

# **The Australia & New Zealand Food Regulatory System**



**Consultation - Improving the composition of the  
food supply in relation to trans fats**

August 2023

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# Presenters

- **Carita Davis - Australian Government  
Department of Health and Aged Care**
- **Fiona Duncan - New Zealand Ministry  
for Primary Industries**

**On behalf of the Food Regulation  
Standing Committee (FRSC)**



*We acknowledge the Traditional Custodians of Australia and their continued connection to land, sea and community. We pay our respects to all Elders past and present.*

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# Opening Karakia

Tutawa mai i runga  
Tutawa mai i raro  
Tutawa mai i roto  
Tutawa mai i waho  
Kia tau ai te mauri tū  
te mauri ora  
ki te katoa  
Haumi, e  
Hui, e  
Tāiki, e!

Come forth from above,  
below, within, and from  
the environment  
Vitality and wellbeing, for all  
Strengthened in unity

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# Introduction

- The purpose of this forum is to guide you through the system's policy process, introduce the consultation document and allow you to ask questions
- The consultation runs until 15 September 2023 and can be accessed at:  
<https://consultations.health.gov.au/chronic-disease-and-food-policy-branch/industrially-produced-trans-fats-in-processed-food/>

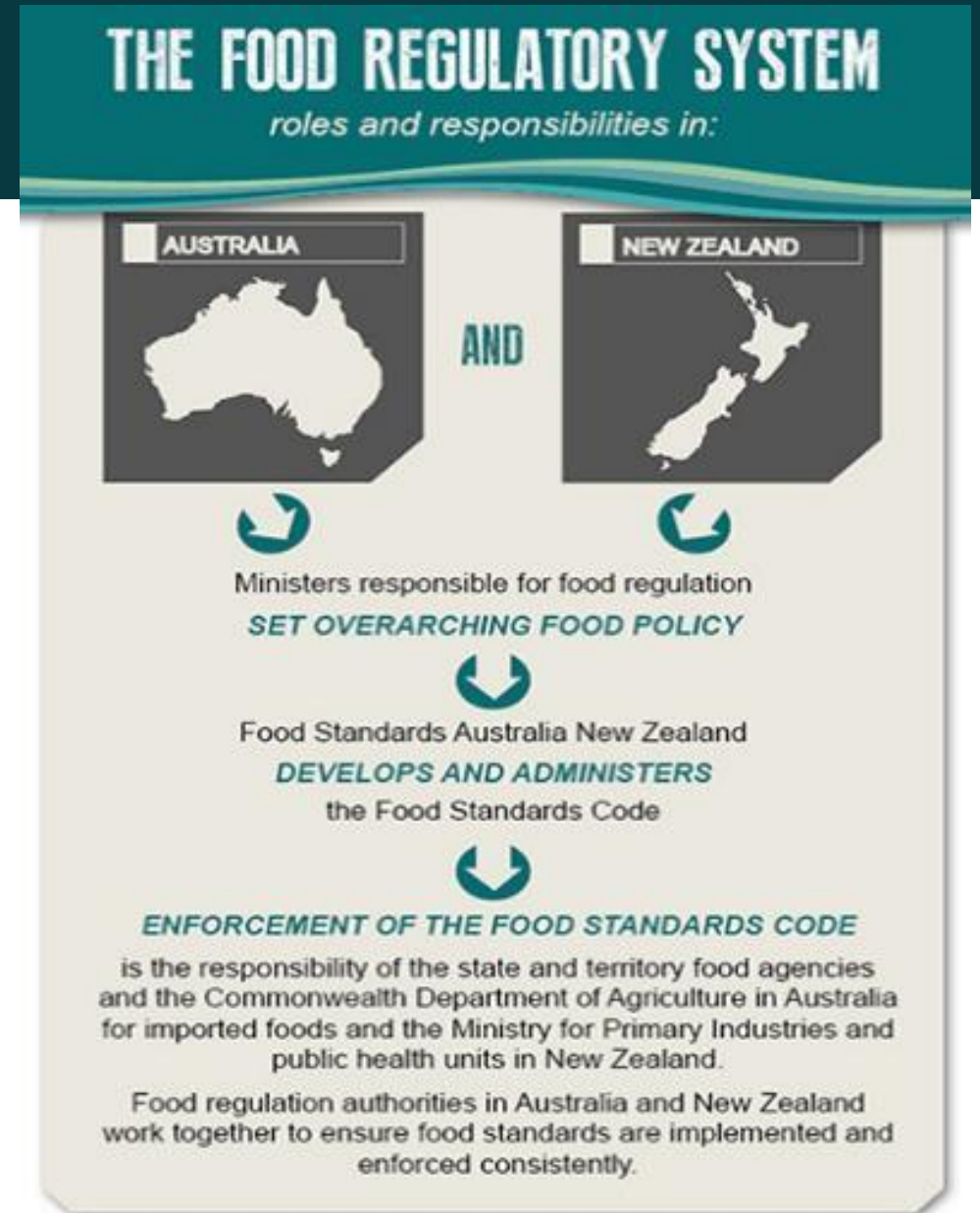


# Contents

- Our food regulation system
- Background
- Understanding the problem
- Desired outcome
- Policy options
- Questions

# Our food regulation system

- Trans-Tasman
- Policy set by Food Ministers' Meeting (FMM)
