



Standards Management Officer  
Food Standards Australia New Zealand  
PO Box 7186  
CANBERRA BC ACT 2610

Dear Sir/Madam

### **Complementary Healthcare Council Submission (CHC) – FSANZ Work Plan**

Thank you for the opportunity for the complementary healthcare industry to provide comment on the FSANZ Food Standards Development Work Plan dated 4<sup>th</sup> June 2008.

The CHC notes proposal P236 - Review of Standard 2.9.4 Formulated Supplementary Sports Foods which was initially commenced in 2001. The CHC strongly supports the regulation of sport supplement products through the *Australia New Zealand Food Standards Code* (the Code) to ensure the health of consumers. However, the CHC Sports Supplement Industry Group (SSIG) considers the current standard to be restrictive and results in Australian and New Zealand manufacturers and marketers of such products, who comply with the Code, being non-competitive on the export market and at a disadvantage on the domestic market.

The CHC notes the expected timetable on the FSANZ Work Plan is currently on hold pending policy guidance from the Ministerial Council. The CHC considers the lack of progress in revising Standard 2.9.4 (the proposal has been on the FSANZ Work Plan for over 7 years) to be seriously affecting the sport supplement industry as companies complying with the Code are finding it increasingly difficult to compete with innovative products available from overseas.

In addition, supplements have been able to be imported from New Zealand (under their broader Dietary Supplements Regulations) via the Trans Tasman Mutual Recognition Arrangement (TTMRA). The Dietary Supplements Regulations are currently being amended for New Zealand and will come into effect this year; this will further restrict product range available in Australia as products currently considered to be 'foods' will be classed as 'therapeutic goods' and will therefore be exempt from the TTMRA scheme. This will result in a significant decrease of available sports supplement products that are currently permitted on the Australian market. The CHC advocates for an immediate amendment to the Code to accommodate and limit the number of products removed from our market.

Through previous correspondence, the CHC understands that the review was placed on hold due to policy development work on the 'addition to food of substances other than vitamins and minerals'. The CHC does not agree that a review of Standard 2.9.4 should wait for further policy development work given it has been in 'development phase' for a substantial number of years and that the impact to the sports supplement industry, as the Code presently stands, is immediate and significant.

The CHC considers the number of years with which P236 has been listed on the FSANZ Work Plan to be unacceptable and requests that immediate progression be undertaken as soon as possible.

If you require further assistance regarding this matter please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Trixi Madon', with a small dot at the end.

Trixi Madon  
Technical Director