australia New Zealand Food Standards Code, as detailed below.

Standard 1.4.3 – Articles and Materials in Contact with Food relates to general food safety requirements. A definition of articles and materials is provided as follows: "any material in contact with food, including packaging material, which may enclose materials such as moisture absorbers, mould inhibitors, oxygen absorbers, promotional materials, writing or other graphics". Standard 1.4.3 provides permission for these materials provided they do not cause bodily harm, distress or discomfort, but does not specify materials that can be used in the manufacture of food packaging materials or the method of manufacture. Standard 1.4.3 currently includes an editorial note[1] which states that the responsibility rests with manufacturers and retailers to ensure that their products are safe and comply with all relevant legislation. The editorial note also refers to the Australian Standard for Plastic Materials for Food Contact Use, AS 2070-1999, which provides a guide to industry about the production of about the production of plastic materials, processing aids, additives, colourants, printing inks and coatings for food contact use. This guide refers to food contact material regulations in the United States and the European Union.

Standard 1.4.1 – Contaminants and Natural Toxicants provides a mechanism for FSANZ to regulate specific chemical migrates from packaging that may pose a risk to human health and safety. The standard includes a number of maximum levels (MLs) for chemicals associated with migration from packaging, including vinyl chloride, tin, acrylonitrile and other potential contaminants such as polychlorinated biphenyls.

Standard 2.6.2 – Non-Alcoholic Beverages and Brewed Soft Drinks contains requirements for maximum levels of chemicals in packaged water. In Australia, these need to meet WHO drinking water guidelines (WHO, 2011). New Zealand has separate drinking water guidelines with slightly different maximum levels for some chemicals (NZMOH (2005).

Standard 3.2.2 – Food Safety Practices and General Requirements. This Australia only Standard details requirements on food businesses (including manufacturers, importers and retailers) in Australia, whereby a food business must, when packaging food:

[1] Noting that FSANZ's Code Reform Proposal (P1025) proposes the removal of all editorial notes from the Code (see http://www.foodstandards.gov.au/code/proposals/Pages/proposalp1025coderev5755.aspx.)

(a) only use packaging material that is fit for its intended use;
(b) only use material that is not likely to cause food contamination; and
(c) ensure that there is no likelihood that the food may become contaminated during the packaging process.

A detailed guide to Standard 3.2.2, Safe Food Australia: A guide to the food safety standards is available through the FSANZ website.

In New Zealand, businesses operating a Risk Management Programme under the *Animal Products Act 1999* or a Food Safety Programme under the *Food Act 2014* must take responsibility for identifying hazards and mitigating them in their operations. This includes hazards associated with materials that come into contact with food. Guidance is provided for businesses such that they need to take responsibility for checking with their supplier that products meet either US requirements, Australian Standard for Plastic Materials for Food Contact Use AS2070-1999, or any other appropriate international standard recognised as acceptable by the New Zealand MPI.

References

NZMOH (2005) Ministry of Health. Drinking-water Standards for New Zealand 2005. Wellington: Ministry of Health. http://www.moh.govt.nz

WHO (2011) World Health Organization's Guidelines for Drinking Water Quality 2011. Annex 3 (Chemical Summary Tables). Table A3.3 Guideline values for chemicals that are of health significance in drinking-water.