- Food Regulation Standing Committee (FRSC) provides policy advice to the Food Ministers' Meeting
- Food Standards Australia New Zealand (FSANZ) develops and maintains the Food Standards Code



# Background

- In August 2019, Food Ministers agreed for the FRSC to explore options for improving the composition of the food supply.
  - In November 2020, FRSC presented a Policy Paper to Food Ministers which considered a range of evidence and made recommendations for further work.
  - Ministers agreed for FRSC to progress the issue of industrially produced trans fats through the Food Regulation Policy Framework.
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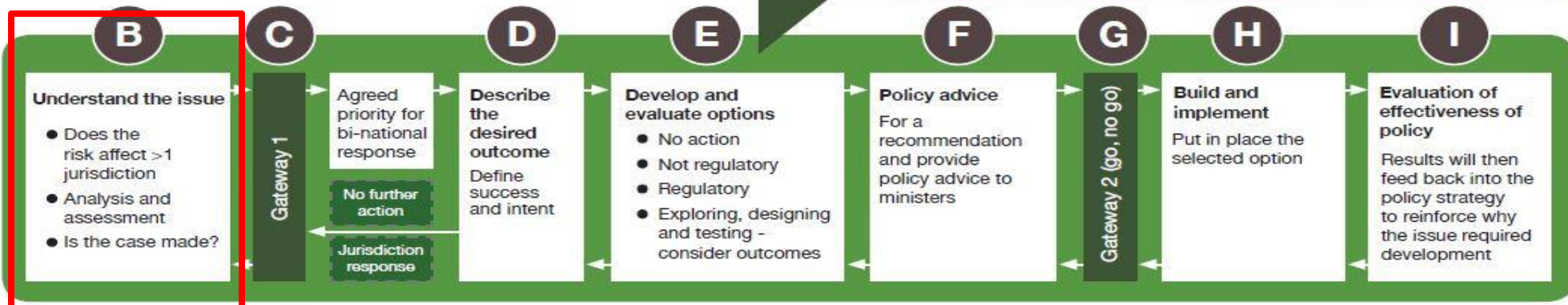
# FOOD REGULATION POLICY FRAMEWORK

The full range of regulatory and non-regulatory and government or industry initiated options need to be explored, including: Education, partnering, communication and information, voluntary industry standards, industry codes of practice, incentive programs, co-regulatory arrangements, industry driven alternative solutions and development of food standards.

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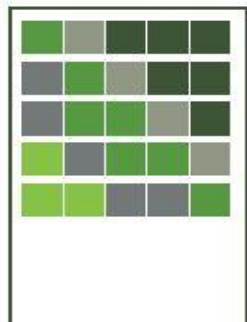
Authorising environment requires clear:

- Scope
- Objectives
- Permission



This process is flexible to facilitate back and to ensure issues are assessed adequately. A decision to discontinue the process can be made at any point.

**Risk analysis**  
Use of risk tools to assess the priority and ensure the case for action is made.



**J Communicate and engage**

Engage stakeholders, listen to feedback, consider partnering, communicate on status, consider implementation early.

