

31 August 2018

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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: Application A1158 Rosemary Extract as a Food Additive.***

Yours sincerely

Katherine Rich
Chief Executive



***Call for submissions – Application A1158
Rosemary Extract as a Food Additive***

**Submission by the New Zealand Food & Grocery
Council**

31 August 2018

NEW ZEALAND FOOD & GROCERY COUNCIL

1. The New Zealand Food & Grocery Council (“NZFGC”) welcomes the opportunity to comment on the ***Call for submissions – Application A1158 Rosemary Extract as a Food Additive.***
2. 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 \$31 billion in export revenue from exports to 195 countries – some 72% of total merchandise exports. Food and beverage manufacturing is the largest manufacturing sector in New Zealand, representing 44% of total manufacturing income. Our members directly or indirectly employ more than 400,000 people – one in five of the workforce.

The Application

3. Kalsec® Inc (US, UK and Asia) has applied to have the Australia New Zealand Food Standards Code (the Food Standards Code) amended to add rosemary extract as a food additive in the group of anti-oxidants.
4. Kalsec® US has been specialising in the cultivation, harvest, dehydration and extraction of paprika, rosemary and carrot, as well as specialty herbs and spices for over thirty years. Kalsec® Europe (KEU) has been providing local support to the European market for more than 20 years, with sales, sampling, applications and warehousing capabilities. Located in the UK, KEU was established to meet the needs of the European market. In 2008, Kalsec® Malaysia was established, followed by Kalsec® (Shanghai) Trading Co. Ltd, in 2009 and Kalsec® Asia Pacific (Singapore) in 2014, to serve the Asian market.

COMMENTS

5. Overall, NZFGC supports this application and, in part, the proposed amendments to Schedules 8 and 15 of the Food Standards Code. NZFGC considers that setting lower levels for a narrower range of food categories to be unnecessarily conservative and potentially wasteful of future application and assessment resources.
6. Where there is logic in extending the food groups that the product might apply to, then we would be strongly supportive of FSANZ extending the permission rather than waiting for further applications in order to facilitate broader use. This would save resources otherwise expended on future applications and assessments. If this not possible within the current regulatory framework, then this facility should form an additional feature of any amendments to the FSANZ Act in the future.
7. Anti-oxidants are an increasingly important group of substances especially for ensuring shelf stable products in global trade (to and from New Zealand for example).

Background

8. Anti-oxidants prevent the oxidation of food substances such as fats and oils and thereby helping to stabilise foods and extend shelf life. Two main anti-oxidants are found in rosemary leaves (carnosic acid and carnosol). Rosemary leaves have a long history of safe use from at least 500 BC when they were used as a culinary and medicinal herb by the ancient Greeks and Romans.

Context

9. Importing oils and products using oils to New Zealand and exporting products containing oils to overseas markets is greatly enhanced by the addition of anti-oxidants. New Zealand

relies on food and beverage products to generate over half our export revenue. In such a situation, adding anti-oxidants not yet approved to the Food Standards Code is vital to maintain strong growth and competitiveness.

10. Providing approved alternatives is, in this case, considered an important industry, trade and consumer choice function of the food regulatory system.

Current Application

11. FSANZ has assessed rosemary extract for its proposed use as an anti-oxidant and has concluded that there are no public health and safety issues associated with this proposed use. This is based on:

- metabolism through common pathways and bioavailability of $\geq 65\%$
- non-genotoxicity
- low acute toxicity and no carcinogenicity or genotoxicity
- no adverse clinical or reproductive effects in available research
- history of safe use in several countries/regions including US, EU, Japan, China and Singapore and
- recent evaluation by JECFA (the FAO/WHO Joint Expert Committee on Food Additives) and establishment of a temporary ADI (Acceptable Daily Intake (2016)).

12. NZFGC agrees with the use of the JECFA temporary ADI and the subsequent amendments to the Food Standards Code. However we are concerned that the levels of use are lower than in major trading markets and consider the level of conservatism applied to New Zealand Australia may present as a barrier to trade.

Conclusion

13. In conclusion, NZFGC supports this application but considers that setting lower levels for a narrower range of food categories to be unnecessarily conservative and potentially wasteful of future application and assessment resources.