

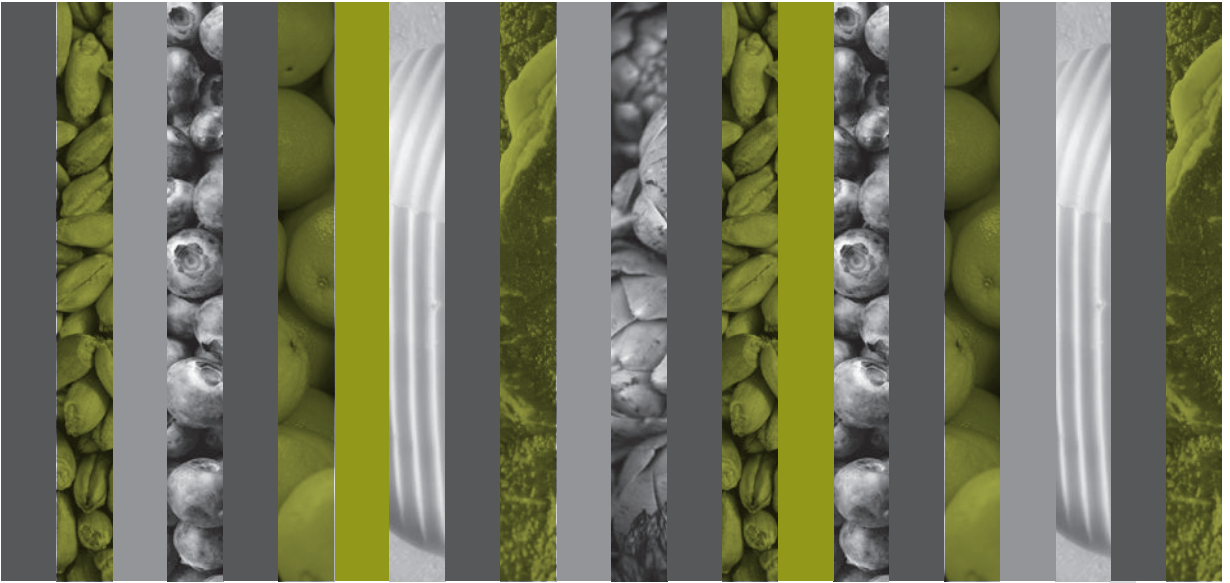


ANNUAL REPORT

12-13



FOOD STANDARDS
Australia New Zealand
Te Mana Kounga Kai - Ahitereiria me Aotearoa



ANNUAL REPORT

12-13

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LETTER OF TRANSMITTAL

The Hon Peter Dutton MP
Minister for Health
Parliament House
Canberra ACT 2600

**Annual Report of Food Standards Australia New Zealand
for the year ended 30 June 2013**

I am pleased to present to you the Annual Report of Food Standards Australia New Zealand.

This report fulfils the reporting requirements of *The Commonwealth Authorities and Companies Act 1997*, including the Commonwealth Authorities and Companies orders for report of operations.

The report also fulfils the reporting requirements of Section 152 of the *Food Standards Australia New Zealand Act 1991*.

The Annual Report is made in accordance with a resolution of FSANZ Board Members (Directors). They are responsible for the preparation and content of the report of operations in accordance with the Finance Minister's Orders.

Yours sincerely



Philippa Smith AM
Food Standards Australia New Zealand
16 October 2013

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GUIDE TO THE REPORT

This report has been prepared following the requirements of the *Commonwealth Authorities and Companies Act 1997* and s. 152 of the *Food Standards Australia New Zealand Act 1991*.

The **Chief Executive Officer's review** provides a perspective on the past year and an outlook for the year ahead.

The **Corporate overview** provides a snapshot of our role and functions, how we are organised and the processes involved in our decision-making. It also provides a summary of our financial performance.

Priorities and performance 2012–13 summarises the year's activities against the key strategic imperatives and performance measures identified in the Portfolio Budget Statements for the health portfolio.

The main text of the report details outputs and outcomes in 2012–13 under the three strategic imperatives of our Corporate Plan—Food standards and practices, Regulation and management of food risks, and Collecting and providing relevant consumer information.

Food standards and practices describes outputs associated with developing new standards or varying existing standards and initiatives taken by FSANZ to improve standards development outcomes.

Regulation and management of food risks documents FSANZ's processes for obtaining the best available scientific evidence to support standard setting, monitor food hazards and manage failures of food safety.

Collecting and providing relevant consumer information reports on the agency's work to support broader government priorities in providing consumers with the information necessary to make informed purchasing decisions.

We also report on the key enablers in the Corporate Plan: **Science, People, Communication, Governance and process and Anticipation**.

Appendixes to the report contain detailed information on a number of mandatory reporting requirements and other areas of interest.

ADDITIONAL INFORMATION

You can obtain information on the projects and activities described in this report from the Communication and Stakeholder Engagement Manager, Lorraine Belanger, on +61 2 6271 2147 or lorraine.belanger@foodstandards.gov.au. For information on the *FSANZ Annual Report 2012–13*, please contact the managing editor, Dr Michael Dack, on +61 2 6271 2239 or michael.dack@foodstandards.gov.au. An electronic version of this report and other FSANZ publications can be accessed from the FSANZ website at www.foodstandards.gov.au.

CHIEF EXECUTIVE OFFICER'S REVIEW



CEO Steve McCutcheon.

In July 2012, Food Standards Australia New Zealand (FSANZ) published its latest triennial Corporate Plan. The plan contains revised strategic imperatives for the agency, which are flowing through to our planning and reporting processes. A consequence of the change is the way this annual report is structured.

We still report against our strategic imperatives but, because they have been redrafted, individual accounts may appear under different headings to those in previous reports. To aid navigability, we have strengthened the compliance index and introduced a short index on the title pages for each chapter.

We have also taken the opportunity to explain how we implement the risk analysis process in our decision-making by discussing risk assessment, risk management and risk communication in the introductions to chapters 1, 2, and 3. The content of these discussions has been adapted from relevant sections of our revised publication, *Risk Analysis in Food Regulation*.

In addition, we have added the Statement of Expectation from the Parliamentary Secretary (Appendix 13).

Regulatory and non-regulatory highlights

This year, we met our performance targets and statutory obligations, with few exceptions that are documented in this report.

Without doubt, the highlight of the year was the gazettal of a standard in the *Australia New Zealand Food Standards Code* (the Code) to regulate nutrition, health and related claims about food—after nearly a decade of development.

In December 2003, the then Australia and New Zealand Food Regulation Ministerial Council asked FSANZ to develop a standard to regulate such claims and issued policy guidelines.

Since then, we received 589 submissions at various stages of the standard development process, held more than 150 internal task force meetings, prepared six public consultation reports and engaged in a host of targeted consultations.

In December 2012, the Council of Australian Governments Legislative and Governance Forum on Food Regulation (Food Regulation Forum) agreed to the draft standard approved by the Board, and the standard was duly gazetted. It was a considerable undertaking, consuming significant resources, and is a tribute to the tenacity of staff from FSANZ and our regulatory partners for seeing the project through to completion.

The ultimate beneficiaries of this work—the community—will now be able to make buying decisions in the knowledge that nutrition and health claims on food products are well supported by science.

It is worth noting that while the development of food standards is FSANZ's core business, we also make our knowledge and expertise available to other parts of the food regulatory system and to support broader government goals.

For example, in 2012–13, we developed options for the technical design of front-of-pack labelling for a working group set up by a steering committee of the Food Regulation Standing Committee (FRSC). This work drew heavily on our experiences with nutrition and health claims.

Another example of non-regulatory activity was our collaboration with the Australian Bureau of Statistics to prepare a nutrient database for the Australian Health Survey 2011–13. This work relied significantly on the skills developed by FSANZ over many years in establishing and maintaining our databases NUTTAB (Nutrient tables for use in Australia) and DIAMOND (Dietary Modelling of Nutritional Data).

And, as an example of FSANZ's contribution to the government's goals—including those concerned with the 'Asian Century'¹—we maintained our collaboration with countries in the Asia-Pacific and the Asia-Pacific Economic Cooperation (APEC) economies during the year, despite financial constraints. FSANZ, representing Australia, continued to co-chair the APEC Food Safety Cooperation Forum with China and to forge bilateral information-sharing arrangements with our counterparts in the region.

Other regulatory and non-regulatory activities are well documented in this report. They represent a considerable body of work and are testimony to what can be achieved by a small, specialist agency that is committed to safeguarding the health and well-being of the community.

Looking ahead, FSANZ has some significant projects on its books. These include the code revision project (the most significant rewrite of the Code since it commenced in 2000); reviews of the standards for infant formula, microbiological limits, maximum residue limits, and nutritive substances and novel foods; several projects emerging from *Labelling Logic: Review of Food Labelling Law and Policy (2011)*; and a number of complex applications.

1 As outlined in the *Australia in the Asian Century White Paper*, available at <http://asiancentury.dpmc.gov.au/white-paper>

We are also heavily involved in health claims standard transition work and are looking to finish substantive projects for primary production and processing standards by the end of 2013–14.

Administrative appeals

At the start of 2012, FSANZ was in the unusual position of having two (soon to become three) administrative review procedures in progress. In a very pleasing outcome, the two Administrative Appeals Tribunal (AAT) matters and the Federal Court proceeding were all resolved in our favour.

All three cases were important tests of our approach to standard setting. The outcomes of the AAT case regarding conjugated linoleic acid delivered a strong endorsement of our scientific capability. That said, there were a number of matters that emerged from these cases (particularly the Federal Court case) from which we will learn. We will then use what we have learnt to strengthen our processes and procedures.

Organisational challenges and opportunities

Resilience has been embraced by the public sector. Although its meaning is ill-defined, resilience is universally accepted as an admirable quality in organisations, embodying the elements of 'coping' and 'bouncing back'.

Organisational resilience enables departments and agencies in the Australian Public Service (APS) to meet their statutory obligations in the face of changing external circumstances, such as reduced budget allocations. Individual resilience gives employees the capabilities necessary to manage the stresses of change and to focus on the opportunities presented by new ways of working.

FSANZ has had to make some difficult decisions during the year, including a strict enforcement of a work program that prioritises projects. Discretionary projects have been deferred or rejected because of lack of resources. Highly skilled and productive non-ongoing staff have not had their contracts extended. Informal advice to applicants who wish to amend the Code has been curtailed.

I have made it clear to staff that expectations of FSANZ will continue to be high, despite our financial constraints. This does not mean that people are expected to carry ever-increasing workloads. Instead, it challenges my executive team to constantly review priorities, reallocate responsibilities when and where necessary and introduce new efficiencies into our business processes. To manage these changes successfully, FSANZ has implemented more of the recommendations in *Ahead of the Game: Blueprint for the Reform of Australian Government Administration*.²

² *Ahead of the Game: Blueprint for the Reform of Australian Government Administration*, Commonwealth of Australia, Canberra (2010).

In 2012–13, we adopted the capability approach to workforce planning advocated by the Australian Public Service Commission. This exercise, involving staff in focus group sessions, has provided us with agency-specific capabilities that, overlaid with the Integrated Leadership System capabilities, are now acting as the foundation for a re-energised learning and development regime. We have set ourselves the target of becoming an employer of choice as a specialist agency within the APS. We have also taken steps to upgrade our obligations as an APS employer by strengthening the ability of managers to provide career advice.

Through these and other initiatives, FSNZ is placing an emphasis on the future—both of the agency and the individual—rather than dwelling on the difficulties of the present. I take pride in the results of staff surveys that show our people have one of the highest levels of job satisfaction in the APS, and a staff retention rate of 94 per cent. The former we wish to maintain. In the case of the latter, we will work with individuals to explore how or whether their aspirations can be met at FSNZ.

By increasing the capabilities of individuals in our workforce through a mix of on-the-job learning and formal training, we expect to increase resilience. The more skills in the toolbox, the better equipped a person is to be mobile within FSNZ and the APS.

Concluding remarks

Dr Marion Healy returned to the FSNZ Executive as Executive Manager Risk Assessment. A former Chief Scientist at FSNZ, Dr Healy spent five years as Director of the National Industrial Chemicals Notification and Assessment Scheme. I join staff in welcoming Dr Healy back to the agency and by being impressed by the speed with which she has assumed responsibility for an important aspect of our work.

Board members, as usual, added immeasurably to the authority of the agency and to the quality of its decisions during the year. At the forefront of this due diligence have been Dr Michele Allan (eight years), Mr Peter Boyden (eight years) and Dr Gardner Murray AO (four years), who retired from the Board at the expiry of their appointments on 30 June 2013. Dr Allan and Mr Boyden were also members of the Board's Finance and Risk Management Committee—Dr Allan as Chair. These three talented Australians gave their time and shared their experiences freely, in the finest traditions of public service.

It is with sadness that I must record the passing of Professor Katrine Baghurst, an eminent nutritionist and a member of the FSNZ Board for nearly eight years. Professor Baghurst made a significant contribution to Board deliberations during her two terms, and her quiet but authoritative counsel will be missed.

Finally, my thanks go to Ms Philippa Smith AM, Chair of the Board, for another year of leadership and dedication to FSANZ's role of maintaining public confidence in food. Under Ms Smith's stewardship, our standing in the community has never been higher.

I commend this annual report as a record of activity and considerable achievement in 2012–13.



STEVE MCCUTCHEON
Chief Executive Officer

CORPORATE OVERVIEW

HIGHLIGHTS

In 2012–13, Food Standards Australia New Zealand (FSANZ):

- gazetted 12 applications and 7 proposals to amend the *Australia New Zealand Food Standards Code*, including requirements for making nutrition and health claims, approvals for four genetically modified foods, extensions to the country of origin labelling standard, and approvals to add a number of substances to food and to irradiate persimmons
- prepared documentation for further rounds of public consultation—especially with primary producers—on meat and wild game products and raw (unpasteurised) milk products
- rejected five applications to amend the Code because they did not meet the mandatory information requirements under s. 22(2) of the *Food Standards Australia New Zealand Act 1991* (Appendix 2)
- commenced work to progress 21 recommendations contained in the *Labelling Logic* report as part of a four-year work plan, mainly through technical evaluation and advice about presentation and format of food labels
- undertook modelling for the FRSC Front-of-Pack (FoP) Labelling Technical Design Working Group to determine if a nutrient profiling model, adapted from the health claims Nutrient Profiling Scoring Criterion, could be used as a basis for an interpretative FoP food labelling system
- assigned a category 1 bovine spongiform encephalopathy (BSE) status to the Netherlands and Vanuatu and a category 2 status to Croatia; conducted four in-country verification visits
- continued to co-chair (with China) the APEC Food Safety Cooperation Forum on behalf of Australia, with the biennial meeting involving approximately 90 delegates from 16 member economies, as well as participants from a range of government, industry, academic and other organisations
- commenced work on the 25th Australian Total Diet Study, which focuses on metal contaminants, agricultural and veterinary chemicals and radionuclides
- coordinated 44 Australia-wide food recalls.

FSANZ'S OPERATING ENVIRONMENT

| Key information | |
|---|---|
| Establishment | <ul style="list-style-type: none"> • National Food Authority (Australia only) 1991 • Australia New Zealand Food Authority 1996 • Food Standards Australia New Zealand 2002 |
| Government oversight | The Hon. Shayne Neumann MP, Parliamentary Secretary for Health and Ageing; Chair, Council of Australian Governments Legislative and Governance Forum on Food Regulation |
| Chair, FSANZ Board | Ms Philippa Smith AM |
| Chief Executive Officer | Mr Steve McCutcheon |
| FSANZ staff (30 June 2013) | 129 employees (ongoing and non-ongoing), located in Canberra and Wellington offices |
| Funding 2012–13 (Portfolio Budget Statements) | Australian Government appropriation—\$18.78 m Other—\$2.79 m |
| Food regulatory system | <ul style="list-style-type: none"> • Policy development (Legislative and Governance Forum on Food Regulation) • Setting of standards (FSANZ) • Enforcement (states; territories; New Zealand Ministry for Primary Industries; Australian Government Department of Agriculture, Fisheries and Forestry; local government) |
| Legislative responsibilities | |
| Enabling Act of Parliament | <i>Food Standards Australia New Zealand Act 1991</i> (FSANZ Act) |
| Section 18 objectives ('core' objectives applied to FSANZ's regulatory measures function) | <ul style="list-style-type: none"> • Protection of public health and safety • Provision of adequate information to consumers • Prevention of misleading or deceptive conduct |
| Section 18 objectives ('have regard to' objectives applied to FSANZ's regulatory measures function) | <ul style="list-style-type: none"> • Need for [food] standards to be based on risk analysis using the best available scientific evidence • Promotion of consistency between domestic and international food standards • Desire for an efficient and internationally competitive food industry • Promotion of fair trading in food |
| Treaty between Australia and New Zealand | Agreement between the Australian Government and the Government of New Zealand concerning a Joint Food Standards System |

| Structure and processes | |
|--|--|
| Organisational structure | See organisational chart on page 21 |
| Governance | <ul style="list-style-type: none"> • Twelve-person Board (three members nominated by the New Zealand Government) (Appendix 11) • Operates under the FSANZ Act and the <i>Commonwealth Authorities and Companies Act 1997</i> • Finance, Audit and Risk Management Committee, which reports to the Board on financial, accountability, internal audit and compliance systems |
| Corporate planning | <ul style="list-style-type: none"> • <i>Corporate Plan 2012–2015</i> • <i>Business Plan 2012–13</i> • <i>Portfolio Budget Statements 2012–13: Health and Ageing Portfolio</i> • Statement of Expectation • Strategy Map (Appendix 12) |
| FSANZ outcome (Program 1.1) | A safe food supply and well-informed consumers in Australia and New Zealand, including through the development of food regulatory measures and the promotion of their consistent implementation, coordination of food recall activities and the monitoring of consumer and industry food practices |
| <i>Australia New Zealand Food Standards Code</i> | Any individual or organisation can apply to amend the <i>Australia New Zealand Food Standards Code</i> (the Code). FSANZ can also initiate changes to the Code, usually to protect public safety or assist in addressing issues of long-term public health importance. The latter are normally requested by the Legislative and Governance Forum on Food Regulation |
| Application Handbook—part 3 only | Contains details of information required by FSANZ for assessing applications to amend the Code |
| Assessment of applications and proposals to amend the <i>Australia New Zealand Food Standards Code</i> | <ul style="list-style-type: none"> • General procedure (9 months to complete assessment)—one round of public consultation • Minor procedure (3 months to complete assessment)—limited consultation with government agencies and any affected parties • Major procedure (12 months to complete assessment)—two or more rounds of public consultation • High-level health claims procedure (9 months to complete assessment)—one round of public consultation, if applicant does not elect for confidential treatment) |
| FSANZ risk analysis process | <ul style="list-style-type: none"> • Risk assessment—determining the likelihood and severity of hazards • Risk management—identifying measures to minimise the risk • Risk communication—ensuring stakeholders are aware of, and understand, the risk being addressed and the control measures |
| Food recall process | FSANZ coordinates a national food recall system for Australia, in association with the states and territories and the food industry |
| National Food Incident Response Protocol | FSANZ coordinates an integrated, whole-of-government response for incidents involving food sold within two or more Australian jurisdictions |

Summary of financial performance 2012–13

Financial outcome Operating revenue: \$21.240 m
 Operating expenses: \$21.186 m

Certificate of Compliance 2012–13 Certificate of Compliance sent to the Australian Government Department of Finance and Deregulation before 15 October, as required

ORGANISATIONAL STRUCTURE AT 30 JUNE 2013



PRIORITIES AND PERFORMANCE 2012–13

We have summarised our activities against the performance information for FSANZ contained in the *Portfolio Budget Statements 2012–2013: Health and Ageing Portfolio*. More detailed accounts of projects and services appear later in this report.

OUTCOMES

FSANZ’s reporting outcomes are linked with those of the Australian Government Department of Health and Ageing—in particular, the department’s Outcome 1—Population Health. FSANZ’s outcome is through Program 1.1: Food regulatory activity and services to the Minister and Parliament.

| Agency | Outcome |
|--------------------------------------|---|
| Department of Health and Ageing | Outcome 1: A reduction in the incidence of preventable mortality and morbidity in Australia, including through regulation and national initiatives that support healthy lifestyles and disease prevention |
| Food Standards Australia New Zealand | Program 1.1: A safe food supply and well-informed consumers in Australia and New Zealand, including through the development of food regulatory measures and the promotion of their consistent implementation, coordination of food recall activities and the monitoring of consumer and industry food practices |

Through Program 1.1, the Australian Government aims to:

- ensure effective, evidence-based food standards
- deliver food regulation that protects public health and safety
- improve citizen and stakeholder engagement.