**K Data, information and evidence**

Environment scan, stakeholders have access to all data. Central catalogue of known available data and potential source. Explore and trusted partnerships. A range of risk tools, with varying criteria, will be used throughout the process and further information and evidences will better inform the risk analysis.

Equal time investment

**Policy initiation**

1/3 of effort and time will focus on understanding the issue and developing a case.

**Policy development and evidence**

1/3 of focus and time on outcomes, opinions and recommendation/advice.

**Evaluation and review**

1/3 of effort and time on implementation and evaluating the effectiveness of the policy.



# Why Trans fats?

- Trans fats occur naturally in some animal products and are produced in manufacturing
  - Health risks: increased risk of coronary heart disease and related mortality.
  - Dietary intakes: inequalities in trans fat consumption
-

# Actions in Australia and New Zealand

- Previous voluntary action across industry
  - There is limited trans fat related regulation in the Australia New Zealand Food Standards Code:
    - No compositional requirements to limit use of trans fat
    - In most cases no requirement to be labelled in the nutrition information panel
    - No requirement to declare whether an oil is partially hydrogenated in the statement of ingredients
-

# International actions

- Recently, Australia has been identified as one of nine countries with the highest estimated proportion of coronary heart disease deaths caused by trans fat intake, who do not have best practice policy in place in relation to trans fats. New Zealand ranks 16th.
  - The World Health Organization REPLACE program established in 2018
  - WHO 'best-practice' policies for trans fat elimination are either:
    - A limit of 2 g of industrially produced trans fat per 100 g of total fat in all foods; or
    - A ban on the production or use of partially hydrogenated oils as an ingredient in all foods.
-

# Situation in Australia and New Zealand

- Products containing industrially-produced trans fats are currently available on the Australian market, albeit in a minority of products. A 2017 study identified that foods such as pastries, popcorn and baked foods were higher in trans fat in Australia compared to other countries and above regulatory limits for trans fat recommended by the World Health Organization.
  - New Zealand Food Safety is initiating a survey of industrially produced trans fats in the New Zealand food supply (baked and fried foods like takeaways, biscuits and pies) to identify current levels of trans fat.
  - New Zealand and Australia may see increases in imported products containing industrially produced trans fats as more countries prohibit these.
  - Economic inflation and cooking oil shortages may lead food manufacturers to source cheaper and/or alternate oils containing industrially produced trans fats.
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# Problem definition: Trans fat

- Excess consumption of trans fats increases the risk for cardiovascular disease.
- Trans fats intakes are within recommended limits for the majority of consumers in Australia and New Zealand, however evidence indicates vulnerable populations in Australia may be exceeding recommended trans fat consumption limits.
- Voluntary efforts to remove or reduce trans fats in the food supply have been largely successful. Despite this, some food products still contain trans fats at levels above international compositional limits. These products are likely to contain industrial trans fats.



