

## Executive Summary

This application seeks an amendment to the Australia New Zealand Food Standards Code (the Code) to exempt Blacklip Rock Oysters (*Saccostrea spathulata*) from the cadmium maximum level (ML) of 2 mg/kg for molluscs.

Blacklip Rock Oysters are a favoured candidate for aquaculture because they grow relatively quickly to a marketable size, are tolerant of fluctuating growing environment conditions, and have good consumer acceptance. However, the levels of cadmium in Blacklip Rock Oysters from various sites in the Northern Territory typically exceed the Code ML for cadmium of 2 mg/kg, despite low levels of cadmium in seawater, marine sediments and phytoplankton at these sites.

Cadmium levels above 2 mg/kg are also observed in Bluff oysters (also known as dredge oysters) and Queen scallops, and these are both excluded from the Code ML for cadmium.

The Codex Alimentarius General Standard for Contaminants and Toxins in Food and Feed specifies a cadmium ML of 2 mg/kg for marine bivalve molluscs, however the ML does not apply to oysters and scallops. This exclusion for oysters and scallops was supported by Australia during the development of the Codex ML for molluscs. Also, Canada and the USA do not have maximum levels for cadmium in oysters despite the occurrence of cadmium levels above 2 mg/kg at various locations.

No public health and safety concerns are expected from the consumption of Blacklip Rock Oysters that contain cadmium at levels greater than 2 mg/kg. This is due to the low absorption of oyster-derived cadmium, which is likely to be related to the high content of essential minerals (e.g. zinc, iron, calcium) in oysters which compete with cadmium uptake in the body. No adverse health effects have been identified in populations consuming large amounts of other oyster species containing cadmium at levels similar to those in Blacklip Rock Oysters.

Food Standards Australia New Zealand (FSANZ) has previously conducted risk assessments of dietary cadmium for the Australian and New Zealand population groups and concluded there were no public health and safety concerns. In the 2019 Australian Total Diet Study, estimated cadmium dietary exposure for adults at the 90<sup>th</sup> percentile only reached

~35% of the tolerable monthly intake of 25 µg per kg bodyweight derived by the Joint FAO/WHO Expert Committee on Food Additives (JECFA).

There has been significant investment into development of a Blacklip Rock Oyster aquaculture industry in the Northern Territory driven by Traditional Owners and a local market demand for locally sourced oysters. An established Blacklip Rock Oyster industry has been estimated to create more than 900 direct and indirect regional jobs in Northern Australia within 20 years. Exclusion of Blacklip Rock Oysters from the ML for cadmium in molluscs is considered essential for the development of this industry and no public health and safety concerns are expected from cadmium levels exceeding the current ML in the Code.