

Introduction

Have you read the Impact Analysis?

Yes

Demographics

What is your full name?

Full name:  
Linda Tapsell

Are you answering on behalf of an organisation?

No

What is the name of your organisation?

Organisation name::  
University of Wollongong, Australia

Which sector do you represent?

Research/Academic  
  
Other: :  
University of Wollongong, Australia

What country are you responding from?

Australia  
  
Other: :  
Australia

If we require further information in relation to this submission, can we contact you?

Yes

What is your email address?

Email address::  
[REDACTED]

Section 3 - The problems to solve

Section 3 - The problems to solve (Methodology)

What are the issues with the current methodology? How should it be improved? Please provide justification.

Free text box, no character limit:

Are there other methodologies or evidence that the Impact Analysis should consider?

Free text box, no character limit:

Section 3 - The problems to solve (Ratings)

Are the ratings assigned to each of the sub-problems and ultimately the problem appropriate?

Yes

Which rating(s) do you believe is inappropriately rated? What would be a fair rating for the problem? Please provide justification. (Free text)

Free text box, no character limit:

## Section 5 - Options for reform

### Component 2.1

#### Component 2.1.1

Would amending Section 3 and 18 of the Act to include a definition of public health and safety reduce confusion about how FSANZ considers short and long-term risks to health when developing food standards?

Yes

Additional comments (optional):

It would mean 'public health and safety' are addressed through an explicit understanding of how food consumption affects health in the short term ('acute food poisoning') as well as the long term ('increasing risk of chronic disease', based on long term imbalance in nutrient delivery to the population resulting in nutritional inadequacy and/or chronic disease risk due to nutritional burden)

Do you anticipate that this clarification could materially impact the way that FSANZ approaches applications and proposals and the factors to which they give regard?

Yes

Additional comments (optional):

In practice it would require a twofold approach to evaluation of all applications and proposals, addressing both short- and long-term risks as described above.

What would be the impact of clarifying the definition of 'protection of public health and safety' within the Act?

Positive

Additional comments (optional):

It may also require activities to be better aligned, for example the science behind the reviews of current health claims would also be considered in other areas of approvals.

#### Component 2.1.2

Would revising the way FSANZ communicates its consideration of Ministerial Policy Guidance in developing food regulatory measures support greater transparency in the development of food regulatory measures?

Yes

How could the consideration of Ministerial Policy Guidance in the development of food regulatory measures be effectively communicated?

Free text box, no character limit:

#### Component 2.1.3

Would new provisions and/or language changes in the Act better support FSANZ to recognise Indigenous culture and expertise?

Yes

Free text box, no character limit:

What provisions or language changes could be included in the Act to promote recognition of Indigenous culture and expertise?

Not Answered

Free text box, no character limit:

### Component 2.1

Are there other initiatives that should be considered in Component 2.1?

Not Answered

Free text box, no character limit:

## Component 2.2

### Component 2.2.1

Would the introduction of a risk-based framework support FSANZ to be flexible and proportionate in handling of changes to the Food Standards Code?

Yes

Free text box, no character limit:

What criterion and/or evidence should be used to form the basis of a risk framework?

Free text box, no character limit:

It would be well to consider evidence inherent to other areas of food and nutrition policy and frameworks, such as the Australian Dietary Guidelines and Nutrient Reference Values.

What would be the impact of introducing a risk-based framework to guide development of food regulatory measures for you?

Positive

Free text box, no character limit:

If managed well, potentially greater alignment with Dietary Guidelines, a leaning toward the development of healthier food products and faster approval processes.

### Component 2.2.2

Would enabling FSANZ to accept risk assessments from international jurisdictions support FSANZ to exercise risk-based and proportionate handling of applications and proposals? How so?

Yes

Free text box, no character limit:

Many food related scientific review processes are set at international levels, and Australian science contributes to this. US and European bodies are well resourced to develop high quality reference materials and these jurisdictions have similar population and health profiles. Australia would need to articulate the processes of adoption and adaption.

Would enabling (but not compelling) FSANZ to automatically recognise appropriate international standards support more risk-based and proportionate handling of applications and proposals and improve efficiency and effectiveness? How so?

Yes

Free text box, no character limit:

Much of the 'leg work' of scientific review would already be done, with transparent methodologies. A checklist for reviewing these would need to be developed, but faster approval processes could be envisaged.

Would introducing a minimal check pathway for very low risk products help FSANZ exercise risk-based and proportionate handling of applications and proposals and improve efficiency and effectiveness?

Yes

Free text box, no character limit:

Having a priority program for products would also be necessary, where risk is also aligned with public health intentions as well as food safety, or product simplicity. This is similar to the current health claims position.

Would introducing principles in legislation to allow FSANZ to create other pathways to amend food standards help FSANZ exercise risk-based and proportionate handling of applications and proposals?