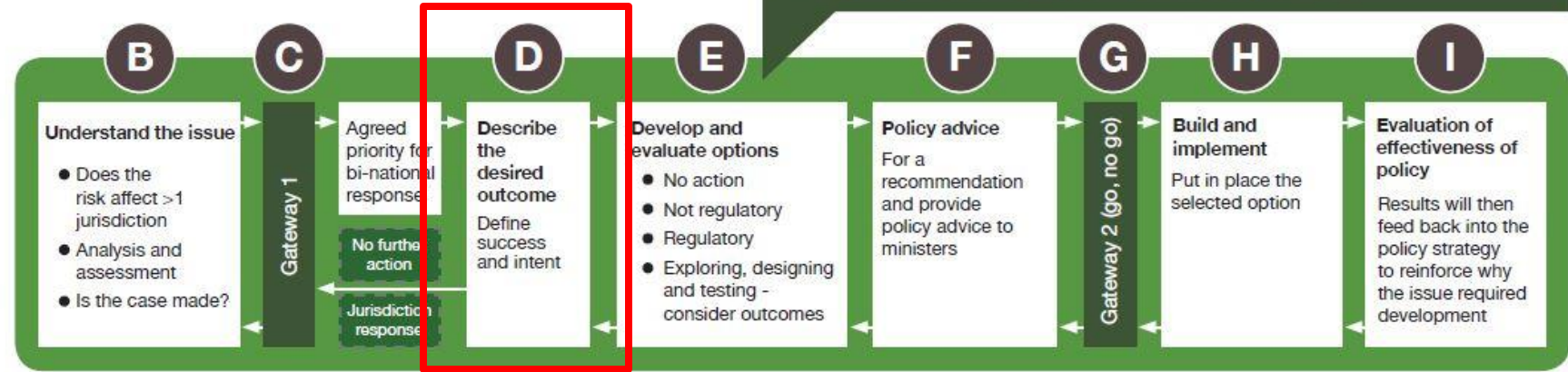
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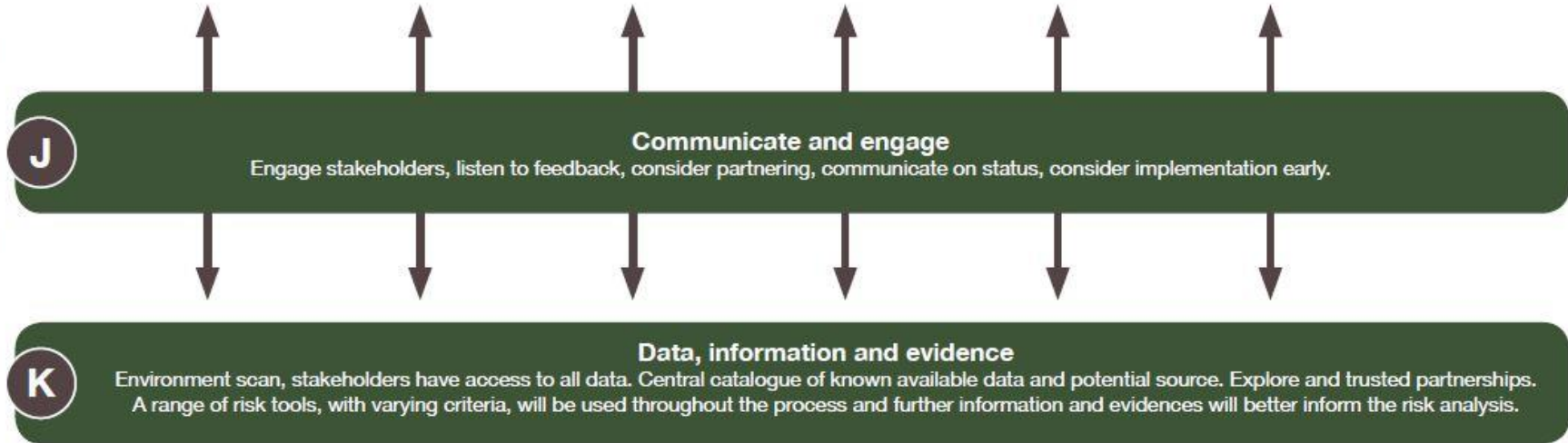
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# Desired outcome: Trans fat

Industrially-produced trans fats have been eliminated or reduced as much as possible from the food supply in Australia and New Zealand to support all population groups to minimise consumption of trans fats.





