

3 July 2014

Project Manager
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Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the ***Call for Submissions – Proposal P1033 Code Maintenance XII***.

Yours sincerely

A black rectangular box redacting the signature of Katherine Rich.

Katherine Rich
Chief Executive

Food Standards Australia New Zealand
CALL FOR SUBMISSIONS – PROPOSAL P1033 CODE
MAINTENANCE XII
3 July 2014

The New Zealand Food & Grocery Council (the “NZFGC”) welcomes the opportunity to comment on the ***Call for Submissions – Proposal P1033 Code Maintenance XII***.

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 generally agrees with the amendments proposed in this Proposal. There are a few areas where we believe Editorial notes should be retained and one instance where an Editorial note is required (Standard 1.2.1).

Specific Comments

Standard 1.1.1 – NZFGC agrees with the amendments.

Standard 1.1A.6 – NZFGC notes that this amendment has been necessitated by the coming into force of the Foods for Medical Purposes Standard and agrees with the Amendment. NZFGC considers the Purpose statement also needs amending to remove reference to “...medical foods and...”.

Standard 1.2.1 – NZFGC agrees with amendments to paragraph 2(2)(da) and 3(1)(f). The amendment to clause 4 is to subclause 4(1) and NZFGC agrees with the amendment. The amendment to paragraph 5(1)(e) results in a loss of clarity for New Zealand users of the Code and NZFGC suggests that the fact Standard 1.2.11 is Australian only be reflected perhaps in square brackets or a box in this Standard which is very much about, and titled, Application of labelling and other information requirements.

Standard 1.2.4 – NZFGC agrees with the amendment to delete the relevant reference to Tocopherols concentrate, mixed (306) but considers the later date should be the default not the earlier date. NZFGC agrees with the changes to descriptions for 470 and 503. NZFGC agrees with adding ‘Advantame (969)’, ‘Yeast mannoproteins (455)’ to Schedule 2 and to the deletion of the Editorial note at the end of Standard 1.2.4 which refers to INS number 306.

Standard 1.2.5 – NZFGC suggests it would be more helpful for the Editorial note to state that the definition of ‘small package’ is in Standard 1.1.1.

Standard 1.2.7 – NZFGC agrees with the proposed typographical amendments.

Standard 1.2.8 – NZFGC agrees with the proposed typographical amendments.

Standard 1.2.9 – NZFGC notes that the time for the review commitment has passed and that the reminder of review is therefore no longer valid but review at some stage is still a reasonable undertaking. However, there are higher priority areas of work. NZFGC agrees with the typographical amendment. NZFGC does not agree with the deletion of the last editorial note. Reminders of where information is located is always helpful and suggests the note be amended rather than deleted.

Standard 1.3.1 – NZFGC agrees with updating the reference to reflect the latest developments in paragraph 11(a)(i) and to the addition of reference to the EU approved flavouring list in clause 11. NZFGC agrees with all the amendments proposed for the Schedules in Standard 1.3.1 except that relating to tocopherols which should align with our comments on Standard 1.2.4 amendments above.

Standard 1.3.2 – NZFGC agrees with the proposed amendments to references.

Standard 1.3.3 – NZFGC agrees with the proposed typographical amendments.

Standard 1.3.4 – NZFGC agrees with the addition of EU additive specification and the updating of references to the Japanese additives list and proposed typographical amendments.

Standard 1.5.3, Standard 1.6.1 and Standard 2.1.1 – NZFGC agrees with the proposed typographical amendments.

Standard 2.5.3 – NZFGC agrees with the reinsertion of a subclause deleted in error.

Standard 2.5.7 – NZFGC agrees with the reinsertion of the reference to 'evaporated milk'.

Standard 2.6.2 – NZFGC agrees with the addition of clauses in the Table of Provisions.

Standard 2.7.4 – NZFGC agrees with updated reference.

Standard 2.9.1 – NZFGC agrees with the addition of a clause in the Table of Provisions.

Standard 2.9.2 – NZFGC agrees in principle with the rewording subclause 6(2) but FSANZ should seek comment from infant food manufacturers directly to ensure the proposed amendment does not result in any reformulation issues.

Standard 2.10.3 – NZFGC agrees with proposed amendments other than the deletion of the Editorial Note assisting the user with the location of the definition of 'small package'.

NZFGC has no comments to make on the Part 3 amendments.