PERFORMANCE

Deliverables

In 2012–13, FSANZ achieved the following performance against the qualitative and quantitative deliverables associated with Program 1.1:

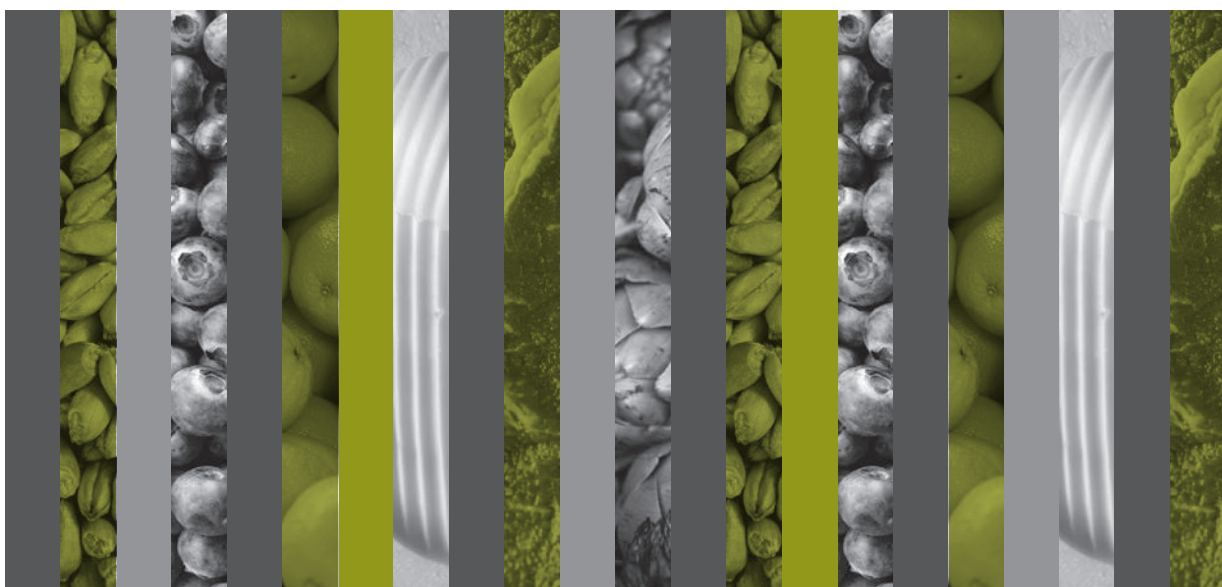
| Qualitative deliverables | 2012–13 reference point or target | Status | Page |
|--|---|---|------|
| Food regulatory measures are considered in a timely manner | Applications are assessed in 12 months or less as required by the FSANZ Act | 75% of applications approved by FSANZ within the statutory timeline Appendix 2 | 101 |
| Manage the National Food Incident Response Protocol | Deliver an efficient and effective incident management process through the National Food Incident Response Protocol | Revised protocol to provide flexibility of early communication before escalation to national action | 55 |
| Participate in the implementation of the whole-of-government response to the <i>Labelling Logic</i> report | Develop labelling standards that are effective and efficient, and permit informed decision-making | Finalised nutrition and health claims standard | 38 |
| | | Extended scope of country of origin standard | 38 |
| | | Commenced work on six further report recommendations | 64 |
| Quantitative deliverables | Target for 2012–13 | Status | Page |
| Number of Consumer and Public Health Dialogue face-to-face meetings conducted annually | 3 | 3 Appendix 4 | 117 |

Key performance indicators

The following key performance indicators measure the impact of Program 1.1:

| Qualitative indicators | 2012-13 reference point or target | Status | Page |
|---|--|--|------|
| Enhanced public confidence in food incident and recall management | Evaluation of compliance with the national food incident and recall protocols through the triennial review of the protocols shows improved performance of food recalls | Annual review of recall process focused on improved communication of recall information to consumers and industry | 56 |
| Quantitative indicators | Target for 2012-13 | Status | Page |
| Percentage of applications and proposals prepared that meet statutory timelines | 100% | 75% (9 out of 12 applications) Appendix 2 | 101 |
| Number of bovine spongiform encephalopathy risk assessments completed | 3 | 3 | 43 |
| Compliance rate of FSANZ with the national food incident response and food recall protocols | 100% | Post-recall reports indicate 100% of businesses undertaking recalls were very satisfied with FSANZ's recall coordination | 56 |
| Number of stakeholders communicated with through the FSANZ information register | ≥4,000 | Approximately 6,500 subscribers | 66 |

FOOD STANDARDS AND PRACTICES



01

- Introduction
- Summary of food regulatory activity
- Standards development
- Improving our standards development outcomes

STRATEGIC IMPERATIVE

To build and sustain **food standards and practices** to support high standards of public health protection and a dynamic and sustainable food manufacturing sector.

HIGHLIGHTS 2012–13

- Gazetted 12 applications and 7 proposals to amend the *Australia New Zealand Food Standards Code* (the Code), including requirements for making nutrition and health claims, approvals for four genetically modified foods, extensions to the country of origin standard and approvals to add a number of substances to food and to irradiate persimmons.
- Prepared documentation for further rounds of public consultation—especially with primary producers—on meat and wild game products and raw (unpasteurised) milk products.
- Rejected five applications to amend the Code because they did not meet the mandatory information requirements under s. 22(2) of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act) (Appendix 2).
- Assigned a category 1 bovine spongiform encephalopathy (BSE) status to the Netherlands and Vanuatu and a category 2 status to Croatia; conducted four in-country verification visits.
- Resumed work to determine regulatory and non-regulatory measures to reduce the level of dietary exposure to sulphites, particularly for young children.
- Approved, gazetted or commenced work on a number of variations to the Code involving infant formula products.
- Commenced a review of microbiological limits in the Code.
- Undertook a legal review of the Code, with implementation of changes to be completed by July 2014.

INTRODUCTION

Food Standards Australia New Zealand (FSANZ) underpins its food standards with the best available scientific evidence. Nowhere is this more important than in the assessment of risk to human health.

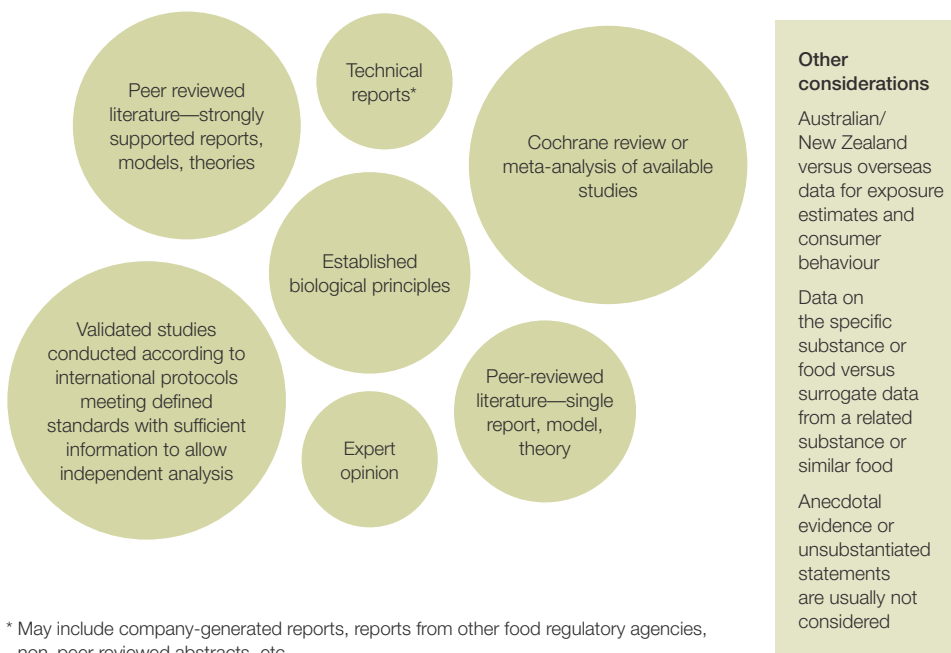
This evidence may include unpublished reports, in addition to publicly available papers in scientific journals. Irrespective of the source, and in all cases, we exercise professional judgement about the quality and relevance of the data and information.

We never rely on a single study to guide our risk assessments. Rather, we use a ‘weight of evidence’ approach that looks at a number of factors, including the design, methodology and duration of individual studies, the appropriateness of the instruments used to measure the variables of interest and the statistical analyses undertaken. New studies are evaluated as they become available, before they are added to the evidence base.

Studies designed and conducted in accordance with the principles and intent of good laboratory practice are accorded a higher weighting, as there is the expectation that they have been conducted with good quality control.

Figure 1 illustrates the relative weighting that FSANZ may give to different sources of evidence, using circle size to denote the weightings.

Figure 1: Sources of evidence used by FSANZ and relative weightings



In estimating the level of risk, we refer to agreed international practices for addressing uncertainty caused by limited or incomplete information. For example, we build in safety (or uncertainty) factors to account for species differences and human variability, and use 90th or 95th percentile dietary exposure levels to represent people who consume high amounts of a substance.

Each risk assessment prepared by FSANZ is internally peer reviewed to ensure conclusions are scientifically robust. We encourage stakeholders to comment on risk assessments via a public consultation process. For more scientifically complex or contentious risk assessments, we may seek external peer reviews of our assessments from national or international experts.

Examples of how we are building a scientific evidence base for emerging issues (e.g. nanotechnology, new plant breeding technologies, antimicrobial resistance) are discussed in Chapter 4 (page 67).

Once the risks are identified and understood, FSANZ considers a range of management options to minimise or eliminate the risks. Considerations taken into account include the agency's risk appetite and risk management options tailored to the likelihood and severity of a potential risk. Details of the risk management process can be found in the FSANZ publication *Risk Analysis in Food Regulation*.

SUMMARY OF FOOD REGULATORY ACTIVITY

Applications and proposals gazetted between 1 July 2012 and 30 June 2013

We gazetted (published) 12 variations to food standards (18 in 2012–13) and 7 variations from proposals (4 in 2012–13).

Detailed information on applications and proposals processed in 2012–13 is contained in Appendixes 1 and 2. Information on FSANZ's procedures for assessing applications and proposals can be found at Appendix 3.

Amendments to the FSANZ Application Handbook

Under s. 23 of the FSANZ Act, FSANZ can make guidelines that set out mandatory information and format requirements that applications must include. If these requirements are not met, then, under s. 26 of the FSANZ Act, FSANZ has the power to reject an application after it is lodged with FSANZ. These guidelines are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*, but are not subject to a sunset clause or disallowance.

We completed most of our work on the next set of amendments to Part 3 of the handbook, including additional requirements on health and nutrition claims.

Food Standards Development Work Plan (work plan)

New assessment procedures for applications and proposals took effect on 1 October 2007. Any proposal prepared or application received from this date onwards is assessed under these procedures. FSANZ can also reject applications if they do not meet the mandatory requirements in Part 3 of the Application Handbook.

Table 1 shows the number of applications, proposals and potential proposals on the FSANZ work plan (received or prepared before 1 October 2007) as at 30 June 2013, in all work plan groups. Table 2 shows the number of work plan applications and proposals received or prepared from 1 October 2007 onwards, as at 30 June 2013. The work plan can be accessed via our website.³

Table 1: Applications and proposals on the work plan (received or prepared before 1 October 2007)

| | At 30 June 2010 | At 30 June 2011 | At 30 June 2012 | At 30 June 2013 |
|--|---|---|---|---|
| Group 1 | 7 | 6 | 5 | 5 |
| Group 2 | 5 | 5 | 4 | 4 |
| Under review | 1 | 1 | 1 | 0 |
| Total | 13 | 12 | 10 | 9 |
| With the Council of Australian Governments Legislative and Governance Forum on Food Regulation or awaiting notification to the forum | 0 | 0 | 0 | 0 |
| Estimated waiting time Group 2 | Only 4 applications remain with assessment work to commence—3 are to be considered as part of a proposal on raw milk products | Only 4 applications remain with assessment work to commence—3 are to be considered as part of a proposal on raw milk products | Only 3 applications remain with assessment work to commence—2 are to be considered as part of a proposal on raw milk products | Only 3 applications remain with assessment work to commence—2 are to be considered as part of a proposal on raw milk products |

Group 1 is for applications or proposals raising health and safety issues being progressed as a priority or identified by jurisdictions as warranting priority.

Group 2 is for unpaid applications or proposals placed on a three-year rolling work plan scheduled for commencement in order of receipt.

³ www.foodstandards.gov.au/code/changes/workplan

Table 2: Applications and proposals on the work plan (received or prepared from 1 October 2007 onwards)*

| | At 30 June 2010 | At 30 June 2011 | At 30 June 2012 | At 30 June 2013 |
|--|---|-----------------|------------------------|------------------------|
| General procedure | 17 (5 paid) | 14 (7 paid) | 14 (4 paid) | 11 (3 paid) |
| Minor procedure | 0 | 0 | 1 | 0 |
| Major procedure | 8 (4 paid) | 9 (5 paid) | 6 (1 paid) | 7 |
| High-level health claims | n/a | n/a | n/a | 0 |
| Urgent applications or proposals | 1 | 0 | 0 | 0 |
| Under review | 0 | 0 | 1 | 1 |
| Total | 25 | 23 | 22 | 19 |
| With the Council of Australian Governments Legislative and Governance Forum on Food Regulation or awaiting notification to the forum | 4 | 3 | 3 | 2 |
| Estimated waiting time for unpaid applications | 9 months At least 24 months for labelling applications | 6 months | Approximately 2 months | Approximately 2 months |

* Does not include potential applications and proposals for which an administrative assessment has commenced, but not yet completed, as these have not yet been placed on the work plan, or where the application has been accepted, but was not on the work plan as at 30 June.

Performance of standards development

Table 3: Total applications received and accepted onto the work plan and proposals prepared

| | 2009–10 | 2010–11 | 2011–12 | 2012–13 |
|--------------|-----------|-----------|-----------|-----------|
| Applications | 21* | 9* | 11* | 6 |
| Proposals | 5 | 2 | 9 | 7 |
| Total | 26 | 11 | 20 | 13 |

* Includes any applications received in this year and accepted onto the work plan in the following year.

Table 4: Applications and proposals finalised

| | 2009–10 | 2010–11 | 2011–12 | 2012–13 |
|---|-----------|-----------|-----------|-----------|
| Final assessments made by the FSANZ Board | 2 | 1 | 1 | 0 |
| Approvals made by the FSANZ Board | 12 | 16 | 19 | 18 |
| Applications withdrawn or rejected* or removed from the work plan | 9 | 6 | 3 | 2 |
| Proposals abandoned | | | | |
| Total completed | 23 | 23 | 23 | 20 |
| Applications or proposals gazetted | 14 | 16 | 22 | 19 |

* Includes applications rejected at administrative assessment.

Further details on information in Tables 1–4 can be obtained from Appendix 2. There also may be some discrepancies between Tables 4 and 6, where decisions have been made in one financial year and the notification of that decision was made in the next financial year.

Table 5 provides information about any significant variation from the timetable established in the work plan for the consideration of applications and proposals during 2012–13.

Table 5: Reasons for delays in considering applications and proposals in 2012–13

| Application or proposal | Step | Variation | Reason |
|---|---|-----------|---|
| A1038—Irradiation of Persimmons (Unpaid) | Gazettal | 14 months | Federal Court application |
| A1039—Low Tetrahydrocannabinol (THC) Hemp as a Food (Unpaid) | Approval | 15 months | <p>Public comments on the proposed draft variation raised issues that required additional consideration before a final decision could be made by the FSANZ Board</p> <p>In particular, we required more information on the potential cost impact on food and law enforcement agencies, the potential for consumption of hemp foods to interfere with saliva THC testing results and whether industry could achieve lower THC levels in hemp foods than the maximum levels proposed by FSANZ</p> |
| A1055—Short-chain Fructo-oligosaccharides (Paid) | Assessment, preparation of draft food regulatory measure and call for submissions | 20 months | <p>A new Ministerial Policy Guideline for the Regulation of Infant Formula Products expanded the scope and complexity of the assessment. FSANZ took additional time to assess the issues raised and to have regard to the guideline, due to the vulnerability of the target population and stakeholder interest</p> <p>More time than anticipated was also needed to consult with FSANZ's Infant and Child Health Scientific Advisory Group</p> <p>There were also 3 requests for further information, which pushed the original due date out by about 7 months</p> |
| | Approval | 2 months | As the call for submissions occurred over Christmas, FSANZ required additional time to receive and then consider submissions received |

| Application or proposal | Step | Variation | Reason |
|--|--|-----------|---|
| P1005—Primary Production & Processing Standard for Meat and Meat Products | Preparation of draft food regulatory measure | 37 months | Initially on hold while a new proposal on minor species and a first call for submissions were prepared, to enable both proposals to be progressed together Delayed due to concerns with the potential regulatory gap for animal welfare issues, which are being addressed outside the food regulatory system |
| P298—Benzoate and Sulphite Permissions in Food | Draft assessment | 7 years | Need for updated dietary exposure data and assessments, as well as evaluation of data. Extensive consultations with relevant industry stakeholders have also been required |
| P1023—Tutin, Tocopherol and Food for Special Medical Purposes Standards Amendments | Assessment | 3 weeks | Delay occurred as a result of additional legal considerations resulting in various consequential amendments to the Code |

Table 6 shows the status of the applications and proposals received or prepared before 1 October 2007 and that remain on the work plan.

Table 6: Status of remaining applications and proposals received or prepared before 1 October 2007

| Application or proposal | Date received | Reason |
|--|---------------|--|
| A530—Permission for English Farmhouse Cheddar made from Raw Milk | 12/2/2004 | Assessment indefinitely delayed—issues to be considered as part of proposal on raw milk products |
| A531—Use of Raw Milk in Cheese Production | 16/2/2004 | Assessment indefinitely delayed—issues to be considered as part of proposal on raw milk products |
| A576—Labelling of Alcoholic Beverages with a Pregnancy Health Advisory Label | 17/2/2006 | FSANZ has delayed further assessment following the decision by the Legislative and Governance Forum on Food Regulation to accept the recommendation of the Review of Food Labelling Law and Policy, which allows 2 years for industry to adopt voluntary initiatives |
| A613—Definitions for Nutritive Substance & Nutritive Ingredient | 21/8/2007 | On hold pending advice from the applicant |
| P235—Review of Food-type Dietary Supplements | 10/5/2001 | On hold pending completion of related work |
| P236—Sports Foods | 10/5/2001 | On hold pending completion of related work |
| P274—Labelling Minimum Age for Infant Foods | 1/3/2003 | Work has recommenced following the release of the National Health and Medical Research Council Dietary Guidelines and Infant Feeding Guidelines |
| P290—Food Safety Programs for Catering Operations to the General Public | 10/2/2004 | FSANZ will recommence work on this proposal in the first quarter of 2014 to allow further implementation strategy work required by jurisdictions |
| P298—Benzoate and Sulphite Permissions in Food | 6/6/2005 | Reason for delay addressed in Table 5 |

Review requests by the Council of Australian Governments Legislative and Governance Forum on Food Regulation

A request for a review of a FSANZ decision to amend the Code must be sought by a majority of Food Regulation Forum members—that is, 6 out of 10. More details on the review process, including the criteria, are available in Appendix 3.

Table 7: Notification outcomes

| | 2009–10* | 2010–11* | 2011–12* | 2012–13 |
|-------------------------------------|----------|----------|----------|---------|
| Final assessment decisions notified | 2 | 1 | 1 | 0 |
| Approval decisions notified | 11 | 15 | 22 | 17 |
| Requests for review | 1 (8%) | 0 (0%) | 1 (4%) | 1 (6%) |
| First review decisions notified | 3 | n/a | n/a | n/a |
| Requests for second review | 0 | n/a | n/a | n/a |

* Figures in this column may differ from those provided in the previous year's annual report, as review requests may be received by FSANZ after the deadline for publication.

Ministerial policy guidelines

The Australian Government, states, territories and the New Zealand Government are generally represented by their health ministers (as lead ministers) on the Council of Australian Governments (COAG) Legislative and Governance Forum on Food Regulation (Food Regulation Forum). Other ministers from relevant portfolios, such as agriculture, industry or consumer affairs, also participate to ensure a whole-of-government approach to food regulation.

The Food Regulation Forum is responsible for the development of food regulatory policy for domestic and imported foods and the development of policy guidelines for setting food standards for domestic and imported foods.

No guidelines were notified to FSANZ in 2012–13.

Additional work requested by the Food Regulation Forum

No additional work was requested by the Food Regulation Forum.

Approval of new substances in, and irradiation of, certain foods

**Regulatory milestone
2012–13**

Number of applications gazetted: 6

During the year, gazettals included the irradiation of persimmons, extension of use of already permitted food additives and processing aids, amendments to novel food permissions and changes to the residue limits for packaged water.

There were two applications for the irradiation of persimmons, and tomatoes and capsicums, as quarantine measures and as replacement treatment for restricted chemical use. We included a permission to use the preservative ethyl lauroyl arginate in sausages. We extended the use of hydrogen peroxide as a processing aid to control lactic acid microorganisms in the production of specific dairy products. We also removed package volume restrictions for two types of foods permitted to contain added phytosterols. New residue limits were provided for packaged water to align with World Health Organization (WHO) guidelines.

In addition, we met regulatory milestones on the following projects:

Genetically modified (GM) foods (Standard 1.5.2)**Regulatory milestone
2012–13**Gazetted the inclusion of 2 GM soy varieties, 1 GM corn variety and 1 GM canola variety into the *Australia New Zealand Food Standards Code*

There are now 57 approvals for GM food listed in the Code, covering 76 lines from 8 different crops (canola, corn, cotton, lucerne, potato, rice, soybean and sugarbeet).

