

**AVA’S RESPONSE TO COMMENTS RECEIVED FROM THE CONSULTATION ON
PROPOSED AMENDMENTS TO THE
FOOD REGULATIONS REGARDING FOOD ADDITIVES AND CONTAMINANTS**

1. The Agri-Food and Veterinary Authority (AVA) called for feedback from the food industry (local food manufacturers and importers) and international trading partners, on the proposed amendments to the Food Regulations from February to October 2014.

2. 9 submissions were received from both local and overseas food industry members, and international trading partners. 3 were in support of the proposed amendments, 3 were related to the proposed establishment of a new maximum limit for mercury in predatory fish, and the remaining 3 related to the proposed amendments for the addition of phytosterols/phytostanols to more food categories.

3. AVA has considered and reviewed each submission on the proposed amendments, and has examined the key issues identified and prepared responses (see table below).

Issues identified	AVA’s response
Clarification required on whether the proposed new limit for mercury in predatory fish would apply to processed food made predominantly from predatory fish such as “frozen breaded fish filets” and “canned tuna”	AVA has considered that products comprising of mostly predatory fish meat could be considered as predatory fish, and would be allowed to contain up to 1ppm of mercury under the proposed amendments to the Food Regulations.
Suggestion for fish in the new proposed Fifteenth Schedule be classified to genus level only and not to species level.	<p>AVA has reviewed the fish species proposed for inclusion under the Fifteenth Schedule and noted that some entries are already currently based on the genus level (eg, rays) or at a broader level (eg, sharks).</p> <p>AVA acknowledges the basis of the suggestion, but also notes that there is currently insufficient information for further refinement to be made to the list of predatory fish species. AVA invites industry members to provide further information on predatory fish species for inclusion in the Fifteenth Schedule.</p>
Suggestion for the proposed maximum level for mercury in predatory fish be based on methyl mercury instead of total mercury, for consistency with the Codex General Standard for Contaminants and Toxins in Food and Feed.	AVA is aware that the Codex Alimentarius Commission has established a maximum level for mercury in predatory fish based on methyl mercury. However, we have conducted a review and have found that

	<p>internationally, many countries such as Australia, Canada, the European Union and New Zealand, have also set a maximum level of 1 ppm for total mercury in predatory fish.</p> <p>The established maximum limit based on total mercury is thus consistent with current practice in a number of developed countries.</p> <p>AVA has also considered that the analysis of methyl mercury requires a higher level of expertise and more sophisticated equipment than that of total mercury, and hence imposes additional costs on the food trade.</p>
<p>Request for criteria used to include products that may be added with phytosterols/phytostanols be based on saturated fat levels, instead of the proposed total fat levels, in order to further extend the products eligible to be added with phytosterols/phytostanols.</p>	<p>AVA is currently reviewing the industry's proposal to refine the criteria for products eligible to contain phytosterols/phytostanols and will consider making future amendments to the Food Regulations.</p>
<p>Request for the proposed conversion factors to convert phytosterol/phytostanol esters to phytosterols/phytostanols be removed.</p>	<p>AVA has acknowledged the technical difficulties faced by food industry members in utilising a specific conversion factor and agrees to remove the proposed conversion factors from the amendments.</p>

4. AVA acknowledges the time taken by individuals and organisations to submit feedback and comments which have contributed to the decision making process, and would like to encourage all food industry members to actively participate in future calls for comments.

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