



6 July 2012

Project Officer Proposal P1021  
Food Standards Australia New Zealand  
PO Box 10559  
The Terrace  
WELLINGTON 6036

Dear Sir/Madam

### Proposal P1021 – Code Maintenance X – Call for Submissions

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

**Item [3]** – ‘tocopherols concentrate, mixed’. MPI agrees with the proposed changes, however industry may need longer than one year to accommodate this labelling change (where the code number 306 is currently used to identify the food additive in the ingredient list), as some of the products using ‘tocopherol concentrate, mixed’ are longer shelf life products. A two year transition period might be more realistic for this proposed change.

As FSANZ will be aware, the following numbers and terminology are listed in the Codex Guideline 36-1989 INS document (only those relevant to food labelling, and permitted in the Food Code, are listed below):

307a Tocopherol, *d-alpha*-  
307b Tocopherol concentrate, mixed  
308 Tocopherol, *gamma*-, synthetic  
309 Tocopherol, *delta*-, synthetic

We note that the terminology above for 307b is ‘Tocopherol concentrate, mixed’. This is different to the drafting contained in item [3], and items [6.3] to [6.8]. The Food Code and the proposed drafting states *tocopherols* (i.e. plural), yet the INS has tocopherol as singular in the updated listing.

While proposal P1021 corrects the entry for 307b, MPI notes that the INS number for ‘tocopherols, d-alpha-, concentrate’ has changed from 307 to 307a, and the word ‘concentrate’ is no longer used. The Food Code therefore needs to be updated.

As a separate point, we note that under the current Food Code, the names for tocopherols listed in standard 1.2.4, schedule 2 (part 1 and 2) do not line up exactly (as they are abbreviated), with the chemical names listed in standard 1.3.1, schedule 1.

**Item [6.2].** MPI agrees with the revised calculation. We suggest however that a concentration other than 100 mg/kg (e.g. 120 mg/kg) is chosen for the first example, as this may be confused with the use of percentages in the calculation.

In the examples given, example 2 would be clearer if additional brackets are shown. While this does not change the answer (39.7 mg/kg), it would be clearer to Food Code users. The brackets could be placed on the last equation before the final answer, as set out below.

$$= [(0.9 \times 0.4) + (0.05 \times 0.40) + (0.05 \times 0.33)] \times 100 \text{ mg/kg}$$

If FSANZ agrees with this, brackets could also be added to the example further on in the table.

**Item 6.11.** MPI notes that the corresponding entries for 470 in Standard 1.2.4 Schedule 2, Parts 1 and 2, also need to be updated to align with the proposed changes.

**Item 7.4.** MPI notes that the botanical names should be in italics. Also the proposed number for 'Fruit bromelain' should read 'EC 3.4.22.33'. The proposed drafting states 'EC 3.4.22.32'

**Item 8.3.** MPI agrees that the specifications can be removed for two of the nucleotides, however Food Code users may not realise why these ones are omitted, particularly as they are referred to in the remainder of the Schedule. We suggest including an editorial note to explain this.

Yours sincerely