Safety assessments and reports for three applications (herbicide-tolerant cotton, herbicide-tolerant soybean and reduced-lignin lucerne) are currently in preparation.

FSANZ's protocol for conducting safety assessments of GM foods is based on scientific principles developed by bodies such as the Food and Agriculture Organization of the United Nations (FAO), the WHO, the Organisation for Economic Co-operation and Development (OECD) and the Codex Alimentarius Commission. Several papers published in the past year called into question these safety assessment procedures for GM foods, drawing significant comment in the media. We have responded in detail to the issues requiring a credible scientific response on our website. These papers can be found under the consumer section of the site.⁴

⁴ www.foodstandards.gov.au/consumer/gmfood

Nutritive substances and novel foods

Regulatory milestone 2012–13

Commencement of a review of the current regulation of nutritive substances and novel foods in the *Australia New Zealand Food Standards Code*

In 2012, FSANZ issued a consultation paper asking for comment on the way nutritive substances and novel foods are regulated through the Code. In December 2012, we commenced a proposal to review and analyse the issues raised. This proposal will involve extensive public consultation, beginning with a call-for-submissions report to be released later in 2013. We have considered possible alternative regulatory approaches for nutritive substances and novel foods and have commissioned a study to investigate the costs of bringing a new food to market. The latter will help in assessing the cost impacts of potential approaches and in the preparation of a regulatory impact statement.

Benzoates and sulphites

Regulatory milestone 2012–13

Draft assessment report, containing proposed changes to the *Australia New Zealand Food Standards Code*, being prepared for consultation

When FSANZ initiated a proposal in 2003 to review benzoate and sulphite levels in foods, it appeared that there was a potential for much of the Australian population to exceed the Acceptable Daily Intake (ADI) for the preservative groups benzoates and sulphites. The ADI is defined internationally as an estimate of the amount in food that can be ingested daily over a lifetime without appreciable risk.

Since then, we have been collecting additional information about consumption patterns of foods containing these preservatives and their concentrations in key foods in both Australia and New Zealand, and commissioned a report on the need for, and use of, sulphites in raw meat sausages.

With this additional information, our conclusion is that there are no exceedances of the ADI for consumers of benzoates or sulphites, except for sulphites for high-consuming children between two and five years of age in Australia and boys between five and twelve years of age in New Zealand. It is also likely that New Zealand children under five years old would also exceed the ADI. Accordingly, we are considering both regulatory and non-regulatory measures to reduce the level of dietary exposure to sulphites, particularly for young children.

Labelling standards

Nutrition and health claims

**Regulatory milestone
2012–13**

Gazetted Standard 1.2.7 in January 2013

In January 2013, FSANZ gazetted Standard 1.2.7—Nutrition, Health and Related Claims. Food businesses have three years to meet the requirements of the new standard. The standard is the culmination of 10 years of standards development work, involving extensive consultation with expert advisors, key stakeholders and the general public.

This standard regulates the voluntary use of nutrition content claims, health claims and endorsements on food labels and advertisements for food. Nutrition content claims are claims about the content of certain nutrients or substances in a food, while health claims refer to a relationship between a food (or food property) and health. Nutrition content and health claims are required to meet certain criteria set out in the standard.

The new standard ensures that consumers can have confidence that health claims are well supported by scientific evidence. The standard aims to support industry innovation, assist consumers to make informed food choices, reduce the risk of misleading and deceptive claims about food, expand the permitted range of health claims and provide clarity for the jurisdictions enforcing the standard.

Country of origin labelling

**Regulatory milestone
2012–13**

Extensions to Standard 1.2.11 gazetted in January 2013

In March 2010, the Australian Government asked FSANZ to consider extending country of origin labelling to provide consumers with appropriate information and to remove the inconsistency in applying country of origin labelling across unpackaged meat. FSANZ decided to extend mandatory country of origin labelling to unpackaged beef, sheep and chicken meat. The new requirements for unpackaged meat take effect in July 2013.

Food standards for the primary industries

Meat and meat products

**Regulatory milestone
2012–13**

Preparation for a round of public consultation in September 2013

We recommenced work on a national primary production and processing standard for meat and meat products, after a delay in 2012 while a potential regulatory gap associated with

animal welfare issues was addressed. We intend to consolidate our work on major meat species and minor meat species and wild game for the next round of public consultation.

Horticulture

Regulatory milestone 2012–13

Negotiated a preferred position on maximising the safety of produce in readiness for public consultation

FSANZ continued to examine the most effective ways of maximising the safety of horticultural produce in Australia. In consultation with industry and the regulators in the states and territories, we are developing a preventive and responsive option that builds on existing regulatory and non-regulatory measures. This approach aims to maximise food safety compliance and outcomes in horticultural produce without undue cost to industry, consumers or government.

Raw milk products

Regulatory milestone 2012–13

Preparation for a further round of public consultation on unpasteurised (raw) milk products

The Code allows for the production and sale of hard, cooked curd cheese manufactured without pasteurisation. In 2012–13, we continued to examine the specific production and processing controls needed for additional approved raw milk products to ensure that they will provide an acceptable level of public health risk. Later in 2013, we will conduct another round of public consultation to provide greater detail on the control measures needed and their validation.

Public health

Short-chain fructo-oligosaccharides

Regulatory milestone 2012–13

Approved draft amendments to various standards in the *Australia New Zealand Food Standards Code*

This work concerned the addition of short-chain fructo-oligosaccharides, made from sucrose, to infant formula products, infant foods and formulated supplementary foods for young children (toddler milk). It presented a particular challenge to FSANZ as it was one of the first applications to refer to the Ministerial Policy Guideline on the Regulation of Infant Formula Products, which expanded the scope and complexity of the assessment. We took additional time to assess the issues raised because of the vulnerability of infants and young children and stakeholder interest.

We have notified the COAG Legislative and Governance Forum on Food Regulation of our approved change to the Code.

Minimum L-histidine in infant formula products

Regulatory milestone 2012–13

Gazetted amendments to Standard 2.9.1 in May 2013

In 2012–13, a company sought approval to reduce the minimum requirement in the Code for L-histidine in infant formula products from 12 mg/100 kJ to 10 mg/100 kJ. Our assessment supported this change and, in November 2012, we invited public submissions on the draft variation. All eight submitters supported this change to the Code. In May 2013, the Food Regulation Forum upheld FSANZ's decision to approve the company's request, and the Code was subsequently gazetted.

A minimum level of 10 mg/100 kJ is comparable to the L-histidine content of breast milk and is considered adequate to support the growth of formula-fed infants. It also provides consistency between the Code and international and overseas food standards, considering much infant formula is imported.

Infant formula products

Regulatory milestone 2012–13

Conducted preliminary work prior to raising a proposal to amend Standard 2.9.1 in the *Australia New Zealand Food Standards Code*

In 2012–13, we undertook various targeted consultation activities with key stakeholders and released a consultation paper for public comment on our review of standards for infant formula products. The consultation paper outlined the regulatory issues identified to date and called for stakeholder views on the scope and issues to be addressed in a future proposal. It covered issues related to composition, labelling, category definitions, and marketing and advertising. A proposal to revise and clarify the standards for infant formula products in the Code will commence in 2013–14.

Food for special medical purposes

Regulatory milestone 2012–13

Amended commencement date for Standard 2.9.5

Standard 2.9.5—Food for Special Medical Purposes (FSMP) was gazetted in June 2012, to commence on 28 June 2014. This two-year notice period was intended to allow time for manufacturers, distributors and others to make any adjustments needed to comply with the standard on the commencement date.

However, FSANZ was then advised by industry that some FSMPs available for import into Australia and New Zealand could comply immediately with Standard 2.9.5 and that their manufacturers would be disadvantaged by the delay. Submissions from a round of public consultation supported an immediate commencement date, which took effect in February 2013. We also included specific transitional arrangements to allow time for other FSMPs to lawfully transition by 28 June 2014.

Food for infants

Regulatory milestone 2012–13

Preparation of public consultation documentation on minimum age labelling of infant foods

At present, the labelling requirements in Standard 2.9.2 do not align with the infant feeding guidelines of Australia or New Zealand, both of which recommend the introduction of solid foods at ‘around 6 months’. Some years ago, FSANZ commenced a proposal to review the minimum age labelling of infant foods. We deferred consideration in 2008, when the National Health and Medical Research Council (NHMRC) began a review of the Australian infant feeding guidelines. The revised Australian guidelines, released in February 2013, continued the recommendation of the past 10 years to introduce solid foods at ‘around 6 months’.

We have therefore recommenced the proposal to consider aligning Standard 2.9.2 with the revised guidelines and will release a public consultation paper later in 2013 to inform the final decision.

Food safety

Listeria

Regulatory milestone 2012–13

Began first stage of review of microbiological limits in the code

FSANZ commenced the first stage of the review of microbiological limits in the Code by raising a proposal to assess microbiological criteria for *Listeria monocytogenes* in ready-to-eat foods. The review seeks to address a number of problems that have been identified with the current limits for *L. monocytogenes* in Standard 1.6.1.

Public consultation commenced on this work in September 2012. We will continue to consult with industry and the states and territories on the most appropriate approach to issues raised. In conjunction with proposed amendments to the Code to establish microbiological criteria limits for *L. monocytogenes*, we intend to develop a package of supporting guidance materials. We expect to initiate a final round of public consultation in early October 2013.

Tutin

**Regulatory milestone
2012–13**

Further extension of interim maximum level for tutin in honey to March 2015

FSANZ and the Ministry for Primary Industries (New Zealand) have been working collaboratively to improve the scientific basis of a permanent maximum level (ML) in the Code for the toxin, tutin in honey. This potent neurotoxin sometimes appears in honey at levels high enough to cause serious health effects in humans—for example, convulsions. Since 2008, this risk has been controlled by a temporary maximum level in the Code, while further work has been carried out.

Research is under way to identify the nature of the toxin in honey and its distribution and metabolism in humans. We intend to use this information to support an internationally acceptable risk assessment for this toxin and a subsequent regulatory measure in the Code. Interim MLs currently in the Code for tutin in honey and comb honey appear to be providing a measure of protection for human health and safety. We expect to complete a proposal for the introduction of a permanent ML for tutin in honey before the expiry of the interim MLs in March 2015.

IMPROVING OUR STANDARDS DEVELOPMENT OUTCOMES

Reform of the *Australia New Zealand Food Standards Code*

In 2010, FSANZ commissioned the Commonwealth Office of Legislative Drafting and Publishing (OLDP) to undertake a legal review of the Code. The OLDP report identified issues in relation to the Code's enforceability and interpretation, and the consistency of its application across jurisdictions. Consultation with jurisdictions on the OLDP report also raised other issues.

We engaged the Australian Government Solicitor (AGS) to draft a revised Code that addressed the issues identified by the OLDP and jurisdictions. We also established four internal committees to assist and advise the AGS in this process, in the areas of labelling, food safety, product safety and public health nutrition.

The Code's revision will be mainly limited to technical legal changes. It will not result in changes to the effect of the Code, with the possible exception of changes that are essential to achieve the resolution of issues identified in the OLDP review or the related consultation with jurisdictions. Jurisdictions will be consulted by the working group as and when drafting is available for public consultation.

The target date for implementation of a revised Code is 1 July 2014.

Code Interpretation Service

The Code Interpretation Service (CIS) provides interpretive guidance on food standards in chapters 1 and 2 of the Code, and is available to all food industry stakeholders on a fee-for-service basis. In 2012–13, the CIS fielded 10 enquiries, but did not receive any applications for interpretive guidance.

An independent review of the CIS will be commissioned by the Food Regulation Steering Committee in the next financial year. The review will examine CIS operations and consider whether the service is meeting the objectives established under the COAG Intergovernmental Agreement for Food Reforms 2011.

Support for implementing standards

Bovine spongiform encephalopathy

Before a country can export beef and beef products to Australia, FSANZ must conduct a bovine spongiform encephalopathy (BSE) food safety assessment to ensure that these animal-derived products pose no food safety threat to the Australian population. This work is overseen by the Australian BSE Food Safety Assessment Committee, comprising experts on BSE, animal health, food safety and agricultural systems.

In November 2012, FSANZ completed BSE food safety assessments for the Netherlands, the Republic of Croatia and the Republic of Vanuatu. FSANZ assigned the Netherlands and Vanuatu a category 1 BSE risk status and Croatia a category 2 status.

Countries assigned a category 1 or category 2 status by FSANZ are eligible to export beef or beef products to Australia, and their beef products are considered to pose a negligible food safety risk. Certification requirements for each category are different and are implemented by the Australian Government Department of Agriculture, Fisheries and Forestry (DAFF).

In 2012–13, FSANZ completed four in-country verification visits—the Republic of Latvia and the Republic of Lithuania (September 2012), the Republic of Chile (March 2013) and the Federative Republic of Brazil (June 2013). For each country, we assessed the effectiveness of BSE control and preventive systems across the beef production chain and visited slaughtering facilities, feedlots, feed mills, border inspection posts and rendering plants.

Mandatory fortification of bread and bread-making flour

Mandatory fortification of bread-making flour with folic acid and mandatory use of iodised salt in bread making were introduced in Australia in late 2009. In 2010, FSANZ conducted its first bread analytical program, the results of which were used to estimate potential changes in dietary iodine and folic acid intakes of the Australian population some 10 months after implementation of the mandatory fortification standard.

A second phase of monitoring was undertaken in 2012, and a third phase of sampling and analysis of breads sold in Australia is currently in progress. We will use the results to model the impact of mandatory bread fortification on the intake of folic acid and iodine for the Australian population in the 3–4-year period after the implementation of the mandatory fortification standard.

Maximum residue levels (MRLs) for low levels of chemicals

The Code regulates the level of chemical residues that are permitted in food. The current approach does not adequately address the unexpected presence of agricultural and veterinary chemicals listed in the Code, but present at very low levels that are safe in an unspecified food (i.e. not listed in the Code), in an efficient and timely manner.

FSANZ is considering an alternative to the current 'zero tolerance' approach to the regulation of agricultural and veterinary chemicals in food and has prepared a proposal to progress this work. The alternative option seeks to provide flexibility in situations of detecting a chemical/food combination without an MRL and enable the food to be sold, providing the relevant authority has determined that it does not pose a risk to public health and safety.

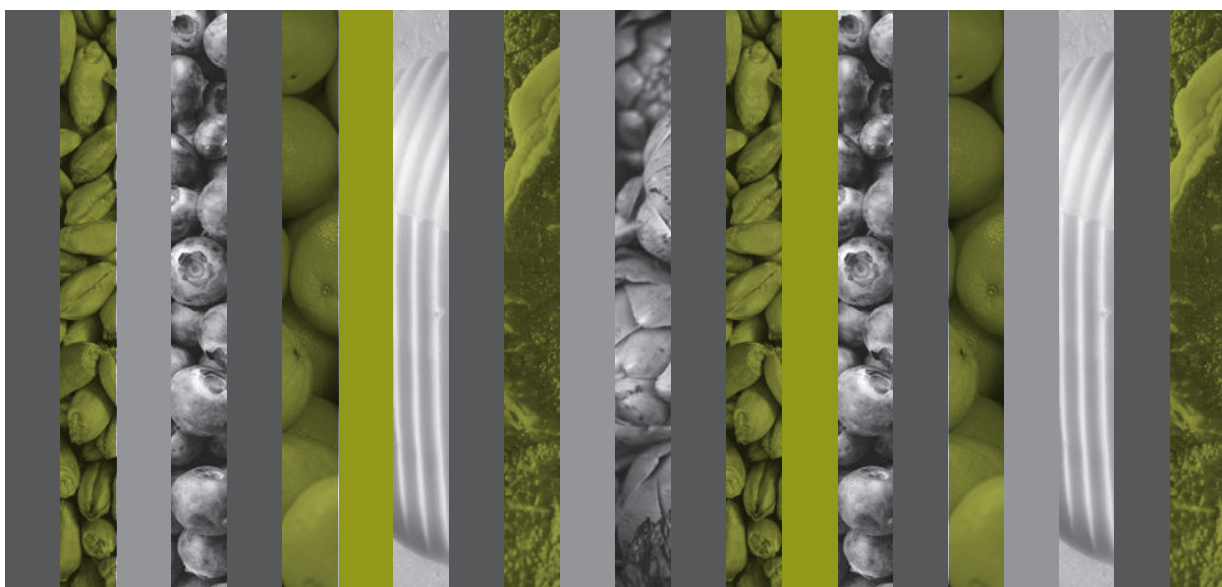
Imported food

FSANZ provides assessment advice to the DAFF Imported Food Program, which then uses this advice to decide on monitoring and control measures at the Australian border. A comprehensive mapping and review of processes, related roles, and the responsibilities of FSANZ and DAFF in relation to imported food was completed in March 2012.

This interagency review took into account the legislative limitations on both agencies. FSANZ and DAFF acknowledged the need for a whole-of-government approach to monitoring and controlling imported foods. Both agencies are committed to continuous improvement in this area. Accordingly, a joint agency implementation plan is being rolled out, which is exploring more efficient ways of operating and improved processes, including how both agencies respond to emerging food safety issues. This work will continue over the next two years.

In 2012–13, we focused on working more closely with DAFF to provide targeted assessment advice on risks associated with imported food, reviewing the FSANZ/DAFF memorandum of understanding and developing corresponding FSANZ operational processes, and applying the FSANZ emerging issues framework to identify and prioritise imported food safety concerns.

REGULATION AND MANAGEMENT OF FOOD RISKS



02

REGULATION AND MANAGEMENT OF FOOD RISKS

- Introduction
- Strengthening our evidence base
- Monitoring food hazards
- Food incidents
- Food recalls

STRATEGIC IMPERATIVE

To maintain a transparent and evidence-based approach to **regulation and the management of food risks**.

HIGHLIGHTS 2012–13

- Led the Australian delegation to four committees of the Codex Alimentarius Commission and actively participated in their working groups.
- Carried out dietary exposure assessments for a range of food standards projects and for other purposes, including an assessment for the irradiation of capsicums and tomatoes.
- Continued to co-chair (with China) the APEC Food Safety Cooperation Forum on behalf of Australia, with the annual meeting involving approximately 90 delegates from 16 member economies, as well as participants from a range of government, industry, academic and other organisations.
- Acted as a World Health Organization (WHO) Collaborating Centre for Food Contamination Monitoring.
- Maintained oversight of the surveillance and monitoring activities of the Implementation Sub-Committee for Food Regulation (ISFR).
- Commenced work on the 25th Australian Total Diet Study, which focuses on metal contaminants, agricultural and veterinary chemicals, and radionuclides.
- Conducted surveys of cyanogenic glycosides in plant-based foods and arsenic in seaweed.

- Received 2,631 food-related mandatory reports from the Australian Competition and Consumer Commission (ACCC), representing 46 per cent of all mandatory reports (food and non-food) received by the ACCC at 30 June 2013.
- Coordinated 44 Australia-wide food recalls.

INTRODUCTION

Once a food hazard has been identified and characterised (i.e. the likelihood and potential severity to human health assessed), how does FSANZ decide what control measures to recommend?

For example, can education programs or product information adequately protect consumers from potential harm from low-risk foods, and should high-risk foods or food ingredients be removed from sale completely? In between these extremes lies a range of management options aimed at reducing the risk to consumers to acceptable levels. The amount of regulation imposed by FSANZ, through food standards and other measures, depends on the 'risk appetite' of the agency and our regulatory partners.

We define risk appetite as the amount and type of risk that we are willing to pursue or retain. This definition is based on the *AS/NZS ISO 31000:2009 Risk Management—Principles and Guidelines*. As an agency, our risk appetite is the level of risk that we are prepared to accept in fulfilling our statutory objectives, without taking action to reduce that risk. The level of risk that remains after risk management action is taken to reduce that risk is known as the residual risk.

A low risk appetite, therefore, generally results in a greater stringency of risk mitigation measures, and vice versa.

Organisations can benefit from having a clear and concise statement relating to the extent of their willingness to take risk in pursuit of their business objectives. The statement can also provide a basis on which to evaluate and monitor the amount of risk being faced, to determine whether the risk has risen above an acceptable range. Articulating risk appetite is a complex endeavour.

FSANZ maintains its lowest risk appetite in setting standards when addressing our primary objective of protecting public health and safety through a safe food supply. In meeting this objective, we adopt a conservative approach. This is particularly the case where there is a level of uncertainty in the risk assessment due to a lack of data or when dealing with susceptible population subgroups. In such cases, we operate with a zero to negligible tolerance for residual risk.

We have a slightly higher risk appetite in relation to our other statutory objectives—providing adequate information and preventing misleading or deceptive conduct. In discharging our duties here, we adopt a more managed approach, balancing risks, benefits and costs with a moderate tolerance for residual risk.

Internal expertise

Dietary exposure assessments

Dietary exposure assessments provide an estimate of the magnitude, frequency and duration of exposure to the nutrient or food chemical of interest.

In 2012–13, we carried out dietary exposure assessments for a range of food standards projects and other purposes, including an assessment for the irradiation of capsicums and tomatoes. We also provided dietary exposure assessment data for surveillance activities (24th Australian Total Diet Study and the ISFR [then the Implementation Sub-Committee] coordinated survey for cyanogenic glycosides in plant-based foods) and food incidents (e.g. contamination of the Northern Territory's Edith River following a train derailment).

