



5 May 2015

Project Officer Application A1101  
Food Standards Australia New Zealand  
PO Box 10559  
The Terrace  
WELLINGTON 6036



Dear Sir/Madam

#### **Application A1101 – Commencement of Dietary Fibre Claim Provisions – Call for Submissions**

Thank you for the opportunity to comment on this application. The Ministry for Primary Industries (MPI) has the following comments to make.

We accept FSANZ's preferred option, which is to delay the commencement of these requirements by one year. As noted by FSANZ in section 2.6.1.1, there could be confusion amongst consumers as foods may contain the same claim but have different amounts of dietary fibre. While the actual amount will be in the NIP, consumers may not necessarily be aware of this. We support the suggestion by FSANZ in this section, that information should be communicated to consumers about these requirements. We suggest that information is provided on the FSANZ website. Jurisdictions and other stakeholders could then refer to this information when queries arise. Furthermore, it is our view that industry should be encouraged to use descriptors applying in CoPoNC or standard 1.2.7; not 'any descriptor' as allowed for in the transition period.

MPI notes the applicant's request to delay the requirements to comply with the qualifying criteria for nutrition content claims about dietary fibre in Standard 1.2.7 – Nutrition, Health and Related Claims for 12 months (from 18 January 2016 until 17 January 2017). We note that the application does not relate to the claim about *increased* dietary fibre, and this is reflected in the draft variations.

We note the two aspects to claims made about dietary fibre, as contained in schedule 1 to standard 1.2.7:

- Claims regarding *source, good source or excellent source* claims ( 2g, 4, and 7 g dietary fibre per serving, respectively); and
- Claims regarding *increased* fibre, whereby the food must contain 2 g fibre per serve and contain 25% more than the same quantity of the reference food.

We have considered the draft variations and Explanatory Statements contained in Attachments A to D.

Attachment A, Standard 1.1.A.8.

- It is not clear why the Purpose and Clauses refer to 'absence' of dietary fibre. In our view, this is not needed.
- We agree with the requirement in subclause 2 (2) regarding *increased*, as this is not part of the qualifying criteria for which the delay in commencement is sought. Furthermore, this will provide some certainty around this aspect of dietary fibre claims, in the transition period.

Attachment C, Standard 1.2.12

- Same comment as above regarding the use of the word 'absence'

Yours sincerely

  
**Manager Food Science and Risk Assessment**