Food Intolerance Network

Coordinator: Sue Dengate

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website: www.fedupwithfoodadditives.info

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1 August 2003

Mr Graham Peachey

CEO FSANZ

PO Box 7186

CANBERRA ACT 2610

Dear Mr Peachey

ACCESS TO INFORMATION UNDER THE FREEDOM OF INFORMATION ACT

This letter is further to our letter to you of 15 April 2003, to which we have not had the courtesy of acknowledgement to date.

Several times over the past five years we have requested to know the scientific basis upon which approval has been given for particular food additives and we have urged Ministers to seek this information from FSANZ as well. However there has never been any response to us other than a bland reassurance that there has been a sound and scientific assessment. This is at odds with processes for agricultural and veterinary chemicals, where each approval is publicly documented in considerable detail.

For propionic acid and its salts (280-283), for instance, all we can find is a World Health Organisation report which tested the additives internally on cats, dogs, rats, rabbits and one man, and concluded they were safe at all levels. There were *no* tests on children or for behavioural and learning toxicity. For 282 in particular, the only public scientific evidence with children is of harm.

With flavour enhancer ribonucleotides (627, 631, 635) we can find no public scientific evidence of a safety assessment, while we receive continuing reports of serious public harm, detailed on www.fedupwithfoodadditives.info and provided to you several times without effect.

Therefore we are now making formal application under the Commonwealth *Freedom of Information Act 1982* for the FSANZ approval statement and information upon which the approval was based for the propionates (280-283) and ribonucleotides (627, 631, 635).

We also seek remission of the FOI application fee on the basis of public interest, since we represent a large non-funded group working entirely in the public interest.

Yours truly

Mrs Sue Dengate Dr Howard Dengate

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(2)

Mrs S Dengate and Dr H Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Dear Mrs Dengate and Dr Dengate

Re: FOI request

I refer to your letter dated 1 August 2003 requesting access under the *Freedom of Information Act 1982* for the FSANZ approval statement and information upon which the approval was based for the propionates (280-283) and ribonucleotides (627, 631, 635).

As your letter was received on 8 August 2003, the statutory period for processing your request will commence from that date.

You will be advised shortly regarding your request for remission of the application fee on the basis of public interest. If you wish to discuss this further, please contact Donna Bakovski on 02 6271 2654 or myself on 02 6271 2270.

Yours sincerely

D Fletcher

Debra Fletcher
FOI Coordinator

13 August 2003

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Office of the Chief Executive

(1)

Mrs Sue Dengate & Dr Howard Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Dear Mrs & Dr Dengate

Thank you for you letter of 1 August 2003.

We note your concerns regarding food additives and your formal application under the Commonwealth *Freedom of Information Act 1982*. We are currently working on a response to address your concerns.

A detailed response to your letter is being prepared and you should receive this in the very near future.

Yours sincerely

Graham Peachey
Chief Executive Officer
15 August 2003

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Received 9/9/03.

Mrs S Dengate and Dr H Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Dear Mrs Dengate and Dr Dengate

Re: Freedom Of Information (FOI) request - Additives

We refer to our letter dated 13 August 2003 advising receipt of your FOI request and that the statutory period for processing your request commenced on 8 August 2003.

We wish to clarify that the statutory period for processing your request does not commence until the delegate has made a decision in relation to your request for remission of the application fee. We apologise for any inconvenience

Under Section 30A of the *Freedom of Information Act 1982,* Food Standards Australia New Zealand (FSANZ) has a discretion to consider remission of the application fee if the giving of access is in the public interest.

We do not have any material from you to support your contention that the giving of access would be in the public interest. Supporting material will be needed in order that the delegate make a decision as to remission of fees. For further information, we refer you to FOI Memoranda 29 which is available at www.ag.gov.au/foi.

If you wish to discuss this further, please contact Donna Bakovski on 02 6271 2654 or Debra Fletcher on 02 6271 2270.

Yours sincerely

D Fletcher

Debra Fletcher
FOI Coordinator

4 September 2003

Food Intolerance Network

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15 September 2003

Ms Debra Fletcher

FOI Cordinator

Food Standards Australia New Zealand

PO Box 7186

CANBERRA ACT 2610

Dear Ms Fletcher

FREEDOM OF INFORMATION REQUEST - ADDITIVES

Your letter of 4 September, received on 9 September, leaves us uncertain whether FSANZ is being deliberately arch or just inefficient in waiting until 30 days after our original request to advise that the statutory period of 30 days will not commence until FSANZ has made a decision to process our request. On the face of it, FSANZ appears to be playing with the public interest in this matter, let alone statutory FOI timeframes.

The public interest of the Food Intolerance Network can be attested by the fact that over 175,000 people have visited our website since September 1999, that more than 1500 people have registered for the bimonthly Failsafe Newsletter, that there are now 10 email support and discussion groups with a total membership of over 500 people and that the weekly email traffic to Sue Dengate and Howard Dengate separately exceeds 300 messages. These numbers grow by the month as more and more people become aware of the deleterious effects of some food chemicals on their health, behaviour and learning. No public or industry funding has ever been either sought or received by the Food Intolerance Network to provide this public interest service.

The approval process for agricultural and veterinary chemicals includes a full publication of the evidence that was assessed in granting or otherwise approval for the particular chemical, crop and pest combination. This transparency is in marked contrast to that displayed by FSANZ, where requests made in writing for such evidence since 1999, both directly and through State and Federal Ministers, have been fobbed off with assurances that extensive government and industry toxicological studies have been undertaken.

The ANZFA Act 1991 requires ANZFA, and presumably its successor FSANZ, to conduct scientific, risk analysis-based assessments of any regulatory measures. However, only limited studies, where they exist at all, appear to be in the public domain.

As we said in our original request on 1 August 2003, for propionic acid and its salts (280-283), for instance, all we can find is a World Health Organisation report which tested the additives internally on cats, dogs, rats, rabbits and one man, and concluded they were safe at all levels. There were *no* tests on children or for behavioural and learning toxicity. For 282 in particular, the only public scientific evidence with children is of harm.

With flavour enhancer ribonucleotides (627, 631, 635) we can find no public scientific evidence of a safety assessment, while we receive continuing reports of serious public harm, detailed on www.fedupwithfoodadditives.info and provided to you several times without effect.

How could it not be in the public interest to provide the assessment information publicly? Why should assessments be conducted in secret?