In addition, we have an ongoing role in approving dietary exposure assessments conducted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) when assessing the safety of residues in food for new or amended uses of agricultural and veterinary chemicals, including assessments for chemicals under review by the APVMA.

During the year, we also responded to international requests for dietary data from the Food and Agriculture Organization of the United Nations (FAO) and WHO, and provided assistance to other government agencies on exposure assessment matters, on an ad hoc basis. For example, we contributed exposure estimates to the 77th meeting of the Joint FAO/WHO Expert Committee on Food Additives and provided input into Codex working groups for contaminants.

External expertise

FSANZ Fellows

The Fellows program creates a network of respected experts to provide advice on applications, proposals and other risk assessment activities in their relevant areas of expertise, to peer-review FSANZ work and to provide training to FSANZ staff.

In 2012–13, the FSANZ Board approved the appointment of one new Fellow, Dr Jason Riis. Dr Riis is Assistant Professor of Business Administration in the Marketing Unit at Harvard Business School. Dr Riis has extensive research experience in the area of behavioural economics and the use of behavioural economics techniques, which will contribute to FSANZ's regulatory design.

Membership of the FSANZ Fellows program appears in Table 8.

Table 8: FSANZ Fellows 2012–13

| FSANZ Fellow | Background or expertise | Affiliated institution |
|-------------------------------------|--|--|
| Professor Ken Buckle | Food science, processing and microbiology | University of New South Wales |
| Professor John Cary | Social science | Victoria University |
| Professor Lynne Cobiac | Nutrition and dietetics | Flinders University |
| Dr Laurence Eyres | Food technology | ECG Ltd |
| Professor David Fraser | Vitamin D | University of Sydney |
| Professor Nigel French | Molecular epidemiology and risk research | Massey University |
| Professor Graham Giles | Cancer epidemiology | Cancer Council; University of Melbourne |
| Professor Stephen Goodall | Health economist | University of Technology |
| Dr Heather Greenfield | Food composition | University of New South Wales |
| Professor Peter Langridge | Genomics | University of Adelaide |
| Associate Professor Winsome Parnell | Surveys and infant nutrition | University of Otago |
| Professor Brian Priestly | Health risk assessment | Monash University |
| Dr Jason Riis | Behavioural economics | Harvard Business School |
| Professor Seppo Salminen | Intestinal microbiota and health, probiotics and prebiotics, health claims | University of Turku |
| Professor Richard Shepherd | Consumer behaviour | United Kingdom |
| Professor Murray Skeaff | Nutrition | University of Otago |
| Professor Anthony Smith | Complementary medicines | Newcastle Mater Hospital/ University of Newcastle |
| Professor Mark Tamplin | Microbiology and food safety | University of Tasmania |
| Associate Professor Peter Williams | Nutrition | University of Wollongong |

Regulatory Science Network

FSANZ is a member of the Regulatory Science Network, a network of Australian Government agencies⁵ responsible for regulating chemicals (including radio-isotopes) and/or biological agents. The aim of the network is to forge closer linkages and promote common approaches to regulatory science between the agencies.

During the year, the network presented a symposium on 'Assessing emerging chemical and biological risks' at the Society for Risk Analysis World Congress on Risk 2012, convened two risk analysis workshops for regulatory agencies and developed a formal charter for the network itself. The network sits under the Regulators' Forum, which is a high-level group of representatives from regulatory agencies in the Australian Government Health and Ageing and Agriculture, Fisheries and Forestry portfolios.

International networks

Codex Alimentarius Commission

The Codex Alimentarius Commission (Codex) is the international food standards-setting body established by the FAO and WHO. Codex develops international food standards, guidelines and codes of practice for an international food code that contributes to the safety, quality and fairness of food trade.

The *Food Standards Australia New Zealand Act 1991* requires FSANZ to have regard to the international harmonisation of food standards and to use the best available scientific evidence in our regulatory decision-making. Our international networks provide opportunities for achieving both these objectives. FSANZ plays a significant role in developing international food standards produced by Codex.

During the year, FSANZ led the Australian delegation at a number of meetings. Table 9 summarises our participation in the work of Codex.

5 Current membership of the Regulatory Science Network is the Australian Pesticides and Veterinary Medicines Authority; the Australian Radiation Protection and Nuclear Safety Agency; the Australian Government Department of Agriculture, Fisheries and Forestry; FSANZ; the National Industrial Chemicals Notification and Assessment Scheme; the Office of the Gene Technology Regulator; the Therapeutic Goods Administration; and the Office of Chemical Safety, Australian Government Department of Health and Ageing.

Table 9: FSANZ participation in the work of the Codex Alimentarius Commission 2012–13

| Codex committee | FSANZ participation |
|---|---|
| 34th Session of the Codex Committee on Nutrition and Foods for Special Dietary Uses | Led Australian delegation and is leading an electronic working group on Proposed and Draft Additional or Revised Nutrient Reference Values—Requirement for Labelling Purposes in the Codex Guidelines on Nutrition Labelling |
| 34th Session of the Codex Committee on Food Hygiene | Led Australian delegation and is leading an electronic working group to prepare a discussion paper on the occurrence and control of parasites in food |
| 45th Session of the Codex Committee on Food Additives | Led Australian delegation and chaired an electronic working group on Harmonisation of the Food Additive Provisions of the Commodity Standards with the General Standard for Food Additives, chaired and facilitated discussions on Note 161, and chaired an in-session working group on Endorsement of Food Additive Provisions at Step 8 |
| 7th Session of the Codex Committee on Contaminants in Food | Led Australian delegation and led electronic working group on Proposed Draft Maximum Levels for Hydrocyanic Acid in Cassava and Cassava Products, and co-chaired the development of a Code of Practice to Reduce the Presence of Hydrocyanic Acid in Cassava and Cassava Products |

Case study: food safety

At the 44th session of the Codex Committee on Food Hygiene in 2012, Australia was asked to lead an electronic working group to prepare a discussion paper on the occurrence and control of parasites in food. This followed work undertaken by the Food and Agriculture Organization of the United Nations and the World Health Organization on control measures for the top-ranked parasites (the parasites of greatest concern in public health), the primary commodities of concern and their relevance in international trade.

FSANZ has developed a discussion paper for international consideration of issues, such as the form of guidance, whether guidance on criteria for prioritisation of parasites should be developed, and the scope and approach of potential work. These issues will be considered by the committee at its annual meeting in November 2013.

International Food Chemical Safety Liaison Group

In November 2012, FSANZ hosted and chaired a teleconference of the International Food Chemical Safety Liaison Group. The liaison group, formed in 2006, provides a platform for regulators in different countries to exchange information on chemical risk analysis, emerging issues and food surveillance.

The group also met via teleconference in May 2013. Food chemical safety issues discussed by the group over the last year include acrylamide, contaminants such as inorganic arsenic, safety assessment of radionuclides, natural toxins and food contact packaging chemicals. Frameworks and approaches for considering potential emerging food chemical safety issues have also been discussed and shared.

International Microbial Food Safety Liaison Group

The International Microbial Food Safety Liaison Group remains an active source of information sharing among food regulation agencies. FSANZ accepted the role of meeting chair in December 2012, for a period of 12 months. Specific topics of discussion have included the management of enteric viruses such as norovirus and hepatitis A virus in the food supply, and the application of microbiological criteria for *Listeria monocytogenes* in ready-to-eat foods.

Relationships in the Asia-Pacific region

The Asia-Pacific Economic Cooperation (APEC) Food Safety Cooperation Forum (FSCF) continues to restate its commitment for member economies to work together to strengthen food safety systems, progress towards a safer food supply and promote harmonisation of food standards with international standards.



Members of the fourth APEC Food Safety Cooperation Forum (FSCF).

FSANZ (on behalf of Australia) and the People's Republic of China share responsibility for co-chairing the APEC FSCF. In 2012–13, the fourth APEC FSCF and the Partnership Training Institute Network (PTIN) suite of events were held in Surabaya, Indonesia. Events included a workshop educating small and medium enterprises on food safety standards (led by Indonesia), an FSCF PTIN steering group meeting, and a Food Safety Incident Network (FSIN) workshop (led by FSANZ).



FSANZ Chief Scientist Dr Paul Brent and Dr Barbara Butow (FSANZ) at the APEC Food Safety Cooperation Forum in Surabaya, Indonesia.

The FSIN workshop was organised and implemented by Australia (FSANZ) and involved approximately 90 delegates from 16 member economies, as well as participants from a range of government, industry, academic and other organisations. Key recommendations included agreement to develop an FSIN portal in the International Food Safety Authorities Network (INFOSAN) website and improved cooperation with the INFOSAN secretariat.

The fourth meeting of the FSCF involved about 80 delegates from 16 APEC member economies, as well as representatives from WHO/INFOSAN, the World Bank, GS1 and the Association of Southeast Asian Nations.

An action plan was endorsed to implement the APEC Regulatory Cooperation Plan, which was recommended by APEC ministers in 2012. This action plan sets out the steps by which the FSCF will promote alignment to relevant international standards, and consistency with WTO obligations.

World Health Organization Collaborating Centre for Food Contamination Monitoring

FSANZ is a WHO Collaborating Centre for Food Contamination Monitoring, and carries out activities to support WHO programs. In 2013, we were re-designated as a collaborating centre for a further five-year term, demonstrating the value of the data we contribute and highlighting that our expertise is highly sought after.

During the year, we submitted data on the chemical residues in domestic and imported aquacultured fish and ethyl carbamate in Australian foods. We also provided data for lead and cadmium from the 20th and 23rd Australian Total Diet Surveys to assist the work of expert working groups.

Monitoring

Implementation Sub-Committee for Food Regulation Coordinated Food Survey Plan⁶

FSANZ oversees the surveillance and monitoring activities of the Implementation Sub-Committee for Food Regulation (ISFR). A three-year survey plan is the major planning tool for food surveillance and monitoring activities. It outlines national and bi-national food survey activities for Australia and New Zealand. In 2013, two activities were completed under the plan:

- a research report on pine nuts and pine mouth, led by the New South Wales Food Authority
- reference data for *Listeria monocytogenes* in ready-to-eat foods, led by the New Zealand Ministry for Primary Industries.

In addition, the ISFR Surveillance Register was completed. This is a large compilation of surveillance activities conducted in Australia and New Zealand that were done as coordinated surveys or separately by agencies. The surveillance activity is mapped against each standard in the Code. It is to be used as a tool for identifying potential areas to focus future food surveillance activities.

Food Surveillance Network

The Food Surveillance Network (FSN) continues to be an effective forum for food regulatory agencies in Australia and New Zealand to discuss, plan and implement food surveillance activities. The FSN supports the work of the ISFR, particularly with respect to its three-year forward-looking Coordinated Food Survey Plan and implementation of those survey activities.

Surveys

Australian Total Diet Study

The Australian Total Diet Study (ATDS) is Australia's most comprehensive assessment of consumers' dietary exposure (intake) to pesticide residues, contaminants and other substances. It enables FSANZ to monitor the food supply to ensure that existing food regulatory measures provide adequate protection of consumer health and safety.

The 24th ATDS involved an analysis of 94 Australian foods and beverages. Because of the broad range of scope of the survey, we are releasing the results in two phases, with the first phase of the report now complete. The first phase of the report covers the analysis of acrylamide, aluminium and perchlorates.

⁶ Formerly the Implementation Sub-Committee Coordinated Food Survey Plan.

We have started preparing the second report for the 24th ATDS. This report will cover bisphenol A, epoxidised soy bean oil, phthalates, perfluorinated compounds and printing inks. We intend to publish the report in early 2014.

Work on the 25th ATDS has started, with samples being collected during May 2013. The 25th ATDS focuses on metal contaminants, agricultural and veterinary chemicals, and radionuclides.

Survey of cyanogenic glycosides in plant-based foods

Since 2010, FSANZ has undertaken three analytical surveys of cyanogenic glycosides in a range of plant-based foods. Cyanogenic glycosides are a group of natural toxicants that occur in a number of plants used as foods. Potential toxicity arises when these substances are degraded to hydrogen cyanide (which is measured as total hydrocyanic acid), resulting in acute cyanide poisoning.

Information from the surveys will help us determine whether there are any potential public health and safety issues associated with the consumption of any of the sampled foods. The risk assessment is due to be completed later in 2013.

Inorganic arsenic in seaweed

We conducted a small survey, in 2010, investigating levels of inorganic arsenic in seaweed and seaweed-containing products. The levels found were all below the maximum permitted level for seaweed of 1 mg/kg (as described in the Code), with the exception of one composite sample of hijiki seaweed. The relevant jurisdiction was notified of the result for the hijiki seaweed for further investigation and relevant follow-up action. We published the results on our website in January 2013.

FOOD INCIDENTS

National Food Incident Response Protocol

The National Food Incident Response Protocol provides whole-of-government guidance on responding to national food incidents. Under the protocol, FSANZ has responsibility for coordination, information gathering, risk assessment and communication. The protocol has not been activated by food regulators since June 2012.

In 2012–13, the protocol was amended to facilitate initial information sharing between agencies to determine whether response action is required at the national level. In addition, we have refined our internal operating procedures, developed online tools and continue to progress training materials to ensure efficient coordination of national food incidents.

Mandatory reporting

All participants in the food supply chain must report food-related incidents—where death or serious injury or illness has resulted, requiring medical or surgical treatment—to the Australian Competition and Consumer Commission (ACCC).

The ACCC now refers food-related mandatory reports directly to the relevant state or territory food enforcement agency (where consent from the supplier has been received), for possible action. FSANZ simultaneously receives copies of these mandatory reports for national monitoring and reporting purposes.

Since mandatory reporting commenced in January 2011, FSANZ has received 2,631 food-related mandatory reports from the ACCC. This figure represents 46 per cent of all mandatory reports (food and non-food) received by the ACCC as at 30 June 2013. Some 82 per cent of food businesses gave the ACCC permission to refer their reports to FSANZ in 2011, increasing to 92 per cent in 2012–13.

Most of the mandatory reports come from businesses in the food manufacturing and retail sectors, followed by the catering sector. They mainly concern alleged food poisoning.

Food recalls

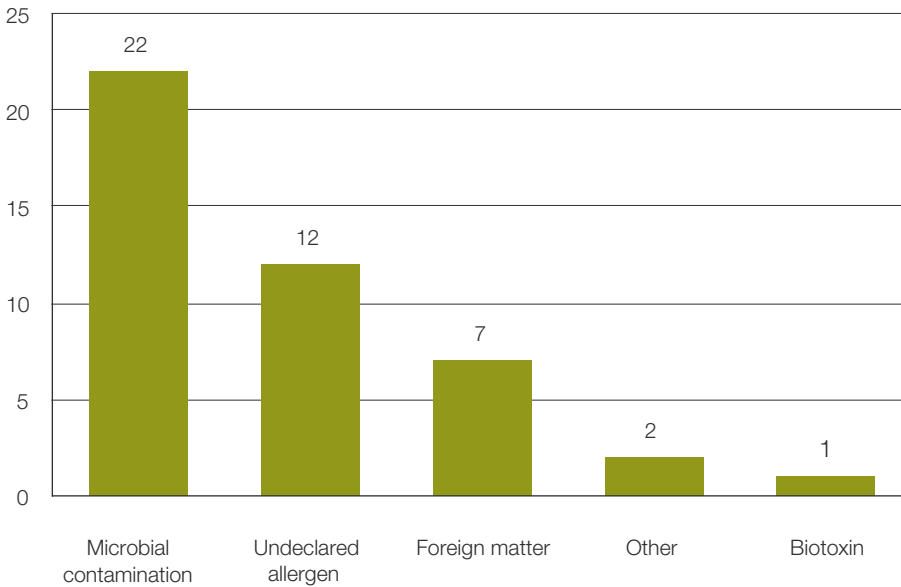
During the year, FSANZ met with state and territory food recall officers to review recall policies and procedures. We also briefed the Retailers and Manufacturers Liaison Committee on our recall processes so that businesses at this end of the supply chain fully understand the current recall arrangements.

We finalised a new edition of the *Food Industry Recall Protocol*, to provide the food industry with detailed guidance on how to undertake a recall. The revised edition provides more information on the importance of communicating recalls to the public and a new section on the importance of traceability. The most up-to-date advice on food recalls can be found on our website.⁷

FSANZ coordinated 44 food recalls in 2012–13, mainly involving microbial contamination (mainly *Listeria* and *Salmonella*) and the presence of undeclared allergens (e.g. dairy, peanuts and sulphites) (Figure 2).

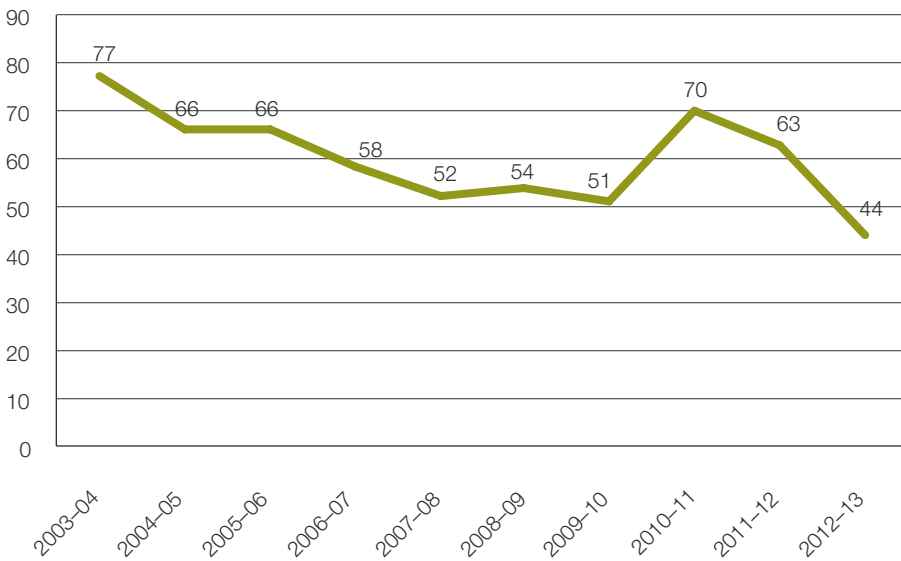
⁷ www.foodstandards.gov.au/industry/foodrecalls

Figure 2: Food recalls by recall category

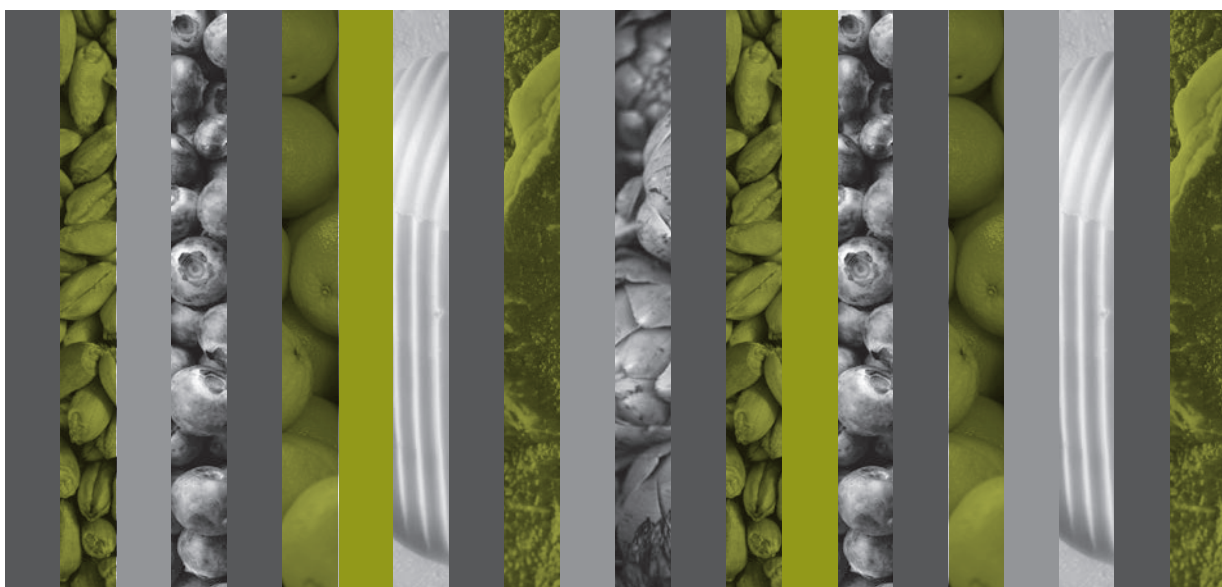


Three-quarters of recalled food products originated in Australia. The 44 food recalls coordinated by FSANZ in 2012–13 were the fewest in the past decade (Figure 3).

Figure 3: Food recalls in Australia in 2003–13



COLLECTING AND PROVIDING RELEVANT CONSUMER INFORMATION



03

COLLECTING AND PROVIDING RELEVANT CONSUMER INFORMATION

- Introduction
- Stakeholder engagement
- Food label information
- Information for the community

STRATEGIC IMPERATIVE

To support informed consumer decisions about food by **collecting and providing relevant information**.

