

21 August 2014

Project Manager  
Food Standards Australia New Zealand  
PO Box 10559  
The Terrace  
Wellington 6143  
NEW ZEALAND

Email: [standards.management@foodstandards.gov.au](mailto:standards.management@foodstandards.gov.au)

Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the ***Call for Submissions – Proposal P1029 Maximum Level for Tutin in Honey.***

Yours sincerely

Katherine Rich  
**Chief Executive**

**Food Standards Australia New Zealand**  
**CALL FOR SUBMISSIONS – PROPOSAL P1029**  
**MAXIMUM LEVEL OF TUTIN IN HONEY**  
**21 August 2014**

The New Zealand Food & Grocery Council (the “NZFGC”) welcomes the opportunity to comment on the ***Call for Submissions – Proposal P1029 Maximum Level for Tutin in Honey.***

**New Zealand Food & Grocery Council**

The NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. This sector generates over \$34 billion in the New Zealand domestic retail food, beverage and grocery products market, and over \$28 billion in export revenue from exports to 185 countries – some 61% of total merchandise exports. Food and beverage manufacturing is the largest manufacturing sector in New Zealand, representing 46% of total manufacturing income and 34% of all manufacturing salaries and wages. Our members directly or indirectly employ 370,000 people, one in five of the workforce.

**Overarching Comments**

NZFGC notes that in the course of research that has been conducted by the Ministry for Primary Industries and FSANZ over recent years, not only has a masked tutin contamination been identified (in the form of tutin glycosides) adding to the total contamination levels but that adverse health effects are still a feature of the consumption of honey with tutin levels at the current temporary level of 2mg/kg. For these reasons, NZFGC generally agrees with the amendment to reduce the level of tutin honey and in comb honey proposed in this Proposal.

In addition NZFGC agrees to there being a 28 day period after a Standard giving legal effect to the variation in New Zealand is issued under the Food Act 1981, to there being no requirement for honey packaged prior to the new limits to meet the new lower limits and to adequate foreshadowing of gazettal and issuing of a Standard under the Food Act 1981 by the Ministry for Primary Industries (MPI).

**Specific Comments**

***Risk Management***

**Maximum level for tutin in honey**

As noted above, NZFGC appreciates the discovery of masked tutin contamination (in the form of tutin glycosides) has added to the total contamination levels in honey from tutin but that due to technical limitations, tutin glycoside contamination cannot be separately tested for therefore precluding separate contamination levels for tutin and tutin glycosides.

NZFGC also notes that research on the impact on consumers of the current temporary level of tutin contamination of 2mg/kg has demonstrated that adverse health effects are still being experienced. The proposed maximum level reflects a reduction in the current level by a factor of 3. This reduction factor is arrived at by taking a factor of 1.5 (a chemical specific adjustment factor for human variability in toxicokinetics) to account for inter-individual variability in maximum serum levels in the pharmacokinetic study, multiplied by a factor of 2 to account for

use of the tutin aglycone level as a surrogate for total tutin equivalents (i.e. tutin + tutin glycosides).

As a result, the proposed lower maximum level of tutin in honey of 0.7mg/kg has been set to address masked contamination and continuing adverse health effects.

#### Maximum level for tutin in comb honey

Comb honey has always presented a less certain and potentially higher tutin contamination risk to consumers than extracted honey because different parts of the comb may differ significantly in terms of tutin concentration. Comb honey was at the centre of the poisonings experienced by 22 people in the Coromandel in 2008. For this reason a more stringent maximum of 0.01mg/kg has been proposed for comb honey. Representative sampling and testing has been a feature of the comb honey testing regime over the past 5 years and while a reduction of the maximum level of contamination to the analytical limits of detection is proposed, the rationale is evidence-based and therefore supported.

#### Industry education

NZFGC is pleased that educational efforts over the 5 years have been stepped up to address, especially, the knowledge gaps in smaller beekeepers and hobbyists about tutin contamination.