Please note that the two-way correspondence regarding the Food Intolerance Network's FOI request will be available to the public and media on www.fedupwithfoodadditives.info from now on, as will the requested information when you finally provide it to us.

We look forward to a speedy and favourable decision regarding the public interest in this request.

Yours truly

Mrs Sue Dengate Dr Howard Dengate

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Rec'd 3/10

Mrs S Dengate and Dr H Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Dear Mrs Dengate and Dr Dengate

Thank you for your letter dated 15 September 2003 and the information provided by you in support of your contention that the application fee of $30 should be remitted on the grounds of public interest. I am the delegate under the *Freedom of Information Act 1982* (the FOI Act) with the authority to make a decision in relation to your application for remission of fees.

In your letter you have taken issue with FSANZ handling of your request. FSANZ has neither been arch or inefficient. FSANZ made an error in the calculation of the statutory time frames, an error which was acknowledged and an apology offered.

However, I do note that following receipt of your request, Donna Bakovski of the Office of Legal Counsel had a conversation with Dr Dengate on 15 August, where we advised you that we were making a search for the documents. I understand that an in principle agreement was made that in the event we did not hold those documents, we would attempt to arrange partial transfer of your request to the Department of Health and Ageing (DoHA). DoHA has been told that a request for partial transfer may be made, once the documents have been located.

In your letter of 1 August 2003 you ask that the application fee be remitted "on the basis of public interest, since we represent a large non-funded group working entirely in the public interest". In our letter dated 4 September 2003, you were advised that supporting material is required in order to enable me to decide whether to grant your request. This is in accordance with normal FOI procedure, and you were referred to the relevant requirements and guidance material.

I have had regard to those matters, and to the matters raised in your letter. Pursuant to section 30A of the FOI Act I am satisfied that the giving of access to the material in question would be in the public interest or in the interest of a substantial section of the public, and the application fee is hereby remitted.

I have to inform DoHA of this decision, which may affect whether they are now prepared to accept partial transfer, should that be necessary, or whether you will have to make a separate application to that agency.

If you have any further queries, please contact Donna Bakovski on 02 6271 2654.

Yours sincerely

John Fladun
Acting General Manager
Safety, Legal & Evaluation

29 September 2003

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Mrs S Dengate and Dr H Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Rec'd 20/10

Dear Mrs Dengate and Dr Dengate

Re: FOI request

We refer to our letter dated 29 September 2003 when FSANZ wrote to you concerning remission of the charges and a partial transfer of your request to the NHMRC through the Department.

As you are aware, we undertook a search for documents relating to your request and note that we have only been able to locate documentation regarding the approval of additive 635 and other documentation arising from Proposal P150 – Proposed Australia/New Zealand Standard for Food Additives. This is because approvals for the use of propionates 280-283 and ribonucleotides 627 and 631 were approved by NHMRC, which was the agency responsible for such approvals prior to the establishment of FSANZ and its predecessors.

Furthermore, we wish to advise that pursuant to section 16 of the *Freedom of Information Act 1982*, NHMRC has refused to accept the partial transfer of your request on the basis that they require further information, by way of dates, references or other indications of when the information you requested was generated. On this basis, we suggest that you contact the FOI Coordinator, Petrushka Mazur on (02) 6289 1666 to discuss your request.

In the meantime, FSANZ will be making access decisions about those documents in its possession in the near future.

If you have any queries please contact me on (02) 6271 2270.

Yours sincerely

D Fletcher

Debra Fletcher
FOI Coordinator

14 October 2003

left message 21/10. No response.
left message 28/10. Will contact HD further.

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Mrs S Dengate and Dr H Dengate
Food Intolerance Network
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Rec'd 3/11/03

Dear Mrs Dengate and Dr Dengate

FREEDOM OF INFORMATION REQUEST

I refer to your request under the *Freedom of Information Act 1982* in which you sought access to a range of documents in relation to the FSANZ approval statement and information upon which the approval was based for the propionates (280-283) and ribonucleotides (627, 631, 635).

Please find enclosed the following documents relating to your request:

A • Codex General Standard for Food Additives
B • Review of the Food Standards Code – Development of joint Australia New Zealand food standards – The regulation of food additives - March 1996
C • Review of the Australian Food Standards Code – Proposal P150 – A Proposal for a joint Australia – New Zealand Standard on Food Additives – March 1997
D • Explanatory Notes – Proposal P150 – ANZ Standard for Food Additives dated 28.10.98
E • Inquiry Report – P150 – A Joint General Standard for Food Additives
F • Proposal P150 – Statements of Reasons – For recommending a Joint draft General Standard for Food Additives dated 28.7.99

We are currently awaiting the retrieval of files from Archives in order to provide any more documentation we may have. You will be advised as further documents become available.

If you have any further queries, please contact Donna Bakovski on 02 6271 2654.

Yours sincerely

Claire Pontin
General Manager
Strategy and Operations

28 October 2003

Food Intolerance Network

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18 November 2003

Ms Claire Pontin

General Manager

Strategy and Operations

Food Standards Australia New Zealand

PO Box 7186

CANBERRA ACT 2610

Dear Ms Pontin

FREEDOM OF INFORMATION REQUEST - ADDITIVES

Thank you for the first batch of FOI information, consisting of some 300 pages sent on 28 October 2003. While it was interesting and frustrating to revisit 1995-2000 processes to which the Food Intolerance Network has already attempted to contribute, the specific information that we have requested has yet to be provided.

The key point is that Proposal P150 (March 1997) (pages1,8), and your various Ministers at various times, have promised that "At full assessment, ANZFA will review the existing toxicological evaluations of the additives in the draft proposed standard …to ensure that the public safety has been maintained." However in P150 (undated, presume 2000)(page1) "the standard was developed by applying risk analysis to ensure the dietary exposure to food additives to the food supply did not present an unacceptable risk to public health and safety…".

In other words, consumers have been dudded yet again, because ANZFA/FSANZ has done the easy bit, dietary intake assessment, but not, despite promises, the hard bit about toxicological evaluation.

While we continue to have grave doubts about your toxicological assessment process, because it is based on classical animal dose experiments without any behaviour or learning dimensions, we are seeking in the public interest to examine the scientific basis for approval of the specific food additives propionic acid and its salts (280-283) and flavour enhancer ribonucleotides (627, 631, 635).