HIGHLIGHTS 2012–13

- Updated the web-based calculator, which automates the Nutrient Profiling Scoring Criterion algorithm, to match the final version of the new nutrition and health claims standard.
- Opened a new website portal on the FSANZ website providing advice on managing food allergens.
- Commenced a proposal to add lupin and lupin products to the list of substances subject to mandatory declaration in the *Australia New Zealand Food Standards Code* (the Code).
- Commenced work associated with the implementation of 21 recommendations contained in the *Labelling Logic* report as part of a three-year work plan, mainly through technical evaluation and advice about presentation and format of food labels.
- Undertook modelling for the Food Regulation Standing Committee (FRSC) Front-of-Pack (FoP) Labelling Technical Design Working Group to determine if a nutrient profiling model, adapted from the health claims Nutrient Profiling Scoring Criterion, could be used as a basis for an interpretative FoP food labelling system.
- Continued to maintain an advisory committee system involving our regulatory partners, the food industry, consumers and public health professionals.
- Achieved 25,000–30,000 hits per month on the FSANZ website for the Nutrition Panel Calculator—one of the most popular features of the website.

INTRODUCTION

For consumers to make informed choices about food products, they require details of the ingredients and substances in a food to be identified on food labels. This information can help people select a diet appropriate to their circumstances.

In addition, labels can carry advisory statements for people who may have an adverse reaction to a food—for example, allergy sufferers. In this way, food labels act as a useful means of passing information to consumers. They respond to the consumers' right to know what they are eating (i.e. food composition) and the right to choose (e.g. country of origin).

Food safety is another matter. Here, there are two types of risk at play: risk based on scientific evidence and risk based on consumer perceptions about the safety of the food they eat. FSANZ develops communication strategies and education campaigns according to four levels of risk, based on scientific evidence (as determined by FSANZ) and perceived risk (as seen by the community), as shown in Table 10.

Table 10: Communication strategies

| Level | Risk combinations | Communication strategy |
|-------|---------------------------------|------------------------|
| 1 | LOW risk + LOW perceived risk | PASSIVE |
| 2 | LOW risk + HIGH perceived risk | RESPONSIVE |
| 3 | HIGH risk + LOW perceived risk | EDUCATIVE |
| 4 | HIGH risk + HIGH perceived risk | PROACTIVE |

Some consumers have a perception that the use of certain food components (e.g. food additives) and technologies (e.g. irradiation) can contribute to an increased health risk. Although consumers may hold these particular beliefs in the face of contrary scientific evidence, government food regulators acknowledge that these perceptions are genuinely held and must be addressed in communication strategies.

The communication strategies listed in Table 10 are not mutually exclusive and may be used in combination. The strategies indicate the main direction and level of communication activity required for a particular health risk. They are preferred strategies, which does not preclude the adoption of other strategies if the need arises.

FSANZ needs to have a good understanding of how a risk is perceived by the public in order to identify which communication strategy should be applied to a particular food issue. We achieve this by monitoring media and online debate, or by commissioning research designed to measure and assess public risk perceptions. Such studies may have been initiated to answer specific risk assessment or risk management questions, but can also collect data useful in constructing risk communication messages and strategies.

We employ a number of communication channels to reach consumers, including media liaison, web publishing, interactive web forums, fact sheets, reports, meetings, conferences, advice line, displays, launches, email bulletins and advertising (see chapter 4 under *Communication*).

STAKEHOLDER ENGAGEMENT

Stakeholder engagement strategy

In 2012–13, FSANZ participated in the development of a stakeholder engagement strategy covering the entire food regulation system. This work was undertaken by the Australian Government Department of Health and Ageing, in response to a request from the FRSC.

FSANZ has developed its own stakeholder engagement strategy, which is aligned with this broader strategy. Our strategy recognises that FSANZ is highly regarded for its stakeholder engagement (as reflected in stakeholder surveys), but that we need to better explain and define, for stakeholders, our role in the regulatory system. Many of the priorities in the strategy will need to be addressed using innovative, cost-effective methods, such as the electronic tools at our disposal.

Citizen involvement

Advisory committees and groups

FSANZ maintains a wide range of advisory committees and expert panels, which provide advice from the community, the food industry, individual citizens, public health groups and other arms of government. This advice feeds into the decision-making processes of standards development.

In 2012–13, the committees and groups listed in Appendix 4 continued to provide a valuable service to FSANZ.

Consumer and Public Health Dialogue

The FSANZ Board established the Consumer and Public Health Dialogue to enhance our high-level engagement with key public health and consumer stakeholders. This consultative forum is independently chaired by Associate Professor Heather Yeatman, University of Wollongong. Details on the dialogue's membership are included in Appendix 4.

In 2012–13, the dialogue provided advice on a number of food matters, including the new nutrition and health claims standard, our review of infant formula regulations and FSANZ's work on the Australian Government response to recommendations of *Labelling Logic: Review of Food Labelling Law and Policy (2011)*. Members also expressed interest in exploring novel approaches to our regulatory processes, such as the introduction of health impact assessments in our reports.

Retailers and Manufacturers Liaison Committee

The Retailers and Manufacturers Liaison Committee provides an opportunity for ongoing dialogue between FSANZ and industry. The committee allows members to engage in informed discussion about specific issues relating to standards development and standards-setting processes and to collaborate on food safety emergencies.

Allergen Collaboration

The Allergen Collaboration was established by FSANZ in September 2011 to strengthen engagement and collaboration among a range of stakeholders on non-regulatory approaches to food allergen management.

To date, the collaboration has finalised a communication strategy, which outlines its objectives, intended outcomes and specific issues that members agreed could be addressed through the strategy. In addition, the collaboration has developed a suite of consistent, accurate and clear key messages about food allergen management for various sectors throughout the food chain.

In May 2013, the Parliamentary Secretary for Health and Ageing, the Hon. Shayne Neumann MP, launched a new website portal about managing food allergens. Developed by the Allergen Collaboration and hosted on the FSANZ website, the portal is intended to provide best practice information, including the key messages and links to key stakeholder groups. Collaboration members will also be able to promote their own allergen-related activities through the portal.

Engagement with academic institutions

Our student project program provides an opportunity for students to undertake projects of relevance to FSANZ and food regulation. In 2012–13, 10 students from the Deakin University, the University of Canberra, the University of New South Wales and the University of Wollongong completed food regulatory and food safety projects related to FSANZ interests.

Nutrition and health claims

FSANZ has started work to support the implementation of the new nutrition and health claims standard. We anticipate finalising the revised Application Handbook and a guidance document for the self-substantiation of food-health relationships for general level health claims in mid-2013. The web-based calculator⁸ that automates the Nutrient Profiling Scoring Criterion algorithm was updated to match the final version of the standard.

We have also established the High-Level Health Claims Committee, which will consider any application or proposal for pre-approval of new food-health relationships underpinning health claims. We are continuing to work with the Implementation Sub-Committee for Food Regulation nutrition and health claims working group to support their development of compliance guidance for industry.

Implementing the government's response to Labelling Logic

In 2012, the Council of Australian Governments Legislative and Governance Forum on Food Regulation gave FSANZ responsibility for action on 21 recommendations contained in the *Labelling Logic* report. FSANZ has developed a four-year work plan to complete this task.

Two recommendations were implemented in 2012 with finalisation of the new standard for nutrition and health claims. A further recommendation was partially addressed by extending country of origin labelling to an expanded list of unpackaged meats. We started work on six further recommendations in 2013. These recommendations focus on various aspects of labelling, including format and presentation; nutrition information; allergen declarations and other food safety information, including date marking, and use and storage instructions; and country of origin labelling for consumer information.

Generally, the deliverables provided by FSANZ from the current activities will be in the form of technical evaluation and advice relating to label presentation and format. This will involve a focus on advisory, warning and allergen labelling; nutrition information, specifically dietary fibre and trans fatty acids; country of origin labelling; and a review of the food safety elements on food labels.

In its response to the *Labelling Logic* report, the Australian Government requested FRSC to implement Recommendation 50 of the labelling review: 'an interpretative front-of-pack labelling system be developed that is reflective of a comprehensive Nutrition Policy and agreed public health priorities'. The FRSC established a Front-of-Pack (FoP) Labelling Technical Design Working Group to develop recommendations for the technical design of a FoP labelling system.

⁸ www.foodstandards.gov.au/industry/claims/pages/nutrientprofilingcalculator

In October 2012, the working group asked FSANZ for technical assistance. In response, we undertook modelling work to determine if a nutrient profiling model, adapted from the health claims Nutrient Profiling Scoring Criterion, could be used as a basis for an interpretative FoP labelling (multilevel) system. We submitted our final report to the working group in March 2013.

Nutrition Panel Calculator

In 2012–13, the Nutrition Panel Calculator continued to be one of the most popular features of FSANZ's website. This year, on average, there were 25,000–35,000 hits per month by 11,000–18,000 unique users. This sophisticated tool provides the food industry with readily available, extensive and reliable information on the nutrient composition of foods, together with an easy-to-use interactive tool for preparing nutrition information panels to make it easier to meet the labelling requirements of the Code.

Allergen labelling

This year, FSANZ continued to consider recommendations of the 2011 review of the management of food allergens. We collated clinical evidence on the emergence of lupin allergy in Australia and applied international criteria to determine its public health significance. This resulted in commencing a proposal to add lupin and lupin products to the list of substances subject to mandatory declaration in the Code.

We also gathered evidence for exempting certain products derived from allergens from foods that are required to have a mandatory declaration, but which are not in themselves allergenic. In collaboration with the food industry, and in consultation with a panel of food allergy experts, we are considering whether the available evidence supports a change to the Code.

INFORMATION FOR THE COMMUNITY

Website and social media

FSANZ provides information to the community using a range of tools. Increasingly, this information is provided in innovative ways that allow for a dialogue to occur between the agency and our stakeholders. An account of how we use the FSANZ website and social media can be found on page 86.

Publications

FSANZ produces a range of publications, many of which are targeted at more than one stakeholder group (Appendix 7). One of our main publications is *Food Standards News*, which has more than 5,000 subscribers with an interest in FSANZ's wide range of activities.

We distributed more than 8,000 copies of *Listeria and Food: Advice for People at Risk* during the year and 8,700 copies of *Thinking About Having a Baby*.

Monitoring of Emerging Issues Newsletter

The FSANZ *Monitoring of Emerging Issues Newsletter* provides a global snapshot of emerging issues, foodborne disease outbreaks, food recalls, surveillance and monitoring activities and international food safety policy development. The newsletter is published each month on our website.

Food Surveillance News

Food Surveillance News is a web-based publication that promotes national and international surveillance and monitoring activities. Analytical survey work that is conducted in Australia and New Zealand is described, and links are provided to the published work.

Advice to stakeholders

We provide advice to stakeholders in a number of formal and informal ways.

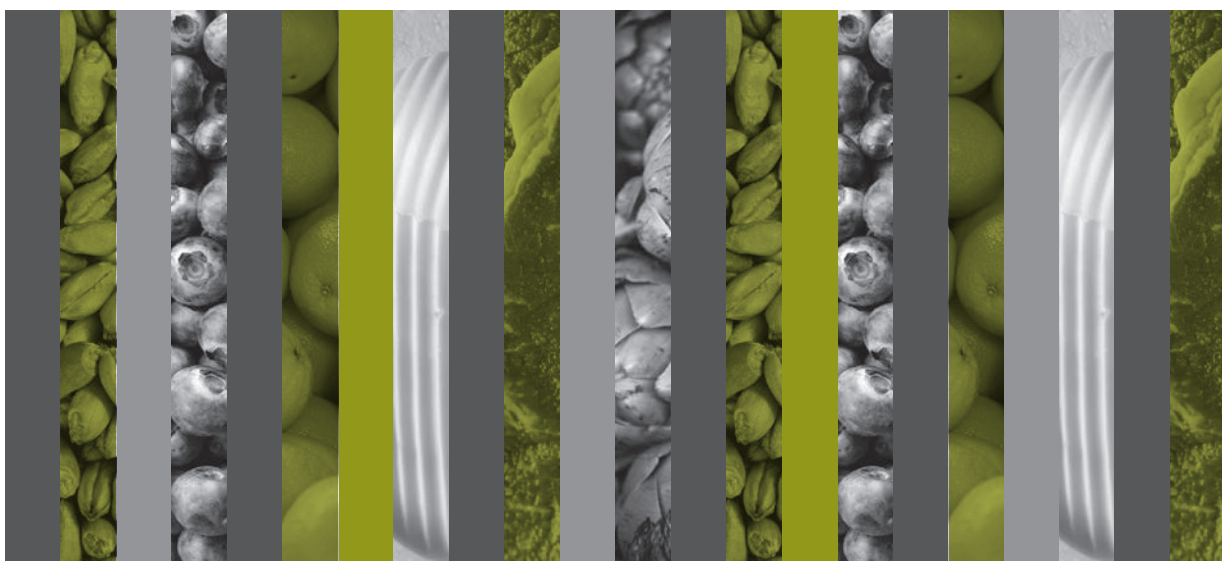
FSANZ maintained its presence at industry conferences, including annual conferences of the Australian Institute of Food Science and Technology and the New Zealand Institute of Food Science and Technology. In addition, FSANZ staff participated in industry site visits. These visits provide an opportunity for staff to gain insight into how industry operates and an opportunity for the food industry to obtain authoritative advice on regulatory matters.

Under the Australian Government's Information Publication Scheme, we continued to promote transparency by publishing all applications to change the Code, as well as submissions on applications and proposals, on our website.

Case study: industry visits to minor meat and game businesses

As part of our assessment of food safety in the minor meat and game sector, we undertook a number of industry familiarisation visits to gain an understanding of production practices. These visits included crocodile, venison, rabbit, emu and kangaroo businesses, from the Northern Territory to Tasmania, as well as discussions with the Aboriginal Land Council of Tasmania.

KEY ENABLERS



04

FSANZ's *Corporate Plan 2012–2015* identifies five 'key enablers' (capabilities) that will operate across the agency to assist staff to deliver the strategic imperatives:

- **Science**—sustained, leading edge scientific capability
- **People**—dedicated people with a broad spread of specialist disciplines
- **Communication**—a broad communication capacity
- **Governance and process**—good governance and effective processes
- **Anticipation**—an anticipative approach to emerging issues

HIGHLIGHTS 2012–13

- Reviewed, amended and republished *The Analysis of Food-Related Health Risks as Risk Analysis in Food Regulation*.
- Addressed 15 recommendations from a peer review of the agency's risk assessment processes by Dr Angelika Tritscher of the World Health Organization (WHO).
- Completed the first phase of the redevelopment of our dietary modelling and food composition data systems (Harvest).
- Completed the nutrient database for foods consumed during the 2011–13 Australian Health Survey (with the Australian Bureau of Statistics).
- Undertook a re-estimation of the burden of foodborne illness in Australia (with the New South Wales Food Authority and the Australian Government Department of Health and Ageing).
- Employed 129 staff members, of whom 11 were located in New Zealand and 69 per cent were female.
- Developed a People Strategy and associated plans to integrate our approaches and goals aimed at recruiting, developing, motivating and retaining a fit-for-purpose workforce.
- Developed strategies, processes and activities aimed at increasing the innovation culture of the agency.
- Continued to acknowledge the contribution of staff members to the work of the agency through a formal rewards and recognition scheme.

SCIENCE

FSANZ Science Strategy

The FSANZ *Science Strategy 2010–15* identifies seven key strategic areas for us to focus on, which enable us to further enhance our scientific capability to meet future food regulatory needs and emerging challenges. Underpinning the science strategy are annual implementation plans that specify objectives and deliverables to achieve for each of the strategic areas.

During the year, we reviewed our progress against the *Science Strategy 2012 Implementation Plan*, developed the *Science Strategy 2013 Implementation Plan* and began implementing a number of the activities. Deliverables achieved in 2012–13 included items described in this section of the report.

Risk Analysis in Food Regulation

We published *The Analysis of Food-Related Health Risks* in 2008 and made it available on our website. The publication outlines the broad approach we use to analyse health risk associated with food. It outlines how we assess, manage and communicate these risks through a structured risk analysis process incorporating scientific data, and taking into consideration economic, social and policy factors as part of our role in developing food regulatory measures.

We have completely reviewed this document and re-titled it *Risk Analysis in Food Regulation*.

Chapters dealing with risk assessment and risk management have been substantially revised. Sections on nutritional risk analysis, regulatory analysis and the use of behavioural and social science inputs have all been strengthened. New material dealing with variability and uncertainty in food risk assessments has been included, as well as a new figure that depicts the relative weighting that FSANZ may give to different sources of evidence and a new section addressing FSANZ's risk appetite.

Peer review of risk assessment process

In 2012, Dr Angelika Tritscher, who at the time was the World Health Organization's Coordinator, Risk Assessment and Management, Department of Food Safety and Zoonoses, conducted an external peer review of FSANZ's risk assessment processes; she provided her final review report to FSANZ this year.

The overall findings of the review were positive. The report notes that FSANZ follows a clear and structured process for its risk assessments and interactions with risk managers that is consistent with international recommendations. No overall gaps or faults were identified in our risk assessment practices; however, 15 specific recommendations were provided for continuous improvement.

We have considered all 15 recommendations and also identified three of these recommendations to address as a higher priority in 2013–14. We have published the final review report and our response to each of the recommendations of the review on our website.

Harvest database and modelling tool

In 2012–13, we completed the first phase of the redevelopment of our dietary modelling and food composition data systems—a major achievement in FSANZ’s continuing effort to provide the best data possible to underpin our risk assessments. The new system, Harvest, will completely replace two existing systems, adding new features, improving reliability and security and building better ways to communicate the results of our dietary exposure assessments.

Harvest has already delivered improved and secure storage for all our data, and enhanced analysis and reporting capabilities for the food and nutrient data from the 2007 Australian National Children’s Nutrition and Physical Activity Survey. Harvest is also providing a collaborative workspace that puts into practice a more agile and interactive way of undertaking data-based risk analysis.

Food composition and consumption data

New food consumption data

Comprehensive and current food consumption data are essential for carrying out dietary exposure assessments. In 2012–13, we prepared new food consumption data for transfer to, and use in, our new Harvest database system for two important populations—Australian infants under two years of age and New Zealand adults.

Australian Health Survey

We continued to work with the Australian Bureau of Statistics (ABS) under a three-and-a-half-year contract to prepare the nutrient database for the National Nutrition and Physical Activity Survey component of the 2011–13 Australian Health Survey (AHS). This brings to an end this large-scale project for the general population ‘wave’ of the AHS.

The primary focus of work this year was the completion of the nutrient database for foods consumed during this survey. Each food requires data for 45 different nutrients. We also produced a portion-size database containing more than 16,000 measures for the 6,000 foods and beverages in our survey nutrient database. These datasets are undergoing final validation to ensure that the values are as accurate as possible.

With the assistance of the Therapeutic Goods Administration, we have also developed a dietary supplement nutrient database, which matches supplements reported as consumed during the survey to a nutrient profile. These data will be used by the ABS to generate population nutrient intakes from food and supplements.

Another component of the AHS is the National Aboriginal and Torres Strait Islander Peoples Nutrition and Physical Activity Survey, which commenced in early 2012–13. We are currently processing the data collected from this wave in the same way as for the general wave of the AHS.

Microbiological capabilities

Agents of Foodborne Illness—a Technical Series on Pathogens Associated with Foodborne Illness (2nd edition)

FSANZ updated its technical series title *Agents of Foodborne Illness*, with the addition of six new chapters. The series aims to provide stakeholders with an easily accessible resource to find summary information on pathogens associated with foodborne illness. The scope has now been expanded to include parasites and infectious prion particles. It is available on the FSANZ website.⁹

Re-estimating the burden of foodborne illness in Australia

We have partnered with the New South Wales Food Authority and the Australian Government Department of Health and Ageing and have funded a two-year project by the Australian National University's National Centre for Epidemiology and Public Health to re-estimate the burden of foodborne illness in Australia. The project uses contemporary data for foodborne disease and advances in modelling approaches.

Due for finalisation in late 2013, the report will include estimates for the number of cases of illness and common sequelae (long-term conditions) acquired in Australia from contaminated food, as well as the number of hospitalisations and deaths. This information will be used by FSANZ and other stakeholders to illustrate the significant burden of foodborne illness in Australia, and to assist with future projects to estimate the associated costs to the community.

Behavioural and regulatory analysis

In 2012–13, FSANZ integrated its behavioural and economic analytical capacities. The merger occurred at a time of growing interest in alternative approaches to understanding consumer behaviour, particularly behavioural economics. FSANZ is now well placed to incorporate new regulatory and non-regulatory approaches to food safety.

Our Social Sciences Expert Advisory Group was reconvened during the year as the Social Sciences and Economics Advisory Group, with the addition of three economics academics. Members of the group are listed in Appendix 4.

We finalised the analysis of two major population surveys on consumers' knowledge, attitudes and behaviours associated with sports food products and fortified foods—work that will inform future standards developments. In addition, we began a number of literature reviews for evidence to support our technical advice to the Australian Government response to *Labelling Logic*.

