12 June 2018

Project Officer Proposal P1048
Food Standards Australia New Zealand
PO Box 10559
The Terrace
WELLINGTON 6036

Dear Sir/Madam

Proposal P1048 Code Revision

Thank you for the opportunity to comment on this proposal. The Ministry for Primary Industries (MPI) agrees with the proposed changes, apart from items 9 and 10 as listed in section 2.1 of the Call for Submissions document. We have the following comments to make regarding items 9 and 10.

Item 9 – Schedule 11, subsections S11—4(2) and (3)

Agree with the proposed change, however the drafting at Attachment A [9] does not reflect the change.   The word 'dietary' is still missing in subsection (2) so it still incorrectly refers to 'named fibre'.

Item 10 – Schedule 11, subsection S11—4(2)

The description of the issue is not sufficient rationale for the proposed change, for the following reasons:
- The name of the AOAC method 985.29 or 991.43 includes the word 'total' hence it is the correct name
- The method does measure 'total' dietary fibre, especially in the context of the list of methods, and the need to avoid double counting by subtracting any named dietary fibres listed in (b) to (e)
- Code users find this provision difficult, and removing the word 'total' provides less clarity around the list of methods.
- The Codex definition of dietary fibre is not the same as the definition in the Code
- While we agree that the terminology for dietary fibre in the Codex Guidelines on Nutrition Labelling CAC/GL 2-1985 is 'dietary fibre', this is in relation to how dietary fibre is declared on labels. In contrast, subsection S11—4(2) in the Code relates to methods of analysis. Requirements for declaration and labelling of dietary fibre are specified in standard 1.2.8. While this refers to section 11—4, this relates to how dietary fibre is measured, not how it is labelled.

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- The Codex method of analysis and sampling document Codex STAN 234-1999 clearly refers to 'dietary fibre, total', wherever there is a reference to either AOAC method 985.29 or 991.43.

For the reasons above, MPI does not support this proposed change (item 10) to the Code.

In summary:
- items 1 to 8, and 11 to 16 – MPI supports the proposed changes;
- item 9 – MPI supports the proposed changes in principle, however, not all the proposed changes have been reflected in the draft variation (Attachment A of the Call for Submissions);
- item 10 – MPI does not support the proposed change for the reasons outlined in this submission.

Yours sincerely