

Supporting document 2

Australia New Zealand Food Standards Code requirements – Proposal P1034

Chemical Migration from Packaging into Food

Overview

In Australia, the state and territory Food Acts have general provisions for packaging, and food businesses are required to ensure that packaging is safe. Food businesses must also comply with requirements in the Code (see SD1).

In New Zealand, there is no approval system for packaging materials under the *Food Act 2014*, although there is a mechanism for adopting a joint food standard. The *Food Act 2014* also gives the New Zealand Ministry for Primary Industries (MPI) the ability to issue a comprehensive range of notices relating to specifications or requirements for specific matters. These include, for example, controls, restrictions, requirements and prohibitions in relation to a food sector, including how a food sector must manage or deal with risks that arise from trading in food (see SD1).

Joint standards

Standard 1.1.1 – Structure of the Code and general provisions

Requirements relating to food for sale

Subsections 1.1.1—10 and 1.1.1—11 contain general information on packaging requirements that apply to all foods:

- (10) *If a packaging requirement of this Code applies to the sale of food, the packaging must comply with the requirement.*
- (11) *Any packaging, and any article or material in the packaging or in contact with the food, must not, if taken into the mouth:
 - (a) *be capable of being swallowed or obstructing any alimentary or respiratory passage; or*
 - (b) *be otherwise likely to cause bodily harm, distress or discomfort.**

Example *Articles or materials include any materials in contact with food, including packaging materials that contain other items such as moisture absorbers, mould inhibitors, oxygen absorbers, promotional materials, writing or other graphics.*

Standard 1.4.1 – Contaminants and natural toxicants and Schedule 19 – Maximum levels of contaminants and natural toxicants

The Standard and related Schedule provide a mechanism for FSANZ to regulate specific chemicals which can migrate from packaging that may pose a risk to human health and safety. The Schedule includes a number of maximum levels (MLs) for chemicals associated with migration from packaging, including vinyl chloride, tin and acrylonitrile.

Standard 2.6.2 – Non-alcoholic beverages and brewed soft drinks

Subsection 2.6.2—3 requires that packaged water meets the World Health Organisation (WHO) drinking water guidelines (WHO, 2011) requirements for maximum levels of chemicals (other than fluoride).

Australia only standards

Standard 3.2.2 – Food Safety Practices and General Requirements.

Clause 9 sets out requirements for food businesses (including manufacturers, importers and retailers) in Australia, whereby a food business must, when packaging food:

- (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. This guide is currently being revised¹ and will include updated information on packaging requirements for food businesses.

¹ <http://www.foodstandards.gov.au/publications/Pages/safefoodaustralia2nd519.aspx>

Standard 4.2.1 – Primary Production and Processing Standard for Seafood.

Clause 8 details requirements for seafood businesses (i.e. a business, enterprise or activity that involves the primary production of seafood intended for sale) which must, when packaging seafood:

- (a) only use packaging material that is fit for its intended use; and*
- (b) only use packaging material that is not likely to cause contamination of the seafood; and*
- (c) take all reasonable measures to ensure that the seafood does not become contaminated.*

A detailed guide to Standard 4.2.1, Safe Seafood Australia: A guide to the Australian Primary Production and Processing Standard for Seafood is available through the FSANZ website².

References

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.

²http://www.foodstandards.gov.au/code/primaryproduction/seafood/documents/Safe_Seafood_Aust_with_cover.pdf