In the papers which you have provided, CODEX STAN 192-1995 Rev3-2001 reports in Annex C List B page 45ff that 280-283 propionates were last reviewed in 1973 at JECFA Meeting 17, while page 43 reports that 635 ribonucleotides was last reviewed in 1974 (JECFA 18) and 627 and 631 in 1993 (JECFA 41).

It is hard to believe that science has not advanced in the 10-30 years since these various reviews were done, particularly as we are aware of dozens of papers, for instance regarding propionic acidaemia, that need to be considered if this is to have any pretensions to a scientific process.

A second important issue is that we have been informed by the FOI Coordinator in the Department of Health and Aging that our FOI request has not been formally transferred to them and that they are under no obligation to process it. If the required information is not within FSANZ, then we request that you make a formal transfer of our FOI request or inform us if you do not so intend, so that we might continue the bureaucratic paper trail.

We continue to request the scientific evidence upon which the approval and use of these additives was agreed in the Review of the Food Standards Code and look forward to a speedy provision of information as requested.

Yours truly

Mrs Sue Dengate Dr Howard Dengate

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Mrs S Dengate and Dr H Dengate
Food Intolerance Network
PO Box 85
PARAP NT 0804

Dear Mrs Dengate and Dr Dengate

FREEDOM OF INFORMATION REQUEST

I refer to your request under the *Freedom of Information Act 1982* in which you sought access to a range of documents in relation to Food Standards Australia New Zealand (FSANZ) approval statement and information upon which the approval was based for the propionates (280-283) and ribonucleotides (627, 631, 635).

2. I also refer to your letter dated 18 November 2003 acknowledging receipt of the first batch of FOI information and stating that the specific information requested by you has not yet been provided. I note the specific information requested is the scientific evidence upon which the approval and use of the abovementioned additives was agreed in the review of the *Food Standards Code* (the Code).

Decision

3. I am, pursuant to arrangements authorised by the Chief Executive Officer of FSANZ under section 23 of the *Freedom of Information Act 1982* (the Act), authorised to make decisions in relation to this matter on behalf of this Agency.

4. Accordingly, I have decided under section 24A of the Act (copy enclosed), to refuse your request for a copy of the approval statement and scientific evidence upon which approval of the abovementioned additives was agreed in the review of the Code, on the ground that, all reasonable efforts having been taken to find documents containing this information, I am satisfied that these documents do not exist.

5. I set out below my findings on material questions of fact, material on which this finding is made, and reasons for my decision regarding your request.

Findings on Material Questions of Fact and Material on which those Findings are based

6. All reasonable steps have been taken to search FSANZ's records as comprehensively as possible. The steps which have been taken are:

- an electronic mail message was sent to the Program Manager of Product Standards which is the relevant area that deals with additives – senior staff members in the

Product Standards Program initially notified that permissions for the additives specified in the request preceded the existence of the Authority and that the primary decision maker was NHMRC.

- on this basis NHMRC were contacted and a partial transfer of your request was attempted by FSANZ. As you are aware from our letter to you dated 28 October 2003, NHMRC refused the partial transfer of the request and as a result, FSANZ suggested you contact the FOI Co-ordinator for NHMRC direct and provided contact details.
- a database search was performed of records management for any relevant file references – this is an electronic search conducted by reference to the additives relevant to the request – this search revealed that information relevant to the additives in your request was contained in Proposal P150, which dealt with the review of food additives in the Code.
- a check of the files (some of which were ordered from archives) relating to Proposal P150 disclosed general information regarding the approval of food additives during the review of the Code. I note that this information was provided to you on 28 October 2003.
- current staff members who then worked on the review of the Code and specifically, food additives were asked as to whether any such document/s exists – these inquiries revealed that no such document/s existed. However, in the absence of documents relevant to your specific request the following information was provided;

The toxicological studies upon which FSANZ bases its risk assessments for food additives are similar to those used by other countries worldwide and are consistent with the toxicological guidelines and procedures recommended by the World Health Organisation. It is FSANZ's view that the currently available toxicological data supports the safe use of propionic acid and its salts as food additives and the safe use of ribonucleotides as flavour enhancers for the vast majority of the population. !

Human studies that examine behavioural effects such as delayed learning ability are not normally conducted in the assessment of food additives. FSANZ is not aware of any scientifically credible data that supports a link between exposure to these food additives and behavioural effects in children. FSANZ is also not aware that the safety of propionic acid or ribonucleotides in food has been raised as an issue in any other country. However, FSANZ will continue to examine any new data relevant to the safety of currently approved food additives.

Reasons for the Decision

6. In light of the above, comprehensive searches have been undertaken in relation to the location and identification of information regarding the scientific evidence upon which the approval and use of the abovementioned additives is made.

7. The searches have been performed with an awareness of looking for any, and all forms of recorded information relevant to your request, including consideration as to whether the information might be held in hard copy or electronic form.

8. In my view, there are no other such steps which could reasonably be taken, and which would have any likelihood of the discovery of any relevant documents.

9. On the basis of the above searches which have been undertaken, I am satisfied that all relevant documents have been found. The relevant staff have no knowledge of any relevant documents and are not aware of any other practicable means of finding such documents. Therefore, in my view I find that no relevant documents exist in this matter and therefore I must refuse your request for access to such documents under section 24A.

Rights of Review

10. Should you so desire, you may seek an internal review of any aspect of my decisions in this matter. Another senior officer of FSANZ would independently carry out such a review. If you wish to seek such a review you should forward an application to me within 30 days of the date of this letter. You should also enclose in that letter the required $40 application fee – or a request for the fee to be waived. FSANZ has the power under the Act to waive this fee for any reason including the following – that payment of the fee would cause financial hardship to the applicant, and that release of the contested information is in the general public interest or in the interest of a substantial section of the public. Should you decide to seek internal review of my decision and seek a waiver of the above fee, you should state clearly in your letter the reasons for seeking such a waiver and attach any documentary evidence you may have supporting your case.

11. If you are unhappy with any aspect of the way in which your request has been handled you are also entitled to complain to the Commonwealth Ombudsman. His address is:

GPO Box 442
CANBERRA ACT 2601.

If you wish to discuss the matter further, please do not hesitate to contact me on (02) 6271 2285.

Yours sincerely

Greg Roche
General Manager
Food Safety, Legal and Evaluation

27 November 2003

SECTION 24A OF THE *FREEDOM OF INFORMATION ACT 1982*

24A Requests may be refused if documents cannot be found or do not exist

An agency or Minister may refuse a request for access to a document if:

(a) all reasonable steps have been taken to find the document; and

(b) the agency or Minister is satisfied that the document:

(i) is in the agency's or Minister's possession but cannot be found; or

(ii) does not exist.