⁹ www.foodstandards.gov.au/publications

Improving capabilities

We completed the first draft of a new methodology for costing illnesses caused by a number of different pathogens (see above). The model costs both actual outbreaks and scenario estimates of the number of illnesses in a given time period. This approach allows cost estimates to be made much earlier in the standards development process.

We also successfully negotiated a 'carve-out' from the Office of Best Practice Regulation (OBPR) for changes to the Code allowing the voluntary addition of nutritive substances to foods and the use of optional methods of analysis. A 'carve-out' is a standing exemption from the need to contact the OBPR for its advice on whether the preparation of a regulation impact statement is required.

International collaboration and expertise

In partnership with the Social Sciences Unit of the United Kingdom Food Standards Agency, FSANZ convened a session on Food Choices at the 8th International Conference of Social Science Methodology. The 16 papers presented at the conference covered a range of approaches to data collection, issues with self-reporting in traditional surveys and the role of new technology in collecting more accurate behavioural data.

Australia, New Zealand, Canada and the United States work together on many food regulatory matters, including regulatory economic and social sciences. FSANZ plays a key role in the operation of these two groups; during the year, these groups were re-established as International Liaison Groups. This formalised the participation of the United Kingdom in the two groups and opened up the possibility of participation by other food regulatory agencies.

PEOPLE

Organisational capability

Staff Forum

The Staff Forum plays a key role as the consultative committee for FSANZ on issues that are of interest or concern to employees. The forum, comprising representatives from each section of FSANZ, as well as several additional key staff, provides feedback directly to the FSANZ Executive.

Two main issues dominated forum discussions in 2012–13. The first involved improving communication between our Wellington and Canberra offices. The second involved the forum reviewing a number of internal policies and guidelines that govern our workplace practices and conditions. Since many of the policies are now directly linked to our Enterprise Agreement, staff input is important, and the forum provided a mechanism through which staff feedback can be provided to senior management.

For example, a new starter induction package, designed to help familiarise new employees with FSANZ, was introduced in 2012. The forum provided significant input and practical suggestions on the scope and content of this package. As a number of FSANZ policies and guidelines are set to be revised or drafted, the Staff Forum will provide this review support into 2013–14.

The forum also continued to support programs that promote the health and well-being of our workforce. For example, following the lead from our Wellington office, the forum arranged for interested staff in the Canberra office to have hearing tests conducted on-site. Participants received individual reports, with recommendations as required, and an aggregate report was provided to agency management.

Workplace Consultative Committee

Formal consultation between unions and FSANZ management occurs through the Workplace Consultative Committee (WCC). The WCC comprises management representatives, representatives/delegates of the unions and other employee representatives by invitation.

Sustainable development

In March 2013, FSANZ signed a new lease on its existing premises in Barton, Australian Capital Territory. The new lease is a green lease. As part of the lead-up to the lease signing, we worked with the building owners to improve the energy efficiency of the building, which is now rated on the National Australian Built Environment Rating System at 4.5 stars.

Our green lease involves regular meetings with the building owners to identify and plan future improvements to the building's energy efficiency. Improvements previously identified in air-conditioning systems and insulation in key areas of the building continued to reduce energy consumption significantly.

FSANZ employment profile

Tables 11–16 provide a summary of FSANZ's employment profile for the year, compared with that for 2011–12 and with the broader Australian Public Service (APS). APS statistics were obtained from the *State of the Service 2011–12* report. Data for FSANZ and the APS are as at 30 June for the year in question.

Table 11: Total employees

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|---|------------------|----------------|------------------|
| Total employees | 138 | 168,580 | 129 |
| Total employees (ongoing) | 117 | 154,307 | 115 |
| Total employees (non-ongoing) | 21 | 14,273 | 14 |
| New Zealand-based employees (ongoing) | 11 | n/a | 11 |
| New Zealand-based employees (non-ongoing) | 4 | n/a | 2 |

APS = Australian Public Service.

Table 12: Stability and mobility

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|--|-----------------------|----------------|-----------------------|
| New starters (% employees ongoing) | 3.6% (5 people) | 6.7% | 2.3% (3 people) |
| New starters (% employees non-ongoing) | 9.4% (13 people) | n/a | 4.7% (6 people) |
| Separations (% employees ongoing) | 7.7% (9 people) | 6.1% | 3.9% (5 people) |
| Retention rate (% ongoing employees) | 92.3% (108 people) | 85.4% | 94.8% (109 people) |

APS = Australian Public Service.

The number of ongoing new starters fell from 3.6 per cent to 2.3 per cent, reflecting management's response to increased efficiency dividends announced by the Australian Government and the appointment of non-ongoing staff for specific projects, with defined short-term funding.

Canberra continued to experience a tight employment market. However, FSANZ's retention rate of 94.8 per cent demonstrates the high levels of satisfaction reported by employees in the 2012 staff survey. This figure has increased over the past three years.

Table 13: Workforce diversity

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|-----------------------------------|----------------------|--------------------|----------------------|
| Indigenous Australian employees | 0.0% | 2.2% | 0.0% |
| Employees with disability | 2.2% (3 people) | 2.9% | 3.1% (4 people) |
| NESB1* (employees in Australia) | 7.2% (10 people) | 5.3% | 4.7% (6 people) |
| Women | 65.2% (90 people) | 57.3% (ongoing) | 69.0% (89 people) |
| Non-ongoing employees | 15.2% (21 people) | 8.5% | 10.9% (14 people) |
| Part-time employees (ongoing) | 20.3% (28 people) | 14.0% | 20.2% (26 people) |
| Part-time employees (non-ongoing) | 1.5% (2 people) | 45.2% | 1.6% (2 people) |
| Part-time female employees | 18.1% (25 people) | 21.5% | 19.4% (25 people) |
| Part-time male employees | 3.6% (5 people) | 4% | 1.6% (2 people) |

APS = Australian Public Service; * NESB1 = non-English speaking background first generation.

The number of employees from non-English speaking backgrounds (NESB1) decreased from 7.2 per cent in June 2012 to 4.7 per cent in June 2013. This statistic has steadily decreased over the past three financial years.

FSANZ's female workforce has increased from 65.2 per cent to 69 per cent. This percentage of female employees is higher than the APS level (57.3 per cent) and has remained steady over the past 16 years. It reflects the nature of our work as much as our family-friendly work environment, such as providing access to flexible working arrangements through the FSANZ Enterprise Agreement. This is supported by 19.4 per cent of the female workforce working part-time.

FSANZ does not require staff to disclose whether they are affected by a disability. However, statistics issued by the ABS suggest that 18.5 per cent of the population experience some form of disability.

Table 14: Workforce experience

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|--|----------------------|------------------------|--------------------|
| New starters (% all employees) | 13.0% (18 people) | 6.7% | 7.0% (9 people) |
| Average length of service in APS (ongoing) | 11.5 years | 8.8 years (ongoing) | 11.4 years |
| Average length of service in APS (non-ongoing) | 1.7 years | n/a | 2.9 years |

APS = Australian Public Service.

The percentage of new starters has dramatically decreased from 13 per cent in 2011–12 to 7 per cent in 2012–13. This is a reflection of the overall reduction in staff numbers resulting from tighter budgets.

Table 15: Ageing workforce

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|---|----------------------|--------------------|----------------------|
| Employees >55 yo (% employees) | 23.9% (33 people) | 14.8% (ongoing) | 27.1% (35 people) |
| Separations of ongoing >55 yo (%) | 1.5% (2 people) | 1.2% | 1.5% (2 people) |
| Separations of non-ongoing >55 yo (%) | 1.5% (2 people) | n/a | 2.2% (3 people) |
| Re-engagement of non-ongoing >55 yo (% of age group) | 0.0% | n/a | 0.0% |

APS = Australian Public Service; yo = years old.

FSANZ's mature-aged workforce has increased from 23.9 per cent of total employees in 2011–12 to 27.1 per cent in 2012–13. This is higher than the APS figure (14.8 per cent). Separations of employees aged 55 years and over remain slightly higher than the APS average. The median age of FSANZ employees is 47, compared with the median APS age of 42 years.

Table 16: Classification structure

| | FSANZ 2011–12 | APS 2011–12 | FSANZ 2012–13 |
|---|----------------------|-------------------|----------------------|
| Classification structure (% employees) | | | |
| APS levels | 37.7% (52 people) | 66.9% | 38.0% (49 people) |
| EL levels | 58.0% (80 people) | 27.3% | 57.4% (74 people) |
| SES | 4.3% (6 people) | 1.8% | 4.7% (6 people) |
| Staff promoted (ongoing) | 2.2% (3 people) | 8.7% (ongoing) | 3.1% (4 people) |

APS = Australian Public Service; EL = executive level; SES = senior executive service.

Because of the structure of FSANZ (high levels of specialist scientific staff), the proportion of APS-level employees (38 per cent) is significantly less than the APS average of 66.9 per cent.

Capability development

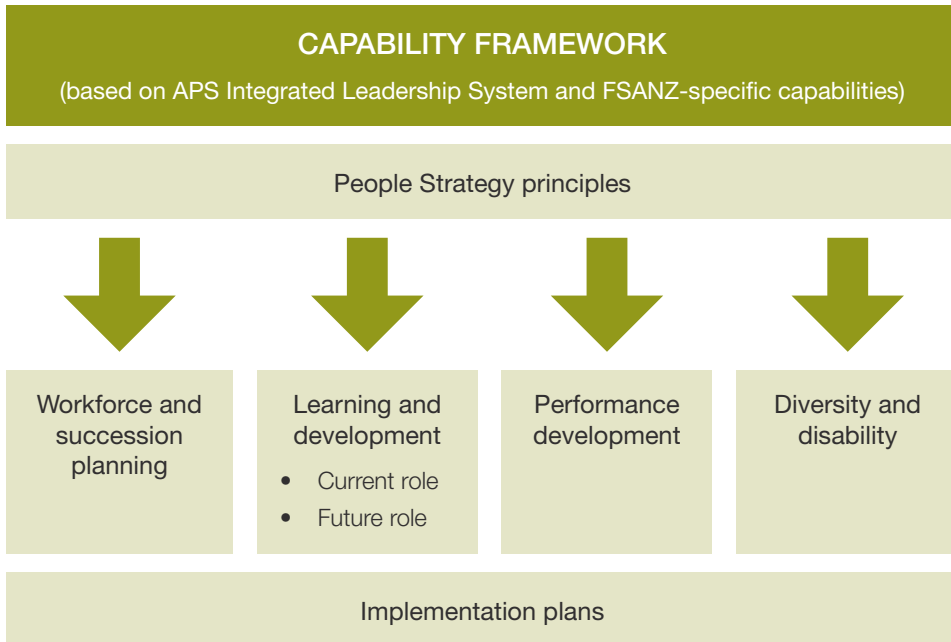
FSANZ People Strategy

In 2011, the Board's Finance, Administration and Risk Management Committee identified the need to ensure an appropriately skilled workforce as one of FSANZ's enterprise risks that required management. We commissioned an internal audit of workforce planning, which concluded that, although the agency had many elements of workforce planning in place, it did not have an overarching workforce planning strategy.

In 2012, we decided to develop a People Strategy, and associated plans, that would integrate all of our approaches and goals aimed at recruiting, developing, motivating and retaining a fit-for-purpose workforce. Working with external consultants, we studied the tools provided by the Australian Public Service Commission (APSC) for relevance to FSANZ, consulted with one-third of our staff through focus groups (including the Staff Forum), held an Executive workshop on the proposed strategy and finalised the strategy in early 2013.

Our approach is consistent with the APS *Leadership and Core Skills Strategy 2012–13* and the APSC’s Integrated Leadership System (ILS). The People Strategy framework is outlined in Figure 4.

Figure 4: Australian Public Service framework for the FSANZ People Strategy



We have set ourselves a number of goals for 2013–15:

- to become an ‘employer of choice’ within the APS
- to assist everyone to reach their potential
- to become a learning organisation
- to motivate and inspire our people.

Consultation with staff is continuing on individual modules (plans) in the strategy: workforce and succession planning; learning and development; performance development; and diversity and disability.

Training

Under the learning and development module of the People Strategy, we adopted the 70:20:10 approach to learning, where most of our effort goes into on-the-job training (e.g. mentoring, coaching, internal transfers, shadowing). In particular, we recognised the need to equip our managers and supervisors with the skills necessary to assist the development of their team members.

We intend to adopt a 'coaching' approach to performance management and career development. To this end, we held intensive in-house training sessions for EL2s, and for EL1s with supervisory responsibilities, on the coaching aspects of leadership. By changing the culture of the agency in this way, we expect to be more effective in our training programs and spend less money on external course providers.

Innovation

In 2011, FSANZ established an innovation and reform function to coordinate the agency's responses to the reform agenda of the APS. One of these reforms was to increase the level of innovation within departments and agencies—that is, finding better ways of providing products and services to the community.

With the assistance of an Innovation Practice Group—comprising FSANZ staff with an interest in innovation—we have developed an innovation strategy identifying incremental improvements in effectiveness and efficiency as the way forward (as opposed to paradigm shift). Importantly, the strategy recommends process redesign as the means by which FSANZ can develop an innovation culture.

Initiatives in 2012–13 include the development of a nine-step FSANZ innovation process that enables a staff member to progress an idea to implementation, the introduction of 'innovation buddies' to take people through the process, participation in APS Innovation Month, interagency collaboration, an all-staff challenge and the inauguration of an innovation awards scheme.

FSANZ is a member of the Public Sector Innovation Network and an organising committee member for APS Innovation Month.

Employment environment

Enterprise Agreement (EA)

FSANZ has a range of employment arrangements to cover its employees. All Australian-based non-SES employees are covered by the FSANZ EA, which expires in June 2014.

The agreement has been in place since November 2011. New Zealand employees are employed under individual contracts consistent with employment law in that country.

To give effect to new conditions in the EA, we developed a number of Enterprise Agreement supporting policies to act as a guide to staff on changed procedures. This involved extensive consultation with all employees, coordinated by the Staff Forum.

Work health and safety (WHS)

FSANZ has developed a WHS policy, compliant with current legislative changes, and staff received on-site training from Comcare officers on manager duties and duty of care for contractors. Additionally, the Board received a separate briefing on WHS obligations and duties of the organisation.

FSANZ's WHS committee comprises three staff members, who have received appropriate training. Committee members visited every office and meeting room in the Canberra office during the year and made a number of recommendations on alternative ways of storage and placement of furniture for consideration by our facilities team and, ultimately, the FSANZ Executive.

Workplace wellness

Activities that support workplace wellness are an accepted part of FSANZ's culture, and are supported by the Executive with resources and encouragement. The agency offers free on-site influenza vaccinations and hearing tests, for example, and has supported lunchtime yoga classes on the Canberra premises for several years.

More and more staff are taking up opportunities for working at home, in the interest of a good work/life balance. We have adopted a progressive attitude to flexible working hours in both Canberra and Wellington.

Workplace bullying and harassment

We maintained the appointment of seven fully trained harassment contact officers during the year. No cases of bullying or harassment were reported. In the latter part of the year, all FSANZ employees were made aware of changes to the APS Values and the introduction of the APS Employment Principles. This awareness raising was the first step in the implementation of amendments to the *Public Service Act 1999*, which will continue into 2013–14.

Chief Executive Instructions

FSANZ regularly reviews and updates its Chief Executive Instructions. Over the course of the year, FSANZ issued a number of new or updated instructions and policies on subjects such as recruitment, document management, information technology, procurement and security.

We ensure that employees are consulted on changes before new policies are issued. This includes the circulation of all changes to the management team and a consultation process with staff that was coordinated by the Staff Forum.

Accommodation

In 2012–13, FSANZ signed a new lease on its Canberra accommodation, following a review of its ongoing needs and an assessment of availability of office space in various locations.

An outcome of the review was a reduction in the floor area of our Canberra office, with significant ongoing cost savings over the length of the lease.

Workplace diversity and disability

FSANZ is committed to APS principles, which value a workplace culture that encourages diversity. People from different backgrounds and culture enrich life at FSANZ. The scope of diversity includes gender, race, ethnicity, age, sexual orientation and physical ability. This requires everyone in the agency to be aware of diversity issues in the workplace, and to know how to work productively with, and manage, people who may be different from themselves.

Under its new People Strategy, FSANZ:

- is committed to the equal opportunity employment of staff (consistent with the merit principle) and to a workplace that supports diversity
- recognises that, at some time in their working lives, most employees will experience a disability or impairment.

We expect to finalise a diversity and disability plan for FSANZ early in 2013–14.

Rewards and recognition

In 2012–13, FSANZ recognised a number of employees through formal awards.

Dr Glenn Stanley received the Chair's Annual Development Award for his influential role in standards development and the handling of a range of issues, including food irradiation, novel foods, contaminants and maximum residue limits (MRL) approvals for agricultural and veterinary chemicals. Dr Stanley has also represented Australia at Codex Alimentarius Commission (Codex) meetings and bipartite talks on international developments.



FSANZ Board Chair presents the Annual Development Award 2012 to Dr Glenn Stanley.

Melanie Perin received the Australia Day Medallion for her professionalism, friendliness, calmness and dedication as the primary client service provider for FSANZ in Canberra. Ms Perin, in her role as the Canberra office receptionist, is generally the first point of contact that the public, visitors and stakeholders have with our agency.



CEO Steve McCutcheon with the Australia Day Medallion recipient, Melanie Perin.



Maureen Wempe with her award symbolised by the Pikoria Bone Pendant.

To coincide with Waitangi Day, Maureen Wempe received an award symbolised by the Pikoria Bone Pendant. The pendant represents the joining of cultures and bonding of friendship. Ms Wempe was recognised for her dual roles of Executive Assistant and Office Manager in the FSANZ Wellington office. In particular, Ms Wempe's involvement with recent major projects was acknowledged.

Recipients of the Chief Executive Officer's Half Yearly Awards in 2012–13 were Romy Doherty, Dr Michael Dack, Betsy Joseph and Luisa Trevisan.

Organisational structure

FSANZ's six-member Executive team includes the Chief Executive Officer, Deputy Chief Executive Officer and Executive Manager Food Standards (Canberra) Branch, Executive Manager Risk Assessment Branch, Chief Scientist, General Manager Food Standards (Wellington) Branch, and General Manager Legal and Regulatory Affairs Branch.

FSANZ conducts the risk assessment and risk management functions in different branches to separate these activities.

The Food Standards Branch in Canberra is largely responsible for risk management in relation to food safety and public health and nutrition standards in the *Australia New Zealand Food Standards Code* (the Code), for coordinating Australia-wide responses to food incidents, and for nutrition and public health activities. The branch is also responsible for corporate operations, consumer and social sciences, regulatory analysis and information and communication technology (ICT). The corresponding branch in Wellington is responsible for developing labelling and compositional standards (including product safety) and for providing information in New Zealand and finance.

Our Risk Assessment Branch carries out the scientific evaluation of risks to human health arising from a range of hazards in food, including dietary modelling. The branch also collects and analyses compositional information, evaluates the effectiveness of food standards and provides strategic support for FSANZ's human resources and innovation functions.

In addition, a Chief Public Health and Nutrition Advisor provides strategic advice to FSANZ on public health and nutrition matters.

Our work is organised in sections, as set out on the organisational chart under 'Corporate overview'.

Senior management

Working under the strategic directions established by the Board, the Executive leads and effectively manages the operations of the agency. The management group, comprising section managers and the Executive, meets weekly. Section managers, and their general managers, are responsible for supervising staff to ensure that they meet milestones, appropriately use budgets and staffing resources, and contribute effectively to our goals and outcomes.

During the year, six senior executive service staff received performance bonuses totalling \$114,427, and 23 employees received performance payments totalling \$152,078.

At 30 June 2013, our Executive team was made up of the following members:

Steve McCutcheon—Chief Executive Officer

Mr McCutcheon is responsible to the FSANZ Board for the efficient administration of the agency and, in conjunction with the Board, for the corporate and strategic directions of FSANZ. He is also an ex-officio member of the Board.

Melanie Fisher—Deputy Chief Executive Officer and Executive Manager Food Standards (Canberra)

Ms Fisher is responsible for risk management associated with developing food standards that primarily address health and safety matters, including standards for the primary industries, as well as for the agency's social sciences and regulatory impact and analysis activities, and innovation and reform. In addition, she has senior management responsibility for corporate services, including library, human resources and ICT functions.

Dr Marion Healy—Executive Manager Risk Assessment

Dr Healy has executive responsibility for the agency's risk assessment activities involving chemical, microbiological and nutritional analyses and the assessment of the bovine spongiform encephalopathy (BSE) status of overseas countries. She is also responsible for the agency's innovation and reform function, including strategic human resources matters, and food composition and consumption studies and dietary modelling.

Dr Paul Brent—Chief Scientist

Dr Brent has executive responsibility for FSANZ's strategic scientific work, data collection activities, and developing collaborative relations with scientific institutions and the program that evaluates the impact of our standard-setting activities. He also coordinates our scientific relations with international agencies, especially Codex.

Dean Stockwell—General Manager Food Standards (Wellington)

Mr Stockwell is responsible for the risk management functions associated with developing food standards that address labelling and information matters, food contaminants, food composition, food additives and foods requiring pre-approval such as novel foods. Mr Stockwell is the senior FSANZ representative in New Zealand and is responsible for managing relationships with consumers, industry, government and other stakeholders there. He also has executive responsibility for finance.

