



## SUBMISSION

To: **Food Standards Australia New Zealand (FSANZ)**

In response to: Consultation Paper - Proposal P1028 – Regulation of Infant Formula – Infant formula products for special dietary use

**28<sup>th</sup> September 2017**

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## PREFACE

H.J. Heinz Company Australia Limited (**Heinz Australia**), H.J. Heinz Company (New Zealand) Limited (**Heinz NZ**), Heinz Wattie's Limited (**Heinz Wattie's**) and Golden Circle Limited (**Golden Circle**) are part of The Kraft Heinz Company global group of companies. Heinz Australia, Heinz NZ, Heinz Wattie's and Golden Circle in this submission are collectively referred to as "**KHC**".

KHC is one of the world's leading producers of convenient foods for every eating occasion and has been feeding families for more than 100 years. KHC operates across the retail grocery and out of home channels, including hospitality and healthcare, and maintains #1 or #2 share in key categories including baby food, baked beans, tomato sauce and 'wet' soup.

With combined experience of over 140 years, KHC provides a positive presence in the Australian and New Zealand grocery products industry.

The KHC product range includes:

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infant food & snacks	frozen vegetables	baked beans	canned pasta
infant formula	fruit drinks	ketchup & sauces	soup
fruit juice	cordial	bottled water	corned beef
jams, jelly & toppings	frozen meals	canned seafood	canned fruit & vegetables

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KHC entities are members of the New Zealand Food & Grocery Council (**NZFGC**), the Australian Beverages Council Limited (**ABCL**), and the Infant Nutrition Council Australia New Zealand (**INC**). Positions are held on various working groups, and KHC contributes by preparing submissions, providing opinions and sharing information, and strives to keep abreast of current and upcoming regulatory issues.

## INFANT FEEDING

KHC fully supports and believes that breast milk provides the ideal nutrition for babies and breastfeeding provides numerous benefits for both mothers and babies. However, when breast milk is not available, an infant formula product is the only suitable and safe alternative for the first 12 months of an infant's life.

The KHC portfolio of products includes Heinz Nurture infant formula products. The Heinz Nurture infant formula and follow-on formula product range consists of powdered infant formula products which are cows' milk protein based.

Heinz Australia and Heinz NZ are members of the Infant Nutrition Council (**INC**) that represents the infant formula industry in Australia and New Zealand. Heinz Australia is a signatory to the *Marketing in Australia of Infant Formulas: Manufacturers and Importers Agreement* (**MAIF Agreement**). Heinz NZ as a member of INC has adopted *The Infant Nutrition Council Code of Practice for the Marketing of Infant Formula in New Zealand* (**INC Code of Practice**).

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## SUBMISSION

KHC welcomes the opportunity to comment on the consultation paper for P1028 Regulation of Infant Formula – Infant formula products for special dietary use (**IFPSDU**). IFPSDU regulations are included in Standard 2.9.1 of the Australia New Zealand Food Standards Code (**Code**). KHC supports the review of the infant formula standard, the promotion of innovation and the protection of public health and safety.

KHC supports FSANZ broadening the scope of Proposal P1028 to now include IFPSDU as well as infant formula for infants 0-12 months in order to minimise regulatory complexity and timing issues that are otherwise likely to result from the non-inclusion of IFPSDU.

As a member of the INC, KHC supports the comprehensive written submission prepared by the INC in response to Proposal P1028. Therefore, this KHC submission does not include individual responses to the questions, however does provide the comments below on specific regulatory framework questions.

KHC supports the view of FSANZ that the Code is reviewed considering international regulations and provisions since IFPSDU are predominately imported from overseas. The relevant international regulations and guidelines being Codex Alimentarius (**Codex**), EU and US standards. KHC considers that regulatory harmonisation and alignment where relevant would reflect the latest scientific evidence and provide flexibility and reduced regulatory barriers to ensure supply of these specialised products to the Australian and New Zealand markets.

KHC does not support the proposed regulatory sub-classification framework of IFPSDU without modification. KHC would like to highlight its support of the INC suggested framework and rationale for differentiating into three condition based sub-categories: Products for prematurity or low birth weight infants; Products for less serious disorders, diseases or medical conditions; and Products for serious disorders, diseases or medical conditions.

KHC supports the inclusion of a category definition for IFPSDU. This would be useful and would differentiate the category alongside other definitions provided for infant formula in Standard 2.9.1.

KHC supports the current definition for pre-term formula in Standard 2.9.1. Including additional age and weight parameters in the definition is not necessary. Suitability or continued use of a preterm formula for a low birth weight or premature infant should be determined clinically by medical specialists.

### For further information, please contact:

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