Food Intolerance Network

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11 December 2003

Mr Greg Roche
General Manager
Food Safety, Legal and Evaluation
Food Standards Australia New Zealand
PO Box 7186
CANBERRA ACT 2610

Dear Mr Roche

FREEDOM OF INFORMATION REQUEST - ADDITIVES

We refer to your response of 27 November 2003, in which you refuse our request for the approval statement and scientific evidence upon which approval was based for propionates (280-283) and ribonucleotides (627, 631, 635) **on the grounds that such documents do not exist**.

Do you not find it extraordinary that FSANZ, which is created by the *Food Standards Australia New Zealand Act 1991,* **has reviewed these additives and extended their use without any available evidence, scientific or otherwise?**

- Your Act says, *inter alia*, that FSANZ in "developing or reviewing food regulatory measures and variations of food regulatory measures"…must have regard to…"the need for standards to be based on risk analysis using the best available scientific evidence" yet FSANZ can provide no such evidence after a major years-long review.

- Proposal P150 (March 1997) (pages1,8), and your various Ministers at various times, have promised that "At full assessment, ANZFA will review the existing toxicological evaluations of the additives in the draft proposed standard …to ensure that the public safety has been maintained." yet you have not done this and can provide no evidence upon which approvals were made.

You then proceed, in the absence of any documents, to offer *gratis:*

- "currently available toxicological data supports the safe use of propionic acid and its salts as food additives and the safe use of ribonucleotides as flavour enhancers for the vast majority of the population"

What we have been asking for some years, and in this very FOI request, is to see the "currently available toxicological data" which you claim to have used in arriving at the final approvals. This is the very evidence that you have just informed us does not exist! Kafka come home.

- "FSANZ is not aware that any scientifically credible data that supports a link between exposure to these food additives and behavioural effects in children."

In making our FOI request, we have not sought to make the link that you ascribe to us: all that we have sought is the evidence that you used in deciding to extend the use of these additives. However, we attach the only public scientific paper concerning propionates that does make that link. For ribonucleotides, the effects are primarily itchy skin rashes, not behaviour, as may be seen in detail on our website.

- "FSANZ is also not aware that the safety of propionic acid or ribonucleotides has been raised as an issue in any other country."

How could FSANZ or any other food regulatory agency be aware of effects from these food additives if there is no system in place to record such occurrences? For instance, over more than five years we have provided FSANZ and its predecessor with hundreds of case studies of the effects of these additives, yet we are certain that you would report in international circles that these additives are not an issue. Further, Australia has the highest and widest levels of use of propionates, so any effects might be expected to first become evident here, yet FSANZ has no system to record such effects.

The conclusions we must draw from this FOI request are that

- FSANZ has reviewed the Food Standards Code for propionates and ribonucleotides without considering any scientific evidence, in breach of the FSANZ Act, and

- FSANZ continue to believe that the absence of evidence is evidence of absence of effects from these additives, in the face of numerous consumer reports of such effects.

We shall now make a formal FOI request to NHMRC for the evidence provided for 280-283 propionates at JECFA Meeting 17 in 1973, and for 635 ribonucleotides at JECFA 18 in 1974 and for 627 and 631 at JECFA 41 in 1993 and seek subsequent scientific evidence from them.

Yours truly

Mrs Sue Dengate Dr Howard Dengate

cc Mr Graham Peachey, CEO FSANZ.

Food Intolerance Network

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11 December 2003

Ms Christine Coogan

FOI Coordinator

Department of Health and Ageing

PO Box 9848

CANBERRA ACT 2601

Dear Ms Coogan

ACCESS TO INFORMATION UNDER THE FREEDOM OF INFORMATION ACT

We wish to make formal application under the Commonwealth *Freedom of Information Act 1982* for the approval statement and scientific information upon which the approval was based for the following food additives: propionic acid and its salts (280-283) and ribonucleotides (627, 631, 635). This information has been sought unsuccessfully from FSANZ, as shown in the attached letter. The entire correspondence is on the above website under Features.

In the papers which FSANZ provided, CODEX STAN 192-1995 Rev3-2001 reports in Annex C List B page 45ff that 280-283 propionates were last reviewed in 1973 at JECFA Meeting 17, while page 43 reports that 635 ribonucleotides was last reviewed in 1974 (JECFA 18) and 627 and 631 in 1993 (JECFA 41). NHMRC was the responsible agency at this time.

It is hard to believe that science has not advanced in the 10-30 years since these various reviews were done, particularly as we are aware of dozens of papers, for instance regarding propionic acidaemia, that need to be considered if this is to have any pretensions to a scientific process. Therefore we also seek any later papers.

For propionic acid and its salts (280-283), for instance, the only public evidence to date is a World Health Organisation report which tested the additives internally on cats, dogs, rats, rabbits and one man, and concluded they were safe at all levels. There were *no* tests on children or for behavioural and learning toxicity. For 282 in particular, the only public scientific evidence with children is of harm (see attached paper).

With flavour enhancer ribonucleotides (627, 631, 635) we can find no public scientific evidence of a safety assessment, while we receive continuing reports of serious public harm, detailed on www.fedupwithfoodadditives.info and provided to FSANZ several times without effect.

We seek remission of the FOI application fee on the basis of public interest, since we represent a large non-funded group working entirely in the public interest.

Yours truly

Mrs Sue Dengate Dr Howard Dengate

Food Intolerance Network

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2 July 2004

TO ALL <Australian and New Zealand Health Ministers> both State and Commonwealth

Dear Minister

LACK OF SCIENTIFIC EVIDENCE FOR CERTAIN FOOD ADDITIVES

Over the past several years we have written to you and your predecessors regarding the effects of certain food additives on the health, behaviour and learning of a growing proportion of the Australian and New Zealand population. In these letters we have requested your assistance to see the scientific evidence upon which the approval of certain food additives is based, since such evidence is a requirement under the *Food Standards Australia New Zealand Act 1991* yet the evidence was neither in the scientific literature nor being made available by FSANZ. As we are sure you are aware, the Act says that FSANZ, in "developing or reviewing food regulatory measures and variations of food regulatory measures",…must have regard to…"the need for standards to be based on risk analysis using the best available scientific evidence".