Prefer not to respond / I don't know

Free text box, no character limit:

What would be the impact of introducing new pathways to amend food standards for you?

Prefer not to respond / I don't know

Free text box, no character limit:

Are there other opportunities relating to new pathways to amend food standards that should be considered?

Prefer not to respond / I don't know

Free text box, no character limit:

### Component 2.2.3

Would increasing opportunities for decision making arrangements to be delegated support FSANZ to be more flexible and efficient? How so?

Yes

Free text box, no character limit:

It would seem so from the information provided

What factors should be considered when determining the level of risk for decision-making arrangements?

Free text box, no character limit:

What would be the impact of streamlining decision-making arrangements for you?

Neutral

Free text box, no character limit:

What expertise should be considered when determining the delegation of decisions to an alternative person?

Free text box, no character limit:

A strong scientific knowledge base in the area under consideration

### Component 2.2.4

Would a one-off investment of time and resources to develop and publish a list of traditional foods or ingredients that have undergone nutritional and compositional assessments facilitate entry of traditional foods to market?

Yes

Free text box, no character limit:

Would the development of further guidance materials on how traditional foods can be assessed for safety facilitate entry of traditional foods to market? How so?

Yes

Free text box, no character limit:

### Component 2.2.5

Would resourcing FSANZ to undertake more timely, holistic and regular reviews of standards allow FSANZ to be more strategic and consistent in changes to food standards?

Yes

Free text box, no character limit:

Are there other initiatives that should be considered to drive more holistic consideration of food standards?

Yes

Free text box, no character limit:

Regular connections across agencies and departments through the enactment of a national food and health policy

### Component 2.2.6

Would the use of Codes of Practice and guidelines better support the implementation of the Food Standards Code and help to address issues that do not warrant the time and resources required to develop or vary a standard?

Prefer not to respond / I don't know

Free text box, no character limit:

Can you provide an example of an issue that would have been/be better solved by a Code of Practice or guideline?

Free text box, no character limit:

How could the decision pathway for the development of a Code of Practice or guideline be incorporated into the risk framework outlined in Component 2.2.1?

Free text box, no character limit:

What would be the expected impact if Codes of Practice and guidelines were developed for industry, by industry?

Prefer not to respond / I don't know

Free text box, no character limit:

## Component 2.2

Are there other initiatives that should be considered in Component 2.2?

Not Answered

Free text box, no character limit:

## Component 2.3

### Component 2.3.1

Would amending the compositional requirements of the FSANZ Board increase flexibility and reflect contemporary governance processes?

Yes

Free text box, no character limit:

Possibly, to move and grow/keep up, however, scientific expertise in food science and nutrition must be retained to ensure the processes of FSANZ core business are based on a sound scientific basis

Would amending the nomination process for the FSANZ Board to be an open market process increase efficiency and support a better board skill mix?

Prefer not to respond / I don't know

Free text box, no character limit:

### Component 2.3.2

What would be the expected impact of removing the option for applications to be expedited?

Prefer not to respond / I don't know

Free text box, no character limit:

### Component 2.3.3

What would be the expected impact of the implementation of an industry-wide levy?

Neutral

Free text box, no character limit:

It seems like a reasonable idea to help fund mutually beneficial activity but be more equitable

How could eligibility criteria for a levy be set so that it is fair, consistent and feasible to administer?

Free text box, no character limit:

Proportionate to ability to pay, but also in consideration of the food priorities for the nation

What do you think could be an acceptable range for a levy rate? Please provide your response in Australian Dollars.

Free text box, no character limit:

What would be the expected impact of compulsory fees for all applications?

Prefer not to respond / I don't know

Free text box, no character limit:

Are there specific entrepreneurial activities that FSANZ should be considering charging for to build up a more sustainable funding base?

Prefer not to respond / I don't know

Free text box, no character limit:

#### Component 2.3.4

Would imposing a food recall coordination levy imposition contribute to a more sustainable funding base and support FSANZ to rebalance its workload priorities by addressing resourcing pressures? How so?

Prefer not to respond / I don't know

Free text box, no character limit:

How could eligibility criteria for a levy be set so that it is fair, consistent and feasible to administer?

Free text box, no character limit:

Would charging jurisdictions to add additional proposal or project work to FSANZ's workplan meaningfully support FSANZ to rebalance its workload priorities by addressing resourcing pressures? How so?

Prefer not to respond / I don't know

Free text box, no character limit:

What would be the expected impact of imposing a food recall coordination levy on jurisdictions?

Prefer not to respond / I don't know

Free text box, no character limit:

How would this need to be implemented to be successful?

Free text box, no character limit:

Would it be better to charge a levy per recall, or an annual levy?

Not Answered

Free text box, no character limit:

What would be the expected impact of charging jurisdictions a fee to add additional proposal work to FSANZ's workplan?