Peter May—General Manager Legal and Regulatory Affairs

Mr May is responsible for corporate governance, oversight of the Office of General Counsel (an independent provider of internal legal advice), maintaining the Code, and parliamentary and ministerial liaison. He also has executive oversight of communication and stakeholder engagement.

COMMUNICATION

Information and communication technology

The agency's ICT function continued to be a key business enabler, enhancer and driver for innovation. In 2012–13, we reduced reliance on contractor support for our infrastructure and further developed the capacity of our internal staff to quickly resolve network issues.

Among the goals achieved during the year were increasing the security and number of mobile devices available to staff, maintaining our core systems with minimal outages and high availability, rebuilding our website using SharePoint so that we can support the site internally, and continuing our program of replacing internal paper forms with electronic versions.

To enhance the usability of mobile devices internally, we implemented a firewall to reduce corporate data leak on our wireless network. We have also fitted further wireless access points to increase the signal to all parts of our offices.

Canberra–Wellington link

FSANZ is in the unique position in the APS of being a bi-national agency with heavy reliance on phone video and desktop sharing. We identified several options for improving these systems and have already increased the responsiveness of hardware for the end users in our Wellington office.

During the year, we successfully moved our New Zealand office to a more disaster-proof building, with no downtime for staff. All video-conferencing systems were upgraded, and further meeting rooms were made available.

An open tender process for the upgrade of the large video-conferencing system in the Canberra office has been completed. This work has begun and will enable better use and greater flexibility for video conferencing. We have also started work on an improved phone system, which incorporates phone, video and file sharing.

ICT disaster recovery

Our off-site disaster recovery infrastructure is now fully operational at its Fyshwick data centre. This has given us greater preparedness for uncontrolled events and, in conjunction with the updated disaster recovery and business continuity plans, puts us in a confident position.

Information and records management

FSANZ has initiated an Electronic Document Management System project. Phase 1 introduction of a current and relevant Business Classification Scheme document is complete.

We now have a logical architecture for the future system and have an outline of the process required to deliver the solution in early 2014. This system will be compliant with the National Archives of Australia (NAA) Digital Continuity Plan and the Digital Transition Policy. We are taking action to meet the NAA deadline of 2014 by installing our own compliant electronic document and records management system.

As part of improved document accessibility and storage, we began work on a data strategy. This will allow us to identify the data residing across the agency and then facilitate extended accessibility. As a result, we will have more control over the type and format of new data that we receive.

Planning and strategy

In 2012–13, we commenced an audit of FSANZ's information technology (IT) arrangements, as part of FSANZ's rolling program of internal audits, to assess our level of compliance with current IT management practices, including the *Australian Public Service Information and Communications Technology Strategy 2012–2015*.

In 2012–13, FSANZ received 10 requests for access to documents under the *Freedom of Information Act 1982*. All 10 of these requests were finalised by 30 June 2013.

Internet technologies

Our social media presence continued to grow, with more than 5,450 'likes' on Facebook and 2,850 followers on Twitter at 30 June 2013.

Social media has proved effective in engaging with the community, broadening our reach and providing the agency with useful insights into the concerns of stakeholders, particularly consumers. Food safety and food recalls were the most popular posts on both social media formats, and questions resulting from recalls have allowed FSANZ to provide information about the recall system and how government and industry work together to manage that process.

In 2012–13, we issued more than 20 media releases, with most relating to calls for submissions on applications and proposals. This form of communication is supported by social media posts and information in newsletters. Because we are a small agency with limited resources, media releases and our relationship with media organisations help us to reach the community on urgent matters, such as food incidents.

Our website is a key tool in communicating with the community, receiving, on average, more than 90,000 unique visits a month. We launched a redesigned website in May 2013. The new website aims to improve navigation and readability. Through continuous improvement, aided by new user feedback facilities, we expect to maintain our position as a relevant and informative government website.

GOVERNANCE AND PROCESS

Role and priorities

FSANZ's main and subsidiary objectives for developing food standards are set out in s. 18 of the *Food Standards Australia New Zealand Act 1991*. Our functions are outlined in s. 13 of the Act. These legislative requirements determine the way we do our core business.

Our goal is to achieve a high degree of public confidence in the safety and quality of food. This goal is shared by all elements of the food regulatory system. Our outputs—food standards—provide the food industry with the regulatory framework for conducting business, but the ultimate beneficiaries of our work are the Australian and New Zealand populations.

As described in our *Corporate Plan 2012–2015*, we operate under three strategic imperatives:

- Build and sustain food standards and practices to support high standards of public health protection and a dynamic and sustainable food manufacturing sector.
- Maintain a transparent and evidence-based approach to regulation and the management of food risks.
- Support informed consumer decisions about food by collecting and providing relevant information.

These imperatives provide the framework for our annual undertakings to the Australian Parliament, outlined in Portfolio Budget Statements (PBS), and reflected in the aims of Program 1.1 of the Health and Ageing PBS. We report against the deliverables and key performance indicators of Program 1.1 in the section on priorities and performance in this report.

Regulatory partners

FSANZ is one of three elements of the food regulatory system. The Council of Australian Governments Legislative and Governance Forum on Food Regulation, convening as the Australia and New Zealand Food Regulation Ministerial Council, and supported by the Food Regulation Standing Committee (FRSC), develops and provides policy on food regulation. The states, territories and New Zealand ensure compliance and enforcement of provisions of the Code, increasingly through the coordination activities of FRSC's Implementation Sub-Committee for Food Regulation, of which FSANZ is a member.

Australian states and territories

Under an intergovernmental agreement, the states and territories agreed to adopt, without variation, food standards recommended by the National Food Authority (now FSANZ).

The purpose of the original 1991 agreement was to consolidate responsibility for developing food standards into one specialist agency and to ensure the uniformity of food standards across all states and territories.

New Zealand

On 1 July 1996, a treaty came into force between Australia and New Zealand, to establish a single joint food standards system. The joint arrangement (last updated in 2010) aims to harmonise food standards between the two countries, reduce compliance costs for industry and help remove regulatory barriers to trade in food.

The treaty does not cover MRLs, food hygiene provisions, primary production standards and export requirements relating to third-country trade. It contains provisions that allow New Zealand to opt out of a joint standard for exceptional reasons relating to health, safety, trade, environmental concerns or cultural issues. In such cases, FSANZ may be asked to prepare a variation to a standard to apply only in New Zealand. An amended treaty with New Zealand was signed in July 2010.

We work collaboratively with the New Zealand Ministry for Primary Industries, which has carriage of food standards matters in that country.

Governance and parliament

Most of the contact with the office of our Parliamentary Secretary—the Hon. Catherine King MP (1 July 2012 – 24 March 2013) and the Hon. Shayne Neumann MP (25 March – 30 June 2013)—related to information, parliamentary-related functions and the provision of public affairs support. We also provide the parliamentary secretary's and minister's offices with twice-weekly 'Hot Issues' reports.

FSANZ performance

Ministerial correspondence

| | Completed on time | 1–2 days late | 3–7 days late | 8–14 days late | >14 days late | Total for action | For info or no further action |
|---------|-------------------|---------------|---------------|----------------|---------------|------------------|-------------------------------|
| 2012–13 | 55 | 0 | 0 | 0 | 0 | 55 | 60 |
| | 100% | 0% | 0% | 0% | 0% | 100% | |
| 2011–12 | 107 ^a | 0 | 0 | 0 | 0 | 107 | 119 |
| | 100% | 0% | 0% | 0% | 0% | 100% | |
| 2010–11 | 344 ^b | 0 | 0 | 0 | 0 | 344 | 25 |
| | 100% | 0% | 0% | 0% | 0% | 100% | |

a This includes 7 responses that were provided by the due date, but were processed the next working day.

b This includes 6 responses that were provided by the due date, but were processed the next working day.

FSANZ also provided input into correspondence on a large number of matters relating to FSANZ responsibilities, the overall responses for which were the responsibility of other branches within the Australian Government Department of Health and Ageing, or other departments in the Australian Government or state and territory governments.

These matters included general food safety issues, bisphenol A, food additives, labelling issues including country of origin, low tetrahydrocannabinol (THC) hemp, olive oil labelling, health claims, carbendazim and vinclozolin MRLs, imported food issues, irradiation and genetically modified (GM) food.

Minutes

| Sent | Returned |
|------|----------|
| 26 | 25 |

Issues raised in minutes included FSANZ Board meeting outcomes, BSE risk assessment updates, updates on mandatory reporting of food-related illnesses, the launch of FSANZ's new website, cost recovery issues, imported food from Japan and releases of surveys.

Briefing note requests

| Received | Sent | Late | % sent late |
|----------|------|------|-------------|
| 3 | 4 | 0 | 0 |

FSANZ also provided input into briefings on a number of matters relating to FSANZ responsibilities that were the responsibility of other branches of the Australian Government Department of Health and Ageing or other departments. Issues included carbendazim, olive oil, labelling, imported food, safety and labelling of GM food, and cost recovery.

Parliamentary Questions on Notice

| Received | Sent | Late | % sent late |
|----------|------|------|-------------|
| 0 | 0 | 0 | 0 |

FSANZ provided input into a number of answers to Questions on Notice being managed by the Australian Government Department of Health and Ageing.

Senate Estimates

Senior staff members appeared before Senate Estimates on three occasions during the year (October 2012, February 2013 and June 2013). Issues raised during the hearings and in subsequent Questions on Notice included safety and labelling of GM and irradiated food, general food safety and MRLs, cost recovery, low THC hemp, horse meat substitution in Europe, Australian National Audit Office audit recommendations relating to assessment reports and testing of imported food.

Question time briefings (QTBs)

FSANZ prepared more than 15 QTBs, either new QTBs or updating existing ones. FSANZ also provided input to numerous QTBs prepared by other areas within the portfolio, or other departments, where the issues crossed portfolio or agency responsibilities. Issues included the release of horse meat substitution in Europe, BSE, infant formula, GM food safety and labelling, bisphenol A and other general food safety issues.

Senate Rural and Regional Affairs References Committee—inquiry into beef imports into Australia

FSANZ made a submission to the inquiry and gave evidence at a public hearing held on 17 May 2013. FSANZ also responded to a number of Questions on Notice from the committee.

Senate Finance and Public Administration References Committee—inquiry into the progress in the implementation of the recommendations of the 1999 Joint Expert Technical Advisory Committee on Antibiotic Resistance (JETACAR)

FSANZ contributed to a joint submission to the inquiry and gave evidence at a public hearing held on 7 March 2013.

Requests under Freedom of Information legislation

| 2009–10 | 2010–11 | 2011–12 | 2012–13 |
|---------|---------|---------|---------|
| 4* | 3 | 7 | 10 |

* Two of these requests were treated as one application, as the subject matter for both requests was very similar.

FSANZ Board

FSANZ has a 12-member Board appointed by the Australian Government Minister for Health and Ageing, following consultation with the Australian, state, territory and New Zealand governments. Members of the Board have been drawn from a number of areas of expertise covering public health, food science, medical science, consumer policy, primary industry, the National Health and Medical Research Council, the food industry and government.

All members are part-time, except for the Chief Executive Officer (CEO). Details of the qualifications of Board members and their attendance at meetings are summarised in Appendix 11.

The terms of Dr Michele Allan, Mr Peter Boyden and Dr James (Gardner) Murray AO ceased on 30 June 2013. Professor Katrine Baghurst passed away in December 2012.

The CEO of FSANZ, Mr Steve McCutcheon, is an ex-officio member of the Board. Mr McCutcheon's current period of appointment is until 29 October 2015.

The Board meets at least four times per year and also convenes through teleconferences to discuss urgent issues. Five Board meetings and two Board teleconferences were held in 2012–13. Members also considered matters out of session. FSANZ publishes outcomes of Board meetings on its website.

Finance, Audit and Risk Management Committee

The Finance, Audit and Risk Management Committee (FARMC) comprises non-executive Board Directors. It supports the Board's oversight responsibilities relating to the financial and business affairs of FSANZ, the preparation and integrity of FSANZ's financial accounts and statements, internal controls, policies and procedures used to identify and manage business risks, insurance activities, and compliance with legal and regulatory requirements, and compliance policies.

In 2012–13, the FARMC, under the chairmanship of Dr Michele Allan, continued to monitor the corporate governance and risk management activities of the agency, advising the Board on FSANZ's appetite for risk in relation to strategic, operational and fraud control matters. The committee monitors the identification and management of risks to FSANZ, providing assurance that reasonable steps have been taken to address the risks by reducing the likelihood that they (and their consequences) will occur.

The FARMC also oversees our corporate risk assessment processes, and these risk assessments inform both the FARMC's risk monitoring activities and the Strategic Internal Audit Plan. Internal audits considered by the FARMC in 2012–13 related to budgeting and planning, cost-recovery processes, *Work Health and Safety Act 2011* compliance and governance of information communication technology in the agency.

The FARMC continued to provide independent assurance and advice to the Board on FSANZ's risk, control, compliance and governance framework, and its financial statement responsibilities.

Remuneration and Senior Staff Committee

The Remuneration and Senior Staff Committee of the Board meets infrequently to consider issues such as remuneration and performance standards for the CEO and Board remuneration policies decided by the Remuneration Tribunal.

The committee comprises a chair and four members. The Deputy CEO and Executive Manager Food Standards (Canberra) is secretary to the committee. The committee did not meet in 2012–13.

Directors' insurance

In 2012–13, we reviewed the adequacy of our directors' and officers' insurance under the Comcover Statement of Cover. We do not have shareholders or investors, nor do we have direct powers of authority. Our main responsibility is to develop and administer the Code. We had claims of less than \$40,000 over the last 15 years. As a result, we considered that our professional indemnity insurance coverage of \$100,000,000 is sufficient for our likely risk exposure.

Business planning and management

Planning

FSANZ's ongoing tasks do not change significantly from year to year, and the Corporate Plan strongly reflects our responsibilities under the *Food Standards Australia New Zealand Act 1991*. Our changing environment does, however, bring changes of priority and emphasis.

Within each of its strategic imperatives, FSANZ's *Corporate Plan 2012–2015* identifies a number of areas of program focus. This sets the framework for the Business Plan that outlined our work, the allocation of resources and how our progress would be measured. These areas of focus are also underpinned by other areas of significant work that support us in achieving our mission, which are also outlined in the plan.

Our *Business Plan 2012–13* provides a link between the strategic vision of the Board and our day-to-day work.

Consultants, competitive tendering and contractors

We spent \$1,631,845 on consultants and contractors during the year on services and products costing more than \$10,000 (see Appendix 9 for details).

Proposed amendments to the FSANZ Regulations, including cost-recovery arrangements

Fees are payable for the assessment of applications for applications where the development or variation of a standard would confer an exclusive capturable commercial benefit on an applicant. An applicant may also elect to pay a fee to expedite consideration of an application.

Following public consultation, the FSANZ Board completed a review of FSANZ's cost-recovery arrangements in December 2012 and published a final report recommending a number of changes to our cost-recovery arrangements. The proposed changes included an increase from \$115 to \$180 per hour in the hourly rate used to calculate fees and changes in the categories for determining the initial amount to be paid by an applicant.

The review also developed cost-recovery arrangements for high-level health claims, based on those for the general procedure.

The Australian Government's 2005 Cost Recovery Guidelines were applied in the review. These guidelines set out the cost-recovery principles that were followed by FSANZ in the review. We also consulted with a number of agencies to develop the costing methodology. Previous reviews had not properly determined fee levels using the Cost Recovery Guidelines. They had underestimated the full cost of business and created a probability that paid work is being subsidised by Budget-funded work.

In June 2013, the Parliamentary Secretary for Health and Ageing decided not to approve regulations to implement the proposed increase. We have been directed to complete an additional cost-recovery impact analysis. This work will occur in the first half of 2013–14.

The review report, submissions and earlier consultation paper are available on the FSANZ website.

FSANZ approach to emerging issues

Emerging issues framework

In recent years, a number of food safety incidents have arisen from 'left field'—for example, the melamine contamination in milk and milk products incident. Such incidents have had a significant impact on food safety and/or consumer confidence both nationally and internationally.

FSANZ has now finalised a framework that we can use to identify and respond in a coordinated manner to emerging and ongoing issues, including issues with substantial community interest. The framework identifies the information sources we currently receive, assigns responsibility for sifting these information sources to relevant sections and provides a clear pathway for escalation of an issue.

The framework enables a coordinated FSANZ approach to considering emerging food safety issues and avoids potential duplication of activity. The approach includes an 'early alert' system where relevant staff are informed about new information on a potential issue that has been received and which sections are investigating the issue.

The usefulness of the framework will be reviewed in the next year. We have commenced planning for another element of the FSANZ approach—a horizon scanning workshop—in 2013–14.

Scientific matters under scrutiny

New plant breeding techniques

Until recently, the regulatory and community understanding of what constitutes a genetically modified (GM) food has been clear. All GM plant foods that have been assessed and approved to date by FSANZ and international regulatory agencies have been derived from plants that have undergone a DNA manipulation process known as 'transgenesis'.

A number of new plant breeding techniques, still involving manipulation of DNA, have been, or are being, developed. However, it is unclear whether the final food-producing line can be regarded as transgenic. FSANZ is increasingly being asked whether the foods produced using such techniques would be regarded as GM foods and therefore be subject to premarket assessment and approval.

FSANZ hosted a technical workshop in May 2012 to discuss the science that forms the basis of a number of these plant breeding techniques and the extent to which their use should be captured in the Code.

We intend releasing a report on the recommendations of the workshop in mid-2013.

Nanotechnology

We have continued to monitor developments in nanotechnology, as part of the whole-of-government response to this issue under the National Enabling Technologies Strategy (NETS). An extension of this work was made possible this year through receipt of further NETS funding. In addition to evaluating the safety of nanoscale versions of existing materials used in food processing or production, we have engaged with industry and other stakeholders on the potential use of nanomaterials in food and food packaging.

Food packaging

We are considering reviewing our regulatory approach to food packaging materials. As part of this process, a comparative evaluation of other international requirements has been undertaken, as well as an assessment of the safety of potential migratory chemicals from packaging. We actively engaged with the food packaging industry and other food business to seek their views and expert technical input on packaging.

We carried out further survey work as part of the 24th ATDS, in which food and beverages were analysed for phthalates, perfluorinated compounds, bisphenol A, epoxidised soybean oil and printing inks.

Antimicrobial resistance

FSANZ provided detailed input into the Australian Government Department of Health and Ageing's joint agency submission to the Senate Finance and Public Administration References Committee on the inquiry into progress in the implementation of the recommendations of the 1999 Joint Expert Technical Advisory Committee on Antibiotic Resistance (JETACAR). The submission reiterated that a response to the challenges of antimicrobial resistance in Australia involved a combination of regulation, monitoring and surveillance, targeted activity on specific organisms, research and education.

The final report on the inquiry was tabled in June 2013 and is now available on the Senate's website.¹⁰

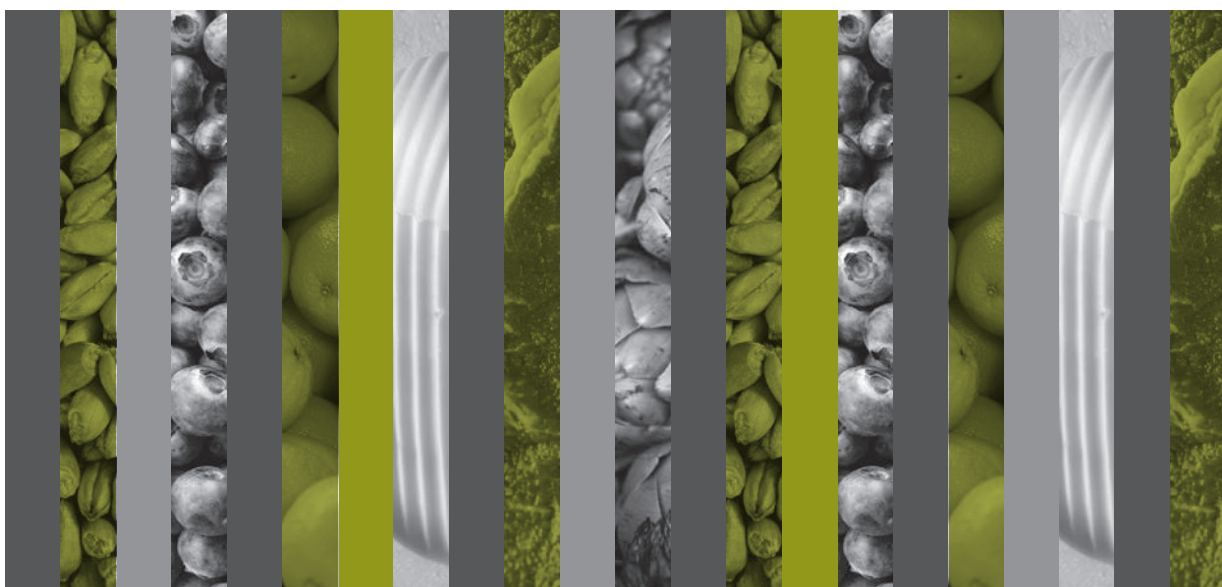
FSANZ is a member of several working groups of the Australian Antimicrobial Resistance Prevention and Containment Steering Group, established in March 2013 to oversee the development and implementation of a coherent national framework for current and future work related to antimicrobial resistance.