In addition we were promised, in responses to our letters during the review of the Food Standards Code, that "at full assessment, ANZFA will review the existing toxicological evaluations of the additives in the draft proposed standard …to ensure that the public safety has been maintained."

Since no scientific evidence has ever been forthcoming from these requests, we commenced a Freedom of Information (FOI) process on 1 August 2003 to seek just this information for two key additives that have become ubiquitous in our diets:

* **propionates (280-283),** the common bread preservative recently extended to several other food classes, which has been proven to cause learning and behaviour problems in children; and

* **ribonucleotides (627, 631, 635),** a new flavour enhancer in many savoury products and even butter, which has been reported to cause severe itchy skin rashes in many people. This is emerging as a particular issue for old people who are tormented by rashes caused by ribonucleotides in the cheap food provided in nursing homes, to the extent that people are starting to call it Meals-on-wheels disease.

The results of this FOI process are publicly available on our website.

We are now writing to warn you that there is no scientific evidence, either in the scientific literature or in the information provided through the FOI process, to justify the use and extension of use of these additives.

While this disturbing lack of evidence has been confirmed for these two problem additives, we are certain that the FOI process would reveal the same lack of evidence for many other additives. This is a serious issue that leaves you exposed to public attack on a failure of the food regulatory regime and in breach of the *Food Standards Australia New Zealand Act 1991*Act for which you are responsible.

In response, your bureaucrats may blandly inform you that "currently available toxicological data supports the safe use

of propionic acid and its salts as food additives and the safe use of ribonucleotides as flavour enhancers for the vast majority of the population", as they have on past occasions. If they do, please ask to see the "currently available toxicological data", since even the FOI process hasn't found one shred of it.

Your bureaucrats may also reassure you that they are "not aware that the safety of propionic acid or ribonucleotides has been raised as an issue in any other country." You might ask them how could FSANZ or any other food regulatory agency be aware of effects from these food additives if there is no system in place to record such occurrences? For instance, over more than five years we have provided FSANZ and its predecessor with hundreds of case studies of the effects of these additives, yet we are certain that FSANZ would report in international circles that these additives are not an issue. Further, Australia has the highest and widest levels of use of propionates, so any effects might be expected to first become evident here, yet FSANZ has no system to record such effects.

We believe that this issue should be discussed by Ministers together and seek your support for an improved and rigorous scientific assessment of all food additives before people are exposed to them.

Yours truly

Dr Howard Dengate FAICD

Bill Wood MLA

MINISTER FOR URBAN SERVICES MINISTER FOR ARTS AND HERITAGE
MINISTER FOR DISABILITY, HOUSING AND COMMUNITY SERVICES
MINISTER FOR POLICE AND EMERGENCY SERVICES

MEMBER FOR BRINDABELLA

Dr Howard Dengate FAICD
Food Intolerance Network
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter of 2 July 2004 to Minister Simon Corbell MLA, on your topic concerning lack of scientific evidence for certain food additives. I am responding as the Acting Minister for Health.

The development of policy in relation to food standards is the responsibility of the Australia and New Zealand Food Regulation Ministerial Council (ANZFRMC). This is done on advice from the Food Regulation Standing Committee and other committees established to assist in the Council's tasks.

I am advised that ACT Health comments on the development and review of all food standards. This Department will continue to undertake this role into the future.

Thank you again for bringing your concerns to my attention and for your interest in public health matters.

Yours sincerely

BWood

Bill Wood MLA
Acting Minister for Health
26.7.04

ACT LEGISLATIVE ASSEMBLY

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Phone (02) 6205 0005 Fax (02) 6205 0294

Australian Government

Department of Health and Ageing

Dr Howard Dengate FAICD
Food Intolerance Network
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letters of 2 July 2004 to the Minister for Health and Ageing, the Hon Tony Abbott, and the Parliamentary Secretary to the Minister for Health and Ageing, the Hon Trish Worth MP, concerning lack of scientific evidence for certain food additives. Ms Worth has portfolio responsibility for food policy issues and has asked me to reply on behalf of the Australian Government.

Safety assessment of foods and food additives

Food sold in Australia must comply with the food standards that are contained in the *Australian New Zealand Food Standards Code*. Food Standards Australia New Zealand (FSANZ) develops and maintains these standards, which are enforced by the State/Territory and New Zealand Health Authorities. Imported food must also comply with these food standards.

All new food additives undergo a rigorous safety assessment by FSANZ and an assessment of whether the food additive is actually needed in the production of food. Provided that the FSANZ Board agrees that the food additive is safe and technologically justified, a notification is made to the Australia New Zealand Food Regulation Ministerial Council (consisting of Health Ministers from the State /Territory, Australian and New Zealand Governments) informing them of the FSANZ Board's decision on that particular food additive. If the Ministers accept the notification, it is only then that it is legal to use that particular food additive in Australia and New Zealand.

The most important objective in establishing food standards is maintaining public health and safety in order that consumers can have confidence that the food they eat is safe.

For a food additive to be approved for use in Australia and New Zealand it must be established that:

(1) it will not pose an unacceptable risk to health when used in amounts up to the approved limits even after a lifetime of consumption;

(2) it will provide a benefit to consumers; and

(3) it will only be used up to a level commensurate with the function that the additive performs in food.

The safety of food additives is constantly under review by such bodies as the Joint FAO/WHO Expert Committee on Food Additives (JECFA), the United States Food and Drug Administration and here in Australia by FSANZ. During these reviews, consideration is given to all available data relevant to the safety of the particular food additive, including metabolic data, toxicological data from animal studies, and any data from human studies.

For most additives, an acceptable daily intake (ADI) is established based on the evaluation of these data. The ADI is the amount of a substance (eg a food additive) that can be ingested daily, by humans, for an entire lifetime without appreciable health risk. For some food additives, their use is restricted in order to ensure that the dietary intake is below the ADI. Food additives evaluated in this way have historically been shown to be safe for the vast majority of the population.

Safety assessment of propionates and ribonucleotides

In regard to propionates (280-283) and ribonucleotides (627, 631 and 635) which are both naturally occurring metabolites, these food additives have been evaluated by JECFA on several occasions and have been used safely in food products in Australia and a number of other countries for many years.

