



17 June 2022

Standards Liaison Officer  
Food Standards Australia New Zealand

By email: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)

**Proposal P1028 – Infant Formula [4 April 2022]**

On 4 April 2022, Food Standards Australia New Zealand called for submissions in relation to Proposal P1028, Infant Formula.

The a2 Milk Company Ltd and its related companies (together, a2MC) has had the opportunity to contribute to and review the submission of the Infant Nutrition Council (INC) on this Proposal.

In general, a2MC supports the position taken and comments made in that submission. However, there are several areas where a2MC's position is different to the submission from INC, or where a2MC wishes to provide further feedback. Our responses on these specific issues are provided in **Attachment 1** to this letter.

Yours sincerely

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## ATTACHMENT 1: a2MC responses to P1028

### Regulatory Framework [CFS Section 2, p12]

a2MC supports the preferred options proposed by FSANZ for “Infant formula products” and “Special medical purpose products for infants” in principle.

a2MC considers that further details on regulation and potential labelling restrictions will be important to assess the full impact of these options.

### Definitions [CFS Section 3, p23]

#### Infant formula product

In general, a2MC supports the definition proposed by FSANZ but suggests the following revision to the wording:

"Infant formula product means a product based on milk or other edible food constituents of animal or plant origin which has been proven to be safe and is nutritionally adequate to serve by itself as the sole or principal liquid source of nourishment for infants, depending on the age of the infant."

#### Infant formula

a2MC supports the definition proposed by FSANZ.

#### Special medical purpose products for infants' (SMPPi)

a2MC supports the definition proposed by FSANZ.

### Labelling (CFS Section 7, p43)

a2MC supports FSANZ's preferred option to maintain existing specific labelling requirements for 'lactose free' and 'low lactose' IFP.

### Nutrient content and health claim prohibition

a2MC supports FSANZ's preferred option to maintain the existing prohibition on nutrient content and health claims.

### Nutrient Composition (SD2)

#### Guidance Upper Levels (GUL)

a2MC strongly recommends a definition for GUL is included in the Code to provide regulatory clarity and proposes the adoption of the Codex definition for consistency with other jurisdictions.

#### Nitrogen conversion factor

a2MC's preferred option is Option 2: Adopt all three nitrogen conversion factors (5.71 for soy, 6.25 for whey based, 6.38 for other).



### Provision of Information (SD3)

Q3 - Without referencing specific conditions, how should partially hydrolysed formula be labelled to inform caregivers of the nature of the modification from other IFP?

a2MC supports FSANZ intention not to permit reference to conditions such as “anti-reflux” or “colic” on the label. With respect to partially hydrolysed protein, a2MC’s position is it should form a part of the ingredient declaration by including the percentage of the partially hydrolysed protein in the formula on the label. Another alternative is to specifically define “partially hydrolysed formula” to allow greater transparency when it comes to informed choices by parents and caregivers.

