

Project Officer Application A1254  
Food Standards Australia New Zealand  
PO Box 10559  
The Terrace  
Wellington 6036

15 December 2023

Tēnā koe,

## **Application A1254 – Rosemary extract as a food additive - extension of use**

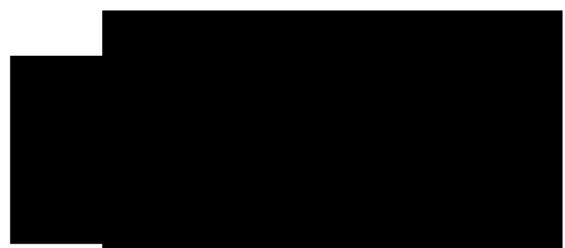
Thank you for the opportunity to comment on this application.

New Zealand Food Safety (NZFS) agrees with the approach taken in FSANZ's technical and risk assessment. In particular, the need to ensure that the applicant's request to extend permissions to use rosemary extract as a food additive in other foods does not result in intakes that exceed the acceptable daily intake (ADI) of 0-0.3 mg/kg bw. However, NZFS has concerns about the relatively complex and prescriptive regulatory approach proposed when rosemary extract is used as a food additive in colouring and flavouring preparations.

We note that the proposed new clauses 7 and 8 in Standard 1.3.1 and the new Schedule 15—6 function to restrict the classes of food that can contain rosemary extract when used as a food additive in colouring and flavouring preparations, with maximum limits in the final food and specified conditions. NZFS questions how this may work in practice for industry and enforcement agencies. For example, ingredient suppliers will need to be aware of the restriction of use and provide detailed composition information to manufacturing clients. Also, we note that if rosemary extract is used in a colouring or flavouring preparation it is unlikely to appear in the ingredient list for the final food. While domestic food production is subject to a food control plan that may ensure compliant ingredients are used, compliance of imported foods will be particularly difficult to determine and enforce.

While NZFS would prefer a simpler regulatory approach for rosemary extract when used as a food additive in colouring and flavouring preparations, we accept that this may not be within scope of the application as requested. FSANZ may wish to revisit these requested permissions with the Applicant. If the permissions for use in colouring and flavouring preparations are removed, it appears the remaining extended permissions could be simply allocated to specific food categories in Schedule 15—5 alone. We also note that colouring and flavouring preparations are also sold directly to consumers which may result in wider use of rosemary extract containing preparations in the home.

NZFS otherwise supports the draft variation to amend the Code as it protects public health and safety and allows the extended use of this antioxidant.



We also support FSANZ's decision to not permit the use of rosemary extract in ground poultry, to ensure that consumers are not misled about the quality and safety of the product and to be consistent with the current approach in the Code for raw meat.

Please contact us if you wish to discuss any points made in this submission.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]