These two groups of additives, when evaluated by JECFA, were given an ADI of "not limited" – this non-numerical ADI is given to a substance of very low toxicity which would not be expected to lead to any adverse health effects from its use at the levels necessary to achieve its technological function. A comprehensive list of approved food additives are available on the JECFA website (http://apps3.fao.org/jecfa).

It is recognised, however, that there may be a small number of individuals who are particularly sensitive to certain chemicals, including some food additives, leading to adverse health outcome and, in some cases, behavioural changes. Identifying these individuals and then characterising and quantifying their response to food additives is extremely difficult. In general, reporting of sensitivity to food additives is anecdotal. While chemical sensitivity is claimed by some to be widespread, there is little evidence from medical establishments such as allergy clinics that this is the case.

Food standards are one tool to manage public health issues in relation to food but on their own cannot guarantee a risk-free food supply for all members of the population. Many other factors can influence public health outcomes, such as ongoing education of consumers in relation to nutrition, and providing adequate information to allow consumers to make healthy food choices. Individuals who have food intolerances should be properly diagnosed by a health professional and advised by experts in the field of food allergy and food intolerance as to the types of foods they should include in their diet.

In order to enable consumers to make informed choices in relation to food, food additives and ingredients are required to be identified on the food label. This enables consumers to avoid

particular food additives, if necessary. Organisations such as the Food Intolerance Network can play a leading role in helping people with food intolerance by showing them how to use food labels effectively.

FSANZ continues to monitor developments in relation to potential adverse effects associated with food additives and is always happy to work with individuals and groups, where appropriate, to improve public health outcomes.

Thank you for your interest in this matter.

Yours sincerely,

Sarah Major
Assistant Secretary
Food and Health Living Branch
16 August 2004

Tasmania

MINISTER *for*
HEALTH *and* HUMAN SERVICES

10 AUG 2004

Dr Howard Dengate
Food Intolerance Network
PO Box 718
WOOLGOOLA NSW 2456

Dear Dr Dengate

Thank you for your letter of 2 July 2004 alleging a lack of scientific evidence about the safety of certain food additives such as calcium propionate and more recently, ribonucleotides.

Naturally I am concerned about any link between food additives and adverse reactions such as those you have cited in relation to propionates and ribonucleotides. However, because behavioural change is difficult to measure, I remain of the view that further research is needed to prove or disprove adverse serious reactions prior to any additional regulatory measures being taken.

On the matter of food safety, I am advised that in undertaking toxicological assessments Food Standards Australia New Zealand (FSANZ) utilise a number of sources of evidence, including overseas studies. For example, the World Health Organization and the Food and Agriculture Organisation Expert Committee on food additive safety have jointly assessed propionates as safe. This additive is also considered as Generally Recognised as Safe in the USA.

Importantly, despite good toxicological evidence, it is virtually impossible to guarantee absolute food safety and in this regard it must be acknowledged that some people in our communities will remain sensitive to particular foods, food components or additives. Indeed, sensitivities to common foods such as milk, eggs and peanuts and natural components of foods such as gluten are more common than sensitivities to food additives. Clearly there would be severe adverse nutritional consequences to the broader population from banning all foods and ingredients that are associated with causing sensitivity.

Under these circumstances, I remain of the view that people who suspect that they or their children are sensitive to food or food additives should seek medical advice and appropriate treatment. Fortunately, good advice is already available through bodies such as Royal College of General Practitioners and the Dietitians Association of Australia. Consumers can then use current labelling information on packaged foods to avoid ingredients of concern.

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Overall, despite recent concerns about certain food additives, I believe there are sufficient safeguards in the Australian food standard setting system to ensure the safe consumption of foods and additives as part of a well balanced diet.

Thank you for informing me about your concerns.

Yours sincerely,

David Llewellyn, MHA
DEPUTY PREMIER

Our Ref: 4-28559

MINISTER FOR HEALTH

ATTORNEY GENERAL ELECTORAL AFFAIRS

FOR WESTERN AUSTRALIA

Dr Howard Dengate
Food Intolerance Network
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter dated 2 July 2004 concerning the use and safety of certain food additives.

Food sold in Australia must comply with the food standards that are contained in the *Australian New Zealand Food Standards Code*. Food Standards Australia New Zealand (FSANZ) develops and maintains these standards, which are enforced by the State/Territory and New Zealand Health Authorities. Imported food must also comply with these food standards and imported foods are assessed for compliance at the border by the Australian Quarantine Inspection Service.

The most important objective in establishing food standards is maintaining public health and safety in order that consumers can have confidence that the food they eat is safe. A further objective of the FSANZ Act is to enable consumers to make an "informed choice", and to this end it is a requirement that packaged food contain ingredient labelling which identifies the food additives present.

For a food additive to be approved for use in Australia and New Zealand it must be established that:

(1) it will not pose an unacceptable risk to health when used in amounts up to the approved limits even after a lifetime of consumption;
(2) it will provide a benefit to consumers; and
(3) it will only be used up to a level commensurate with the function that the additive performs in food.

International Food Standards agencies, such as the Food Agricultural Organisation and World Health Organisation Joint Expert Committee on Food Additives (JECFA), the United States Food and Drug Administration or the European Union Food Safety Authority regularly review the safety of food ingredients, including additives.

During these reviews, consideration is given to all available data relevant to the safety of the particular food additive, including metabolic data, toxicological data from animal studies, and any data from human studies. FSANZ is an active partner in this process of international food safety assessment and is kept well informed of any new developments in this field.

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For most additives, an acceptable daily intake (ADI) is established based on the evaluation of these data. The ADI is the amount of a substance (eg a food additive) that can safely be ingested daily, by humans, for an entire lifetime. Food additives evaluated in this way have historically been shown to be safe for the vast majority of the population. However, it is recognised that a small proportion of consumers may have an adverse reaction to certain additives and need to avoid eating foods with these additives. For example, some asthmatics may be highly sensitive to the presence of sulphur dioxide (220). In general, reporting of sensitivity to food additives is anecdotal, and very difficult to substantiate in double-blind controlled studies, even when using individuals who claim to have chemical sensitivity.

In regard to propionates (280-283) and ribonucleotides (627, 631 and 635) which are both naturally occurring metabolites, these food additives have been evaluated by JECFA on several occasions and have been used safely in food products in Australia and a number of other countries for many years. Propionates are well recognised in scientific literature to have functions as mould inhibitors and prevent "rope" formation in bread, while ribonucleotides have demonstrated flavour enhancing qualities.