#### **Options considered in Supporting Document 2**

Four options were presented under the Supporting Document 1 titled '*Consultation Regulatory Impact Statement*'. The options were:

- Option 1: Status Quo - Temporary Maximum Levels Expire
- Option 2: Industry Code of Practice
- Option 3: Retain Temporary Maximum Levels
- Option 4: Reduce Maximum Levels

**Question 1: Are there any other options that are significantly different from the above that should be considered? If so, please provide information to support them.**

NZFGC is of the view that Codes of Practice are helpful adjuncts to legislative requirements and that the application of Options 2 and 4 should not be mutually exclusive. A Code of Practice could greatly assist compliance with regulatory/mandated maximum levels.

**Question 2: Do you agree with the analysis of the likely costs and benefits of Option 1?**

NZFGC agrees with the analysis of the costs and benefits of Option 1.

**Question 3: Do you have any additional information that you would like considered in this analysis?**

NZFGC has no additional information for the analysis.

**Question 4: Do you agree with the analysis of the likely costs and benefits of Option 2?**

While NZFGC agrees generally with the analysis of the likely costs and benefits of Option 2 it does not agree with the statement, in relation to implementation, that "there are likely to be few benefits from a CoP". This would seem to be a quite simplistic assumption and does not take account of various models of CoP implementation. Nonetheless NZFGC agrees that overall, a CoP alone would not necessarily address the issues.

**Question 5: Do you have any additional information that you would like considered in this analysis?**

NZFGC has no additional information for the analysis.

**Question 6: How many kilograms of honey does your business blend to manage high tutin levels each year? What does this cost your business each year?**

**Question 7: Does your business harvest comb honey from high risk areas at high risk times of the year? If so, how many tests do you undertake per year and what are the costs each year?**

Not applicable

**Question 8: Do you agree with the analysis of the likely costs and benefits of Option 3?**

NZFGC agrees with the analysis of the costs and benefits of Option 3.

**Question 9: Do you have any additional information that you would like considered in this analysis?**

NZFGC has no additional information for the analysis.

**Question 10: Do you agree with the analysis of the likely costs and benefits of Option 4?**

NZFGC agrees with the analysis of the costs and benefits of Option 4.

**Question 11: What do you think that the additional costs per business or beekeeper would be to move from the temporary maximum level to the lower maximum level?**

NZFGC does not have this information.

**Question 12: Do you think that the additional costs of this option are justified?**

While NZFGC is generally opposed to adding costs to industry, in light of the health consequences of tutin, the research conducted over the past years and the implementation to date of a maximum level of 2.0mg/kg, NZFGC considers that so long as there are options for implementation that minimise the extent of testing regimes, NZFGC considers minimum cost increases justifiable.

**Question 13: Do you have any additional information that you would like considered in this analysis?**

NZFGC has no additional information for the analysis.

**Question 14: If the maximum level is lowered to the suggested lower level, what volume of your honey do you estimate would not meet the lower level? What would be the likely impact on your business of this?**

NZFGC does not have this information.

**Question 15: How much honey not packaged for retail sale will you have left from the year to June 2014 harvest period by December 2014? What proportion is this of the total amount of honey you harvested in the year to June 2014?**

NZFGC does not have this information.

Question 16: Do you agree with having no transitional arrangements for the implementation of the proposed permanent maximum levels for honey and comb honey given the new maximum levels would not apply to products packaged for retail sale prior to the changes being gazetted?

NZFGC agrees to there being a 28 day period after a Standard giving legal effect to the variation in New Zealand is issued under the Food Act 1981. The date of issue of the Standard is always uncertain due to administrative arrangements that precede issue. A one month period is the period accorded the application of fees and levies and as this change involves industry costs and is likely to occur in a holiday period, the 28 day period gives MPI time to advertise the upcoming implementation date widely to the industry and particularly to smaller honey operators. In addition, NZFGC agrees with:

- there being no requirement for honey packaged prior to the new limits to meet the new lower limits
- adequate foreshadowing of gazettal and issuing of a Standard under the Food Act 1981.

**Question 17: If you do not agree with having no transitional arrangements, what alternative do you suggest and why?**

Not applicable.