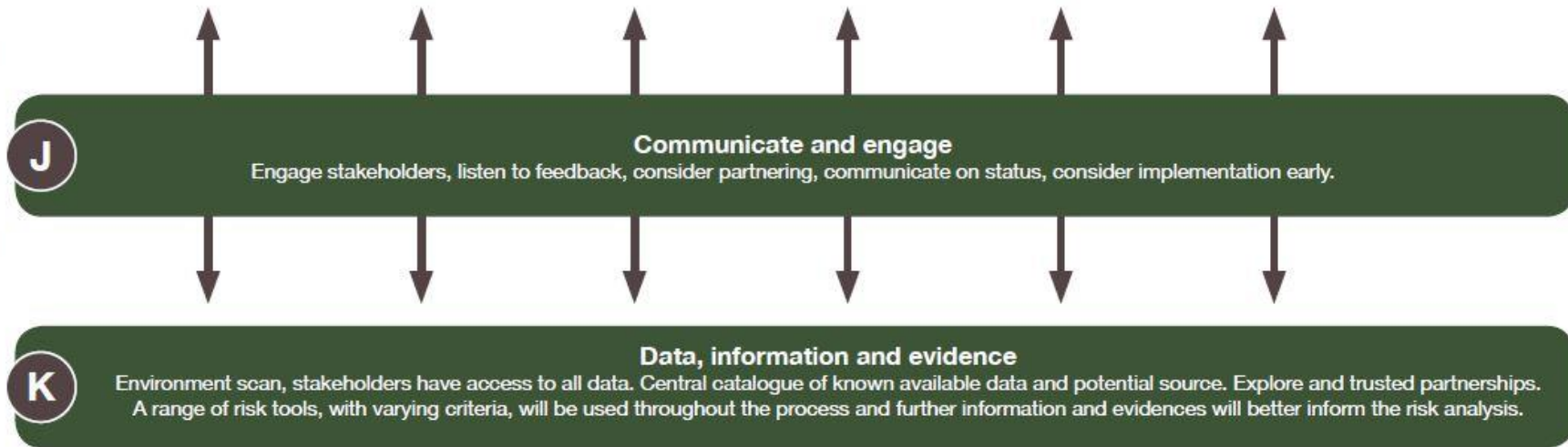
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# Policy options: Trans fat

3 options for consultation

1. Voluntary reformulation
2. Regulatory limits for industrial trans fats in processed foods
3. Prohibiting use of partially hydrogenated oils in processed foods



# Voluntary reformulation

Voluntary reformulation targets for industrially produced trans fats or use of partially hydrogenated oils could be established through existing reformulation programmes

## Benefits

- Simpler to implement
- More flexible

## Risks

- Relies on all-industry participation
- May not impact imported food
- Voluntary reformulation measures predicted to have a modest impact on reducing inequalities<sup>1</sup>
- Trans fat could be replaced with saturated fat

# Regulatory limits for industrial trans fats

A mandatory limit such as 2g of industrially produced trans fats per 100g total fat could be introduced for all foods

## Benefits

- Effectively minimise or eliminate industrially produced trans fat
- WHO best practice policy
- Mandatory product reformulation predicted to have the greatest benefits for equity<sup>1,2</sup>
- Consumer behaviour change not required
- Affect minority of manufacturers

## Risks

- Enforcement challenges in differentiating between ruminant and industrially produced trans fat
- Could disadvantage products which contain ruminant trans fat such as dairy and meat
- Trans fat could be replaced with saturated fat

# Prohibiting use of partially hydrogenated oils

Use of partially-hydrogenated oils in processed foods would be prohibited.

## Benefits

- Effectively minimise or eliminate industrially produced trans fats
- WHO best practice policy
- Mandatory product reformulation predicted to have the greatest benefits for equity<sup>1,2</sup>
- Consumer behaviour change not required
- Affect minority of food manufacturers
- May be easier to enforce than a limit

## Risks

- Trans fat could be replaced with saturated fat

# Other options considered but not pursued

- Education for consumers and/or industry
  - Import restrictions on partially hydrogenated oils
  - Fiscal measures such as taxes
  - Labelling to provide consumers with information about trans fat content of foods
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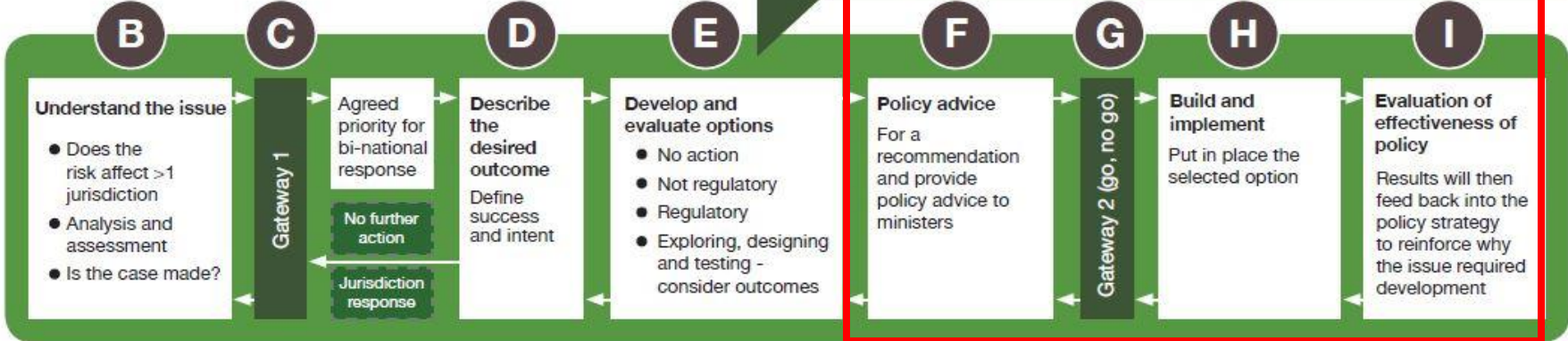


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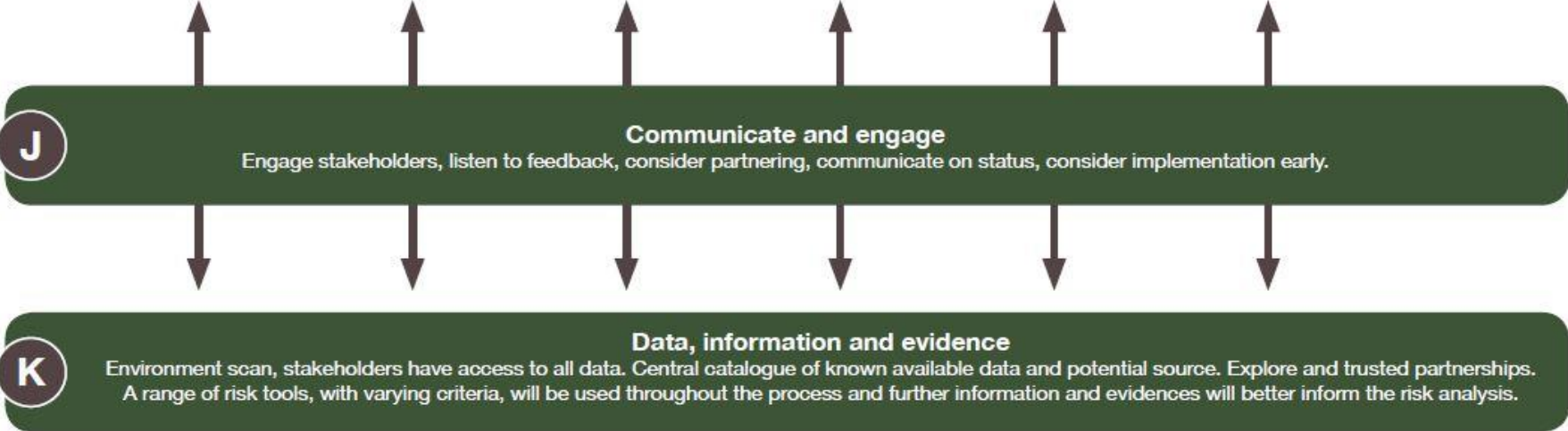
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**Questions?**



# Submission details

- We encourage you to provide a written submission via the online portal
- The consultation runs until 15 September 2023 and can be accessed at:  
<https://consultations.health.gov.au/chronic-disease-and-food-policy-branch/industrially-produced-trans-fats-in-processed-food/>



# Closing Karakia

Kia whakairia te tapu  
Kia wātea ai te ara  
Kia turuki whakataha ai  
Kia turuki whakataha ai  
  
Haumi, ē! Hui, ē! Tāiki, ē!

Restrictions are moved  
aside  
So the pathway is clear  
To return to everyday  
activities

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# References

1. Gillespie DOS, Allen K, Guzman-Castillo M, Bandosz P, Moreira P, McGill R, et al. The health equity and effectiveness of policy options to reduce dietary salt intake in England: Policy forecast. PLoS One. 2015;10:1–17.
  2. Bjoernsbo KS, Joensen AM, Joergensen T, Lundbye-Christensen S, Bysted A, Christensen T, et al. Quantifying benefits of the Danish transfat ban for coronary heart disease mortality 1991–2007: Socioeconomic analysis using the IMPACTsec model. PLoS One. 2022;17 8 August:1–9.
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