Prefer not to respond / I don't know

Free text box, no character limit:

How would this need to be implemented to be successful?

Free text box, no character limit:

#### Component 2.3

Are there other initiatives that should be considered in Component 2.3?

Prefer not to respond / I don't know

Free text box, no character limit:

## Component 2.4

### Component 2.4.1

Would establishing mechanisms to enable FSANZ and FMM to undertake periodic joint agenda setting lead to a shared vision of system priorities?

Yes

How would this need to be implemented to be successful?

Free text box, no character limit:

What factors should be considered as part of the joint prioritisation matrix?

Free text box, no character limit:

In what ways could FSANZ and FMM work together in a more coordinated way?

Free text box, no character limit:

### Component 2.4.2

Would more routine engagement between FSANZ and the FRSC reduce duplication of effort and missed opportunities to manage risk? How so?

Yes

Free text box, no character limit:

What approaches could be used to improve collaboration between FSANZ, the FRSC, and the FMM?

Free text box, no character limit:

### Component 2.4.3

Would FSANZ assuming a role as a database custodian for Australia meaningfully improve intelligence sharing across the regulatory system? How so?

Yes

Free text box, no character limit:

What types of data would be most useful for FSANZ to curate?

Free text box, no character limit:

### Component 2.4.4

Would establishing information sharing arrangements with international partners reduce duplication of effort and missed opportunities to manage risk?

Yes

Free text box, no character limit:

What should be the focus of such information sharing arrangements?

Free text box, no character limit:

### Component 2.4.5

Would introducing Statements of Intent into food standards meaningfully improve consistent interpretation and enforcement of food standards? How so?

Yes

Free text box, no character limit:

What should a Statement of Intent include to benefit industry and enforcement agencies to understand and consistently apply food standards?

Free text box, no character limit:

#### Component 2.4.6

Would FSANZ being resourced to develop, update and maintain industry guidelines improve consistent interpretation and enforcement of food standards? How so?

Yes

Free text box, no character limit:

Would amending the Act to allow FSANZ to develop guidelines in consultation with First Nations or Māori peoples support cultural considerations being taken into account in the food standards process?

Yes

Free text box, no character limit:

#### Component 2.4.7

Would FSANZ collaborating with jurisdictional enforcement agencies improve inconsistent interpretation and enforcement of food standards?

Yes

Free text box, no character limit:

#### Component 2.4

Are there other initiatives that should be considered in Component 2.4?

Not Answered

Free text box, no character limit:

#### Section 6 - Net Benefit

##### Section 6 - Net Benefit (Option 1)

Are there other costs and benefits that have not yet been qualified or quantified?

Prefer not to respond / I don't know

Free text box, no character limit:

What are the growth expectations of the First Nations and Māori food sector?

Free text box, no character limit:

What are the current delay costs to industry?

Free text box, no character limit:

Do you have any additional data that would be useful in characterising the costs and benefits of current regulatory settings?

Not Answered

Free text box, no character limit:

Any other comments regarding the Option 1 information in the Net Benefit section?

Not Answered

Free text box, no character limit:



## Section 6 - Net Benefit (Option 2)

Are there other costs and benefits for different stakeholders that have not yet been qualified? What are they?

Prefer not to respond / I don't know

Free text box, no character limit:

Do you have any additional data that would be useful to characterising the costs and benefits of proposed initiatives?

Not Answered

Free text box, no character limit:

Any other comments regarding the Option 2 information in the Net Benefit section?

Not Answered

Free text box, no character limit:

## Section 8 - Best option and implementation

### Section 8 - Best option and implementation (Solving policy problems)

Does the approach to assessing the degree to which an option solves a policy problem make sense? How so?

Yes

Free text box, no character limit:

Is the rating assigned to each of the sub-problems appropriate? If not, why?

Yes

Free text box, no character limit:

### Section 8 - Best option and implementation (Delivery risks)

Do you think the delivery risks have been appropriately identified and categorised within the Impact Analysis?

Prefer not to respond / I don't know

Free text box, no character limit:

Are the delivery risk ratings assigned to each of the sub-problems appropriate?

Prefer not to respond / I don't know

Free text box, no character limit:

## Section 9 - Evaluation of the preferred option

Are there any other factors that should be captured in a future evaluation?

Yes

Free text box, no character limit:

The impact of FSANZ on the food system needs to be considered in terms of the types and number of approvals and proposals generated by the system and how this aligns with positions on food in a national food and nutrition policy.

## Other comments

Is there anything else you want to share with us on the Impact Analysis?

Yes

Free text box, no character limit:

This is a great opportunity to move forward but carries risks as well as opportunities. Decisions need to be made with care.

## Privacy and Confidentiality

Do you want this submission to be treated as confidential?

No.

If you want all or parts of this submission to be confidential, please state which parts and why.

Free text box, no character limit: