


Submission to FSANZ Proposal P242;
Draft Assessment Report
Foods for Special Medical Purposes

On behalf of the New Image International Group of Companies, incorporating
Symbiotics (NZ) Ltd and BioActive Technologies International Ltd.


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New Image International has been selling food supplements including FTDS products, in New Zealand and Australia for in excess of 10 years. Sales are through both multi-level-marketing (Amway is an example of a MLM company) and retail outlets.

We are concerned with the regulation of special purpose foods, and its impact on our weight management food products, which aim to reduce the weight of the consumer when combined with an exercise program. Weight management foods, which have been in the market for many years, are a low energy food group and as such don't fit the energy requirements of existing special food classes.

2.2 Current Market and Distribution

We submit that a proportion of food products that could be classified as FSMP are not provided through healthcare settings.

The type of products we are concerned about are low energy weight management products and formulated high fibre foods for bulk forming laxative applications. Our products account for sales in excess of \$360,000 in the Australian and New Zealand markets and are sold over the counter and through direct sales to the general public.

We would prefer to see these over the counter/direct sale products covered by the Formulated Beverages category. Alternatively allowance be made for the sale and promotion of these products to the public.

5.3 Distribution and Access

We feel that it would be inappropriate to restrict the sale and advertising of these established foods, which are in demand by the public. We would prefer to see FSMP category products that traditionally sell over the counter, or by direct sales, remain free to advertise and promote directly to the general public.

5.6.2 Comment on Novel Foods Definition

We agree with the concept of pre-market clearance but feel the definition of novel foods is too restrictive and would require the evaluation of ingredients that would be accepted with a broader definition of novel foods. In particular, foods which have a history of human consumption in the global community, rather than just New Zealand and Australia.

5.6.3 Microbiological Standards

We don't believe that the general public who buy products sold over the counter or by direct sales are "at risk" or vulnerable individuals, compared to say those under constant medical supervision. As a result we consider these products need not be manufactured at standards greater than those for food type dietary supplements.