These two groups of additives, when evaluated by JECFA, were given an ADI of "not limited" – this non-numerical ADI is given to a substance of very low toxicity which would not be expected to lead to any adverse health effects from its use at the levels necessary to achieve its technological function. A comprehensive list of approved food additives are available on the JECFA website (http://apps3.fao.org/jecfa/).

Food standards are one tool to manage public health issues in relation to food but on their own cannot guarantee a risk-free food supply for all members of the population. Many other factors can influence public health outcomes, such as ongoing education of consumers in relation to nutrition, and providing adequate information to allow consumers to make healthy food choices. Individuals who have food intolerances should be properly diagnosed by a health professional and advised by experts in the field of food allergy and food intolerance as to the types of foods they should include in their diet. Organisations such as the Food Intolerance Network can play a leading role in helping people with food intolerance by showing them how to use food labels effectively.

Thank you for your interest in this matter.

Yours sincerely

SUE ELLERY MLC
PARLIAMENTARY SECRETARY
TO MINISTER FOR HEALTH

13 AUG 2004

Minister of Health
Minister for Food Safety
MP for Rongotai (incl Chatham Islands)

26 AUG 2004

Dr Howard Dengate
Food Intolerance Network
PO Box 718
Woolgoolga NSW 2456
AUSTRALIA

Dear Dr Howard Dengate

Thank you for your letter dated 2 July 2004 concerning the scientific evidence to support permissions to use priopionates and ribonucleotides in food under the Food Standards Code.

I am advised that propionates and ribonucleotides are both naturally occurring metabolites. They are not widely used in New Zealand but have been used safely in food products in Australia and internationally.

As you are aware, food sold in New Zealand and Australia must comply with the *Food Standards Code*. Before any food additive is permitted to be used, Ministers need to be satisfied that the additive is needed and that it is safe. All new food additives undergo a rigorous safety assessment by Food Standards Australia New Zealand (FSANZ) and an assessment of whether there is a technological need for its use. The main objective is to ensure public health and safety.

Propionates and ribonucleotides have been evaluated by the Joint World Health Organization and Food and Agriculture Organizations' Expert Committee on Food Additives (JECFA). JECFA has specified a non-numerical acceptable daily intake (ADI) for these additives. This type of ADI is given to additives of very low toxicity which are not expected to result in any significant health affects over a lifetime of use in foods subject to good manufacturing practice.

However, I recognise that there are people who are particularly sensitive to certain foods and substances, including some food additives, and that food labelling is designed to inform consumers about their food. The major food allergens are required to be labelled when added to food. Food ingredients, including additives such as propionates and ribonucleotides, are required to be listed on food labels so that people may choose to avoid ingredients to

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which they may be particularly sensitive. People may also request information about the food in restaurants and catered food, or from manufacturers if more detailed information is required.

While nothing can be deemed totally safe for all consumers, health agencies around the world, including those in New Zealand and Australia, will review the use of a substance in food if substantive scientific evidence is presented. If there is convincing evidence of harm to consumers then the permissions would be need to reconsidered.

I trust this information addresses your concerns.

Yours sincerely

Annette King

Hon Annette King
MINISTER FOR FOOD SAFETY

Hon Lea Stevens MP

Minister for Health
Minister Assisting the
Premier in Social Inclusion

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04MHE/2272

7 September 2004

Dr Howard Dengate
Food Intolerance Network
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter of 2 July 2004 concerning the safety of food additives.

With regard to assessments of food additives undertaken by the Commonwealth, I understand that Food Standards Australia New Zealand (FSANZ) assesses all additives proposed for use. This can include the use of scientific assessments undertaken by other bodies that review the safety of food additives. A key body in this regard is the *Joint FAO/WHO Expert Committee on Food Additives* (JECFA).

You have specifically mentioned the food additives *propionates* and *ribonucleotides*. The Department of Health has advised that these additives have a history of safe use and occur naturally in foods. Ribonucleotides are a constituent of all animal and plant tissues and natural consumption would far exceed the amount consumed as a flavour enhancer. Propionates can be found naturally in cheese at higher levels than are added to foods for a preserving effect. FSANZ has advised that both additives have been assessed as safe by JECFA, with an Acceptable Daily Intake of "not limited" established. The JECFA assessments can be found on the website: http://www.inchem.org.

Although I appreciate that you have strong views on this subject, the Department of Health is satisfied with the national advice, supplied by the Commonwealth, that controls on the safety of food additives are effective and that the two additives you mentioned are safe on the basis of current evidence.

Yours sincerely

HON LEA STEVENS MP
Minister for Health
Minister Assisting the Premier in Social Inclusion

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Minister for Health

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E139128

13 SEP 04

Dr Howard Dengate
Food Intolerance Network
PO Box 718
WOOLOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter of 2 July 2004 concerning the lack of scientific evidence for certain food additives.

I understand you have written with the same concerns to the Commonwealth Minister for Health and Aging, the Commonwealth Parliamentary Secretary to the Minister for Health and Aging and every State and Territory Health Minister. I endorse the response provided to you by the Commonwealth Department of Health and Aging.

In order for food additives to be approved for inclusion in the Food Standards Code it is necessary for the risk assessment to find that the approval will not result in an unacceptable risk to health. One of the purposes of the requirement for all packaged food to be labelled with all ingredients is to inform consumers who may be intolerant or allergic to a particular ingredient of the presence of that ingredient in order that they may avoid inadvertent consumption. On this basis the process undertaken by FSANZ to assess risk is considered adequate.

If you have any further queries on this matter please contact Mr Victor Di Paola on 9637 4893.

Yours sincerely

Hon Bronwyn Pike MP
Minister for Health

Victoria
The Place To Be

NEW SOUTH WALES

MINISTER FOR PRIMARY INDUSTRIES

MPI04/3552
MA04/588

Dr Howard Dengate FAICD
Food Intolerance Network
PO Box 718
WOOLGOOLA NSW 2456

16 SEP 2004

Dear Dr Dengate

I refer to your letter of 2 July 2004 to the Hon Morris Iemma, MP, Minister for Health, regarding the lack of scientific evidence for certain food additives. Your letter has been referred to me as the issues raised fall within my area of responsibility.

The NSW Food Authority advised that you have written in identical terms to the relevant Commonwealth Ministers, and I have had the benefit of viewing the reply prepared by the Department of Health and Ageing. I do not propose to reiterate the advice that has already been supplied to you by the Department.

