



FOOD STANDARDS
Australia New Zealand
Te Mana Kounga Kai - Ahitereiria me Aotearoa

16 July 2008
[12-08]

REJECTION OF APPLICATION

APPLICATION A593

LABELLING OF PALM OIL

For Information on matters relating to this Notice or the FSANZ assessment process generally, please refer to <http://www.foodstandards.gov.au/standardsdevelopment/>

REJECTION OF APPLICATION A593

Food Standards Australia New Zealand (FSANZ) has decided to reject Application A593 - Labelling of Palm Oil. This information provides notice to interested parties of the rejection of Application A593. It is not an invitation for public comment.

In October 2006, Food Standards Australia New Zealand (FSANZ) received an unpaid Application requesting that amendments be made to labelling provisions in relation to the declaration of palm oil as an ingredient in the Australia New Zealand Food Standards Code.

The Application arose from the Applicant's concern over the destruction of rainforests arising from development of new palm plantations and as a consequence, the extinction of animals such as orangutans, in Borneo and Sumatra.

It is the opinion of FSANZ that consideration and acceptance of this Application would be *ultra vires* the *Food Standards Australia New Zealand Act 1991* (FSANZ Act) (as was in force prior to 1 July 2007). Progressing the application would be unauthorised because its intent or purpose goes well beyond anything envisaged by the FSANZ Act and its objectives for the following reasons:

- The Application does not purport to raise any consideration relating to the adequacy of supply, quality or safety of food;
- The informed consumer choice reasons raised by the Application, do not extend to the supply, quality and safety of food and the objectives of the FSANZ Act do not extend to choices about international environmental issues;
- Whilst sections 2A(d) and 7(1)(d) of the FSANZ Act both touch on harmonising international and national food standards, FSANZ is not aware of international food standards that provide a basis for FSANZ to proceed with the current Application;
- None of the objectives of the Authority (section 10 of the FSANZ Act as was in force prior to 1 July 2007) in developing or reviewing a standard are relevant to the issues raised in this Application; and
- To attempt to use a domestic food standard aimed at regulating the quality and safety of domestic food supply to achieve international reform is a purpose that goes beyond the intent and scope of FSANZ Act.