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LABELLING REVIEW RECOMMENDATION 34: REVIEW OF MANDATORY LABELLING OF IRRADIATED FOOD

29th March, 2016

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Steritech has been a world leader in decontamination and sterilisation, for almost 40 years. Steritech emerged in Melbourne in the 1970's as a pioneer in gamma irradiation processing. Today, Steritech is the leading contract sterilisation and decontamination processor in the Asia-Pacific region and one of the largest worldwide.

Steritech is proud to be an Australian family-owned company. With plants in Melbourne, Sydney and Brisbane and currently operate the only commercially available irradiation facilities in Australia. Further to this, Steritech is considered a world-leader in the application of irradiation treatments to meet a phytosanitary need (e.g. as an agreed phytosanitary measure to manage for a range of products and range of regulated pests).

Submission:

In reply to recommendation # 34 of the 2011 Blewitt Report, *Labelling Logic: Review of Food Labelling Law and Policy (2011)* and in response to the Consultation Paper Labelling Review Recommendation 34: *Review of mandatory labelling of irradiated food (18 January 2016)*.

The following two key points were raised in the Blewitt Report:

- a) Review the need for the mandatory labelling requirement for all irradiated food to continue.**
- b) Assess whether there is a more effective approach to communicate the safety and benefits of irradiation to consumers.**

In reference to point (a), Steritech believe that the current FSANZ mandatory requirement for labelling irradiated food, should not continue and therefore be removed due to the following reasons:

- The technology has been used for over 50 years and research has shown that food irradiation is safe and effective. The process has been examined thoroughly by the World Health Organization; the United Nations Food and Agriculture Organization; the European Community Scientific Committee for Food; the United States Food & Drug Administration and by Food Standards Australia & New Zealand (FSANZ).
- Current labelling requirements for irradiated food, does not inform the consumer of the benefits and can be perceived as a warning. We believe the benefits of irradiation cannot be summarised on a label and therefore this current labelling system is again not informing and only adds further confusion and bias for the consumer towards the technology.
- Signage in stores is actively avoided by major retailers, as this is operationally difficult to implement and manage on a day to day basis.



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- The mandatory requirement for labelling irradiated ingredients should be removed for food retail chains/fast food services, as consumers may perceive this as a warning label. Also, managing this regulatory requirement is not only difficult from a procedural point of view, but also extremely costly to implement.
- FSANZ have proven that this technology is a safe process, so why should this safe process be unique among phytosanitary treatments and be the only one which requires mandatory labelling (compared to chemical/cold/heat/gas treatments).
- The mandatory requirement, makes many growers regard the label as a barrier to consumer acceptance and therefore they do not consider irradiation as a feasible/attractive option. It should also be noted, that the problem irradiated tomatoes have had becoming established as a regular item in NZ supermarkets, is a problem that seems to lie in the area of labelling.
- The mandatory labelling regime does not provide the consumer with adequate information to make a fully informed and meaningful decision on whether to purchase irradiated food compared to competing products where there is no labelling requirements.
- The mandatory labelling of only a 'new' technology significantly disadvantages that technology when it has to compete with familiar technologies that are not labelled and of which the consumer is generally unaware.
- The label is a barrier to the development of irradiation technology and distorts market decisions. This may disadvantage Australian and New Zealand food industries in the future if expanded use of irradiation for produce exports is required.
- Steritech has certainly experienced that growers are very cautious and shy away from using the technology, because the label makes them think there's going to be controversy for their wholesaler/retailer. The mandatory labelling also makes it extremely difficult for the grower to ensure that their customer is complying with this onerous regulation.
- The issues highlighted above, will become more complex as the number of products and/or source countries increase and the frequency, range and volumes of irradiated produce increase over time.

In reference to point (b), as to whether there is a more "effective approach" to communicate the safety and benefits of irradiation to consumers. Steritech considers that labelling is a blunt and ineffective instrument in terms of meeting the intended purpose. Steritech believe that FSANZ should fully consider alternatives to mandatory labelling and that the following suggestions may be a better way to communicate this message:

- The words 'irradiation' are widely misunderstood and are actually more misleading than informative. This reality goes against the FSANZ requirement of food labelling laws, which state that labels should not mislead consumers. It is this reason why we believe that FSANZ should introduce and lead a more informative and educational program, in order to more clearly communicate the benefits of food irradiation.
- The particular State Health Departments, should also be providing the consumer with adequate information, so they can make a fully informed and meaningful decision on whether to purchase irradiated food.
- Other Government Departments, such as the Australian Department of Agriculture, Water & Resources (DAWR) and the New Zealand Ministry of Primary Industries should also assist with their own educational program, in order to more clearly communicate the benefits of food irradiation.
- The consumer should also be informed of all the other alternative treatments to irradiation, such as Methyl Bromide (MB), Vapour Heat Treatment (VHT) and other chemical dips and treatments etc.



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Recommendation:

It is our recommendation that because food irradiation has already been a part of the global food supply for more than a 30 years, FSANZ should consider changing the categorisation of food irradiation from a 'New Technology' to a 'Consumer Values Issue'.