New South Wales, in common with other States and Territories, is a signatory to the Food Regulation Agreement 2002. The agreement facilitates the development and adoption of the Food Standards Code which in NSW is administered and enforced under the *Food Act 2003* by the NSW Food Authority. I have complete confidence in this process, including the evaluation of food additives for their safety in use.

In addition I am aware that the safety of both food and food additives is a matter where vigilance is required, and I am confident that Food Standards Australia New Zealand keeps such matters under continual review. I am also aware that there is a wide range of food, food components and food additives to which certain individuals can demonstrate sensitivity when exposed to them. I accept that adequate and truthful labelling is the appropriate way of alerting such individuals, and believe the Food Standards Code substantially addresses this issue. However, if you consider that there is scope for improving the quality of information made available to the public, I would be pleased to hear any constructive suggestions.

Yours sincerely

IAN MACDONALD MLC
NSW MINISTER FOR PRIMARY INDUSTRIES

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Gordon Nuttall MP
Member for Sandgate

Queensland Government

Minister for Health

22 SEP 2004
MI122374

Dr H Dengate
Food Intolerance Network
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter dated 2 July 2004, regarding scientific evidence for certain food additives currently approved for use in the *Australian New Zealand Food Standards Code*.

Safety assessment of foods and food additives

Food sold in Australia must comply with the food standards that are contained in the *Australian New Zealand Food Standards Code*. Food Standards Australia New Zealand (FSANZ) is an independent food standard setting body whose role is to develop and maintain these standards, which are enforced by Queensland the other State/Territory and New Zealand food authorities. Imported food must also comply with these food standards.

All new food additives undergo a rigorous safety assessment by FSANZ and an assessment of whether the food additive is actually needed in the production of food. Provided that the FSANZ Board agrees that the food additive is safe and technologically justified, a notification is made to the Australia New Zealand Food Regulation Ministerial Council (consisting of Health Ministers from the State /Territory, Australian and New Zealand Governments) informing them of the FSANZ Board's decision on that particular food additive. If the Ministers accept the notification, an amendment to the Code is gazetted and it is only then that it is legal to use that particular food additive in Australia and New Zealand.

The most important objective in establishing food standards is maintaining public health and safety in order that consumers can have confidence that the food they eat is safe. For a food additive to be approved for use in Australia and New Zealand it must be established that:

(1) it will not pose an unacceptable risk to health when used in amounts up to the approved limits even after a lifetime of consumption;
(2) it will provide a benefit to consumers; and
(3) it will only be used up to a level commensurate with the function that the additive performs in the food.

The safety of food additives is constantly under review by such bodies as the Joint FAO/WHO Expert Committee on Food Additives (JECFA), the United States Food and Drug Administration and here in Australia by FSANZ. During these reviews, consideration is given to all available data relevant to the safety of the particular food additive, including metabolic data, toxicological data from animal studies, and any data from human studies.

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For most additives, an acceptable daily intake (ADI) is established based on the evaluation of these data. The ADI is the amount of a substance (eg a food additive) that can be ingested daily, by humans, for an entire lifetime without appreciable health risk. For some food additives, their use is restricted in order to ensure that the dietary intake is below the ADI. Food additives evaluated in this way have historically been shown to be safe for the vast majority of the population.

Safety assessment of propionates and ribonucleotides

In regard to your specific concerns about the approvals for propionates (280-283) and ribonucleotides (627, 631 and 635) which are both naturally occurring metabolites, these food additives have been evaluated by JECFA on several occasions and have been used safely in food products in Australia and a number of other countries for many years.

These two groups of additives, when evaluated by JECFA, were given an ADI of "not limited" – this non-numerical ADI is given to a substance of very low toxicity which would not be expected to lead to any adverse health effects from its use at the levels necessary to achieve its technological function. A comprehensive list of approved food additives are available on the JECFA website (http://apps3.fao.org/jecfa).

However, it is recognised that there may be a small number of individuals who are particularly sensitive to certain chemicals, including some food additives, leading to adverse health outcomes and, in some cases, behavioural changes. Identifying these individuals and then characterising and quantifying their response to food additives is extremely difficult. In general, reporting of sensitivity to food additives is anecdotal. While chemical sensitivity is claimed by some to be widespread, there is little evidence from medical establishments such as allergy clinics that this is the case.

Food standards are one tool to manage public health issues in relation to food but on their own cannot guarantee a risk-free food supply for all members of the population. Many other factors can influence public health outcomes, such as ongoing education of consumers in relation to nutrition, and providing adequate information to allow consumers to make healthy food choices. Individuals who have food intolerances should be properly diagnosed by a health professional and advised by experts in the field of food allergy and food intolerance as to the types of foods they should include in their diet.

In order to enable consumers to make informed choices in relation to food, food additives and ingredients are required to be identified on the food label. This enables consumers to avoid particular food additives, if necessary. Organisations such as the Food Intolerance Network can play a leading role in helping people with food intolerance by showing them how to use food labels effectively.

I am advised that FSANZ continues to monitor developments in relation to potential adverse effects associated with food additives and is happy to work with individuals and groups, to improve public health outcomes.

Thank you for bringing this matter to my attention and I trust this information is of assistance.

Yours sincerely

GORDON NUTTALL MP
Minister for Health
Member for Sandgate

MINISTER FOR HEALTH

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Dr Howard Dengate
PO Box 718
WOOLGOOLGA NSW 2456

Dear Dr Dengate

Thank you for your letter of 2 July 2004 informing me of your concerns regarding the evidence held by Food Standards Australia New Zealand (FSANZ) on two groups of food additives: propionates and ribonucleotides.

As you are aware, FSANZ must follow a statutory process in determining whether or not an amendment or addition should be made to the Food Standards Code. This process is rigorous and transparent in that two rounds of public consultation are undertaken before a recommendation is made to the FSANZ Board, which in turn, informs the Australian Food Regulation Ministerial Council of its decision. If Ministers do have a concern with a standard, a review can be requested.

I have requested officers of the Department of Health and Community Services to discuss this matter thoroughly with their interstate counterparts through both the Food Regulation Standing Committee and the Implementation Sub-Committee.

Thank you for bringing this matter to my attention and I congratulate both yourself and Mrs Dengate for the level of commitment that you have both shown in leading the Food Intolerance Network.

Yours sincerely

Peter Toyne

PETER TOYNE
07 OCT 2004