Figure 1 below highlights the FSANZ 'Food Labelling Hierarchy', which is a tool in providing the basis for the recommended FSANZ principles to guide food labelling decisions. The diagram proposes a range of regulatory interventions based on this hierarchy, ranging from mandatory, through co-regulation and self-regulation.

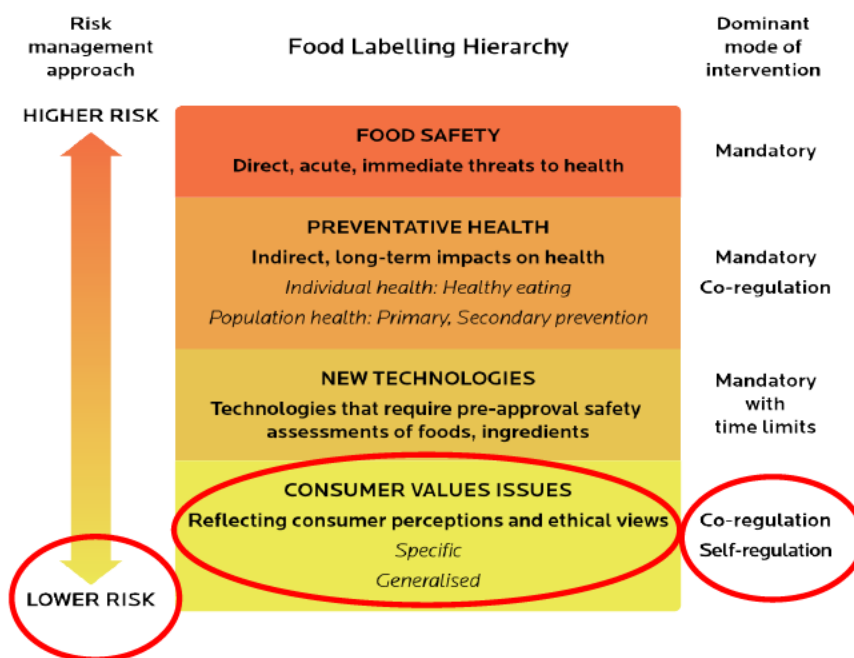


Figure 1

Within the framework, food irradiation currently is placed into the 'New Technologies' section, which currently requires pre-approval (on a commodity basis) and mandatory labelling. According to the Blewitt Review, new technologies are food processes/treatments which have not been used for more than 30 years.

The Forum of Food Regulations (FoFR) review panel, identified the following "foods treated with ionising radiation have been in the food supply for at least a generation (i.e. 30 years' experience) and there have been no problems for human health resulting from the consumption of foods treated with irradiation".

FSANZ have acknowledged on many occasions that food irradiation has been extensively studied and consumed since the late 1950's. Therefore, 'Food Irradiation' should no longer be placed into the category of a 'New Technology' and in regards to the *Food Labelling Hierarchy*, food irradiation should be re-categorised as a 'Consumer Value Issue' (as circled in Figure 1 above). This would then place food irradiation into a co-regulation and self-regulation position within the hierarchy and would therefore no longer require the need for mandatory labelling.



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Conclusion:

The mandatory labelling of irradiated foods when competitive treatments (such as fumigation) do not require labelling is an unfair barrier to trade, increases costs and inhibits industry. Labelling for the management of consumer value issues should be voluntary and consistently applied. For example, “consumer issues” in the phytosanitary area could range from food safety issues (e.g. human health), environmental issues (e.g. production methods), global warming (e.g. glasshouse production using fossil fuels), food miles and country of origin labelling none of which attract any form of mandatory labelling.

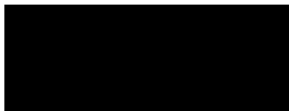
As a treatment provider, the mandatory enforcement of labelling irradiated food is certainly seen as a barrier to the future development of this technology relative to other treatments where similar “consumer value issues” may arise. The slow and lack of up take is especially disappointing when this technology is used as a phytosanitary treatment, which currently provides a safe and effective chemical free treatment option for horticultural exports and imports. Steritech have been told by many of our customers that if the mandatory labelling for irradiated food was removed, then the uptake in the technology would grow exponentially.

Providing good information to consumers is the responsibility of every link of the marketing chain. Governments approving irradiation to improve trade should defend their decision, discussing the factors that led to approval, and the benefits to the country, industry and public of improved trade measures. Industry should discuss more openly the requirements of food handling so consumers have a fuller understanding of the realities of agriculture and food processing.

Steritech is of the opinion that:

- There should be no mandated regulatory requirement to label irradiated food, which has been treated for phytosanitary purposes.
- There should be no mandated regulatory requirement for labelling irradiated food in the hospitality and catering sector.
- Irradiated food and food ingredients should also not require mandatory labelling.

Yours faithfully,



Murray Lynch
Chief Executive Officer
Steritech Pty Ltd