¹⁰ www.health.gov.au/internet/main/publishing.nsf/Content/health-pubhlth-strateg-jetacar-reports.htm

04

KEY ENABLERS

APPENDIXES



05

APPENDIX 1: GAZETTED AMENDMENTS TO THE AUSTRALIA NEW ZEALAND FOOD STANDARDS CODE FROM 1 JULY 2012 TO 30 JUNE 2013

Gazettal and registration on the Federal Register of Legislative Instruments of amendments to the *Australia New Zealand Food Standards Code* (the Code) occurs throughout the year after the COAG Legislative and Governance Forum on Food Regulation (Food Regulation Forum) notifies FSANZ that it does not need to review its decision on a standard or a variation to a standard; or if, after a review by FSANZ, the Food Regulation Forum accepts or amends the standard or variation to a standard. Each series of amendments is sequentially numbered.

FSANZ gazetted amendments to the Code relating to the following applications and proposals.

| | |
|---|--|
| Amendment No. 133 (12 July 2012) | |
| Application A1064—Food derived from Herbicide-tolerant Soybean Line CV127 | To seek permission for food derived from herbicide-tolerant soybean, genetically modified to provide resistance to imidazolinone used for weed control |
| Application A1066—Food derived from Herbicide-tolerant Corn MON87427 | To approve food derived from corn genetically modified to provide tissue-selective tolerance to glyphosate |
| Amendment No. 134 (6 September 2012) | |
| Proposal P1020—Ethyl Lauroyl Arginate as a Food Additive in Sausages | To permit the use of ethyl lauroyl arginate as a preservative for sausage and sausage meat containing raw, unprocessed meat |
| Amendment No. 135 (11 October 2012) | |
| Application A1045—Bacteriophage Preparation P100 as a Processing Aid | To seek approval for a bacteriophage, Preparation P100, to be used as a processing aid to reduce contamination of <i>Listeria monocytogenes</i> in non-liquid ready-to-eat foods |
| Application A1065—Packaging size for Phytosterol-enriched Milk | To remove the current restriction on package size for milk enriched with phytosterols |
| Proposal P1018—Companion Dogs in Outdoor Dining Areas | To remove restrictions on the presence of companion dogs in outdoor dining areas of food premises |
| Proposal P1021—Code Maintenance X | To amend standards in the Code to correct minor typographical errors or inconsistencies, update references, correct formatting issues, and correct cross references |

| Amendment No. 136 (15 November 2012) | |
|--|--|
| Application A1038—Irradiation of Persimmons | To permit the irradiation of persimmons (<i>Diospyros kaki</i>) as a quarantine measure, and make additional amendments to improve the clarity and structure of Standard 1.5.3 |
| Amendment No. 137 (29 November 2012) | |
| Application A1068—Hydrogen Peroxide as a Processing Aid | To permit the use of hydrogen peroxide as a processing aid to maintain a stable pH in the manufacture of fermented dairy ingredients and products |
| Amendment No. 138 (18 January 2013) | |
| Proposal P293—Nutrition, Health & Related Claims | To implement the Ministerial Council's Policy Guideline for the development of the regulatory framework for the management of nutrition, health and related claims |
| Proposal P1011—Country of Origin Labelling—Unpackaged Meat Products | To consider extending country of origin labelling requirements to include unpackaged beef, chicken and lamb products |
| Proposal M1008—Maximum Residue Limits (2012) | To amend maximum residue limits for a number of agricultural and veterinary chemicals |
| Amendment No. 139 (21 February 2013) | |
| A1043—World Health Organization Limits for Packaged Water | To adopt limits for certain chemical substances in packaged water to reflect the current limits in place in international standards established by the World Health Organization |
| A1070—Packaging Size for Phytosterol-enriched Lower Fat Cheese | To remove the current size restrictions on package sizes of low-fat cheese enriched with phytosterol esters |
| A1071—Food derived from Herbicide-tolerant Canola Line MON88302 | To seek permission for food derived from herbicide-tolerant canola, genetically modified to provide tolerance to glyphosate |
| P1023—Tutin, Tocopherol & Food for Special Medical Purposes Standards Amendments | To make amendments relating to tutin, tocopherols and food for special medical purposes |
| Amendment No. 140 (18 April 2013) | |
| A1073—Food derived from Herbicide-tolerant Soybean DAS-44406-6 | To seek permission for food derived from herbicide-tolerant soybean, genetically modified to provide tolerance to 2,4-D, glufosinate ammonium and glyphosate |
| Amendment No. 141 (23 May 2013) | |
| Application A1069—Irradiation of Tomatoes and Capsicums | To provide permission to irradiate tomato (<i>Lycopersicon esculentum</i>) and capsicum (<i>Capsicum annum</i>) as a quarantine measure |
| Application A1074—Minimum L-histidine in Infant Formula Products | To amend minimum required levels of L-histidine in infant formula products |

The Australian Pesticides and Veterinary Medicines Authority gazetted and registered a number of amendments to Schedule 1 of Standard 1.4.2 on the Federal Register of Legislative Instruments:



| | |
|-------------------|-------------------|
| Amendment APVMA12 | 3 July 2012 |
| Amendment APVMA13 | 31 July 2012 |
| Amendment APVMA14 | 28 August 2012 |
| Amendment APVMA15 | 25 September 2012 |
| Amendment APVMA16 | 23 October 2012 |
| Amendment APVMA17 | 4 December 2012 |
| Amendment APVMA18 | 18 December 2012 |
| Amendment APVMA19 | 15 January 2013 |
| Amendment APVMA20 | 12 March 2013 |

APPENDIX 2: APPLICATIONS RECEIVED AND PROPOSALS PREPARED AT 30 JUNE 2013

APPLICATIONS RECEIVED AND PROPOSALS PREPARED BEFORE 1 OCTOBER 2007

Section 69 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act) (as was in force prior to 1 July 2007) requires FSANZ to report on its processing of applications and proposals in the following manner:

During 2012–13, FSANZ progressed **4** Applications received prior to 1 October 2007:

- (v) **0** were withdrawn
- (vi) **0** were rejected by FSANZ
- (vii) **0** were finalised and notified to the Forum
- (viii) **0** were considered after a request for a review and notified to the Ministerial Council
- (ix) **4** were still being progressed as at 30 June 2013.

During 2012–13, FSANZ progressed **6** Proposals prepared prior to 1 October 2007:

- (v) **0** were abandoned by FSANZ
- (vi) **0** were finalised and notified to the Ministerial Council
- (vii) **1** was considered after a request for a review and notified to the Forum
- (viii) **5** were still being progressed as at 30 June 2013.

- (e) **Any occasion during 2012–13 that FSANZ, after preparing a draft standard or a draft variation of a standard, failed to make a decision under section 18 of the FSANZ Act (as was in force prior to 1 July 2007) within the period required under section 35 (as was in force prior to 1 July 2007) and a statement of the reasons for that failure:**

Nil

- (f) **Extensions of time FSANZ granted under subsection 35(2) of the FSANZ Act during 2012–13 and the reasons for those extensions:**

Nil

- (g) The number of applications made to the Administrative Appeals Tribunal during 2012–13 for a review of a decision made by FSANZ:
- Nil
- (h) The results of the applications made to the Administrative Appeals Tribunal that were determined during 2012–13:
- Nil
- (i) The number of standards made under the FSANZ Act during 2012–13:
- 1 (this includes both standards and variations to standards gazetted)
- (j) The number of draft standards and draft variations approved during 2012–13 under:
- (i) section 18 of the FSANZ Act; or (Final Assessment)
- 0
- (k) The number of occasions during 2012–13 when requests were made under section 21 of the FSANZ Act (as was in force prior to 1 July 2007) for a review of a draft standard or draft variation:
- 0
- (l) The number of occasions during 2012–13 when requests were made under section 22 of the FSANZ Act (as was in force prior to 1 July 2007) for a review of a draft standard or draft variation:
- 0
- (m) The number of occasions during 2012–13 when a draft standard or draft variation was rejected under section 23 of the FSANZ Act (as was in force prior to 1 July 2007):
- 0
- (n) The number of occasions during 2012–13 when requests were made under section 28A of the FSANZ Act (as was in force prior to 1 July 2007) for a review of a standard or variation:
- 0
- (p) The number of occasions during 2012–13 when a standard or variation was revoked or amended under section 28C of the FSANZ Act (as was in force prior to 1 July 2007):
- 0

APPLICATIONS RECEIVED AND PROPOSALS PREPARED FROM 1 OCTOBER 2007 ONWARDS

Section 152 of the FSANZ Act requires FSANZ to report on its processing of applications and proposals in the following manner:

(aa) The number of applications that were made under section 22 during 2012–13:

14

(ab) The number of applications accepted under subsection 26(1) during 2012–13:

8

(ac) The number of applications rejected under subsection 26(1) during 2012–13 and the reasons for the rejections:

5

PA1076—on the basis that it did not meet the mandatory information requirements under subsection 22(2) of the FSANZ Act, which are set out in Part 3 of the FSANZ Application Handbook. The Administrative Assessment does not consider the merits of the Application.

PA1078—on the basis that it did not meet the mandatory information requirements under subsection 22(2) of the FSANZ Act, which are set out in Part 3 of the FSANZ Application Handbook. The Administrative Assessment does not consider the merits of the Application.

PA1082—on the basis that it did not meet the mandatory information and format requirements under subsection 22(2) of the FSANZ Act which are set out in Part 3 of the FSANZ Application Handbook. The Administrative Assessment does not consider the merits of the Application.

PA1084—on the basis that it did not meet the mandatory information requirements under subsection 22(2) of the FSANZ Act which are set out in Part 3 of the FSANZ Application Handbook. The Administrative Assessment does not consider the merits of the Application.

PA1086—on the basis that it did not meet the mandatory information requirements under subsection 22(2) of the FSANZ Act which are set out in Part 3 of the FSANZ Application Handbook. The Administrative Assessment does not consider the merits of the Application.

- (ad) The number of applications withdrawn in 2012–13 under subsection 24(1) during the current year:
1
- (ae) The number of applications accepted under subsection 26(1) during 2012–13 that FSANZ had not begun to assess under section 29 during 2012–13:
0
- (af) The number of applications accepted under subsection 26(1) during a previous financial year that FSANZ had not begun to assess under section 29 before the end 2012–13:
0
- (a) the number of applications that were considered under Subdivision D of Division 1 of Part 3 during 2012–13 (considered means on our books at some stage during the year from when the clock started):
- General Procedure**
18
- (b) the number of applications that were considered under Subdivision E of Division 1 of Part 3 during 2012–13:
- Minor Procedure**
0
- (c) the number of applications that were considered under Subdivision F of Division 1 of Part 3 during 2012–13:
- Major Procedure**
2
- (d) **Health claims**
not applicable
- (e) for each of those Subdivisions, the number of applications considered under that Subdivision that were disposed of during 2012–13 and the manner of their disposal (disposal means not on our books any more):
- | Subdivision D | Subdivision E | Subdivision F |
|----------------------|----------------------|----------------------|
| 13 Approved | 0 | 1 Approved |
| 1 Withdrawn | | 1 Withdrawn |
| 0 Rejected | | |

- (f) for each of those Subdivisions, the average time taken to dispose of applications during 2012–13 (for Approval only):

Subdivision D

10.7 months

A1039 24 months

A1043 17 months (not including 4.5 months for further info)

A1055 23 months (not including 7 months for further info)

A1064 8.5 months

A1065 8 months

A1066 8 months

A1068 8 months

A1069 9 months

A1070 6.5 months

A1071 7 months

A1073 8.5 months

A1074 8 months

A1083 3 months

Subdivision E

not applicable

Subdivision F

15 months

A1045 15 months

- (fa) The number of applications accepted under subsection 26(1) during a previous financial year that FSANZ had begun to assess under section 29 before the end of the current year, but that FSANZ had not disposed of before the end of 2012–13:

0

- (fb) For an application covered by Paragraph (fa), the period that has elapsed since the application was accepted under subsection 26(1):

n/a

- (g) the number of applications made during 2012–13 in relation to which a charge fixed under section 146 was payable:

5

- (h) the number of applications made during 2012–13 in relation to which no charge fixed under section 146 was payable:

3

- (i) the average number of days that elapsed between the acceptance or rejection under section 26 of an application made during 2012–13 in relation to which no charge fixed under section 146 was payable, and the commencement of the assessment of the application under section 29:

92.5 days

A1077 accepted 11 October 2012, clock start 18 February 2013 (130 days)

A1079 accepted 1 February 2013, clock start 28 March 2013 (55 days)

- (j) each occasion during 2012–13 on which the consideration period under section 109 elapsed without FSANZ completing the procedure that FSANZ must, under Subdivision C of Division 1, adopt in considering the application:

A1039 Approval due: 3 August 2011. Approved: 31 October 2012

A1043 Approval due: 30 July 2012. Approved: 6 December 2012

A1055 Approval due: 13 March 2012. Approved: 8 May 2013

- (k) each occasion during 2012–13 on which FSANZ extended the consideration period under subsection 109(4), and the reasons for that extension:

Nil

- (ka) The number of applications declared under section 95 to be urgent applications during 2012–13:

0

- (l) the number of proposals prepared by FSANZ under section 55 during 2012–13: (Preparation)

7

- (la) The number of proposals prepared under section 55 during 2012–13 that FSANZ had not begun to assess under section 59 during that year:

0

- (lb) The number of proposals prepared under section 55 during a previous financial year that FSANZ had not begun to assess under section 59 before the end of 2012–13:

0

- (n) the number of proposals that were disposed of during 2012–13 and the manner of their disposal:

4 Approved

- (o) the average time taken to dispose of proposals under each of Subdivisions D, E, F and H of Division 2 of Part 3 during 2012–13:

| General | Major |
|----------------|-------|
| 5 months | n/a |
| P1023 3 months | |
| M1008 7 months | |

- (p) the average number of days that elapsed between the preparation of a proposal during 2012–13 under each of sections 55 and 81 and the commencement of the assessment of the proposal under section 59:

| |
|---------------|
| 5 days |
| P1022 24 days |
| P1023 3 days |
| P1024 3 days |
| P1025 0 days |
| P1027 0 days |
| M1009 0 days |

- (pa) The number of proposals prepared under section 55 during a previous financial year that the FSANZ had begun to assess under section 59 before the end of 2012–13, but that the FSANZ had not disposed of before the end of 2012–13:

6

- (pb) For a proposal covered by paragraph (pa), the period that has elapsed since the proposal was prepared under section 55:

| |
|-------------------|
| P1005 51.5 months |
| P1014 20.5 months |
| P1015 18.5 months |
| P1016 17 months |
| P1017 17 months |
| P1019 15 months |

- (pc) The number of proposals declared under section 95 to be urgent proposals during 2012–13:

0

- (pd) The number of occasions during the current year when the 12-month period referred to in subsection 101(1) ended with no decision having been made under that subsection and the reasons for no decision having been made:

n/a

- (q) **the number of applications made to the Administrative Appeals Tribunal during 2012–13 for review of decisions of FSANZ:**

Nil

- (r) **the results of the applications made to the Administrative Appeals Tribunal that were determined during 2012–13:**

An application was lodged in the Administrative Appeals Tribunal on 6 June 2011 by Axiome Pty Ltd, on behalf of Cognis GmbH, seeking review of a FSANZ decision to refuse an application to amend Standard 5.1 in the Code (Application A1005). The amendment had been sought in order to allow a brand of a conjugated linoleic acid triglyceride preparation (CLA) to be sold as a novel food. The review by the Tribunal involved two issues: whether CLA was a novel food for the purposes of the Standard, and, if so, whether FSANZ's decision to reject the application was the correct or preferable one.

The Tribunal handed down its decision on 24 August 2012. The Tribunal affirmed FSANZ's decision. It found that CLA was a novel food subject to the Standard. The Tribunal also rejected the applicant's arguments that regulatory safety assessments and approvals and consumption for or of CLA in other countries meant that its use in Australia or New Zealand did not require a further health assessment. The Tribunal agreed with FSANZ that a health assessment was required as the available evidence did not establish CLA's safety.

- (s) **the number of standards made during 2012–13 (Gazetta):**

18

- (t) **the number of draft standards and draft variations approved during 2012–13 under each of the following:**

Approval A's—General & Major

Approval A's—Minor

(i) **section 33:**

(ii) **section 41:**

18

0

- (u) **the number of occasions during 2012–13 when requests were made by the Ministerial Council under Division 3 of Part 3 for a review of a draft standard or draft variation:**

1

- (v) the number of occasions during 2012–13 when a draft standard or draft variation was rejected by the Ministerial Council under Division 3 of Part 3:

0

- (w) the number of occasions during 2012–13 when requests were made by the Council under Division 3 of Part 3 for a review of a standard or variation:

n/a

- (x) the number of occasions during 2012–13 when a standard or variation was revoked or amended by the Ministerial Council under Division 3 of Part 3:

0

In relation to applications or proposals declared to be urgent under section 95, either in 2012–13 or in previous financial years, the number which were disposed of under section 101 and the manner of their completion:

n/a

In relation to applications or proposals declared to be urgent under section 95, either in 2012–13 or in previous financial years, the number of occasions where disposal did not occur within 12 months of the date of effect of the publication of a standard under section 97:

n/a

- (y) a summary of policy guidelines notified to FSANZ during 2012–13:

Nil

- (z) such other matters (if any) as are specified in the Regulations:

Nil

APPENDIX 3: FSANZ PROCESSES FOR ASSESSING APPLICATIONS OR PROPOSALS

Information on these processes can be found on the FSANZ website at <http://www.foodstandards.gov.au/code/changes/Pages/default.aspx>.

FSANZ's primary role is developing or amending food standards to ensure the safety of food sold in Australia and New Zealand, to ensure the provision of adequate information to consumers and to prevent misleading or deceptive conduct.

FSANZ's work is open for public scrutiny. When developing or changing a food standard, there is generally at least one round of public consultation.

Anyone can make an application to change a current standard or develop a new food standard or code of practice. FSANZ can also initiate the development or review of a standard by preparing a proposal. Both follow the same steps (as set out below). Guidelines on how to make an application are available from our Standards Management Officer or from the FSANZ website.

FSANZ maintains an Application Handbook that includes information to assist potential applicants. FSANZ is able to reject an application on the basis that it has not met the mandatory information requirements set out in Part 3 of the Application Handbook. This ensures that applications contain sufficient information to enable them to be properly assessed, minimising delays in the completion of assessments where further information from an applicant is required to enable an assessment to proceed.

The Application Handbook also includes information covering cost-recovery, confidentiality, application templates and minimum data requirements to complete an assessment. The Application Handbook is updated as required to ensure currency of FSANZ's information needs.

FSANZ continually looks at ways to improve its assessment processes. In recent years, a number of changes have been adopted to improve the format of reports and to place greater emphasis on impact or cost-benefit assessment of regulatory options.

All submissions are uploaded onto our website as soon as possible after acceptance or processing. In relation to applications, the executive summary is made available when the public is notified of its acceptance. The remainder of the application is provided when submissions are called. For access to applications and submissions that were received prior to 1 May 2011

and that are not on the website, or for more information about the detailed matters to do with food standards development, contact FSANZ's Standards Management Officer in Canberra on (02) 6271 2280 or email standards.management@foodstandards.gov.au.

The steps are as follows.

Administrative Assessment

The purpose of this assessment is to determine whether an application includes certain minimum mandatory requirements (as outlined in the Application Handbook) and the procedure by which it should be assessed. Fees are payable after FSANZ has determined whether or not to accept the application, and determined the assessment procedure. FSANZ has 15 working days to complete this process. A report is prepared, which is available to the public. An 'early bird' public notification is subsequently made by FSANZ, advising of the acceptance of the application and its placement on the work plan. Proposals are treated in a similar fashion.

Procedures for the assessment of applications and proposals

General procedure (Default) (9 months to complete assessment)—This procedure is the default process for variations to a food regulatory measure and generally involves one round of public consultation only. Most applications and proposals will be assessed under this procedure, although more can be held as required.

Minor procedure (3 months to complete assessment)—This procedure applies to minor variations to food regulatory measures including, but not limited to, correction of a typographical error or minor editorial changes. It involves one round of limited consultation with government agencies only, and if relevant, affected parties.

Major procedure (12 months to complete assessment)—This procedure applies to the development of a new Standard or a major variation to a food regulatory measure involving such scientific or technical complexity that it is necessary to adopt this procedure in considering it or such a significant change to the scope of the food regulatory measure that it is necessary to adopt this procedure to consider the application. This procedure generally involves two rounds of public consultation, although more can be held as required.

High-level health claims procedure (9 months to complete assessment)—This procedure is used for applications or proposals to make a change to the list of high-level health claims (HLHCs) as permitted in Standard 1.2.7. Once an application has been accepted or proposal prepared, the HLHC expert committee and Food Regulation Steering Committee (FRSC) are formally notified and comments on the application are sought. It involves one round of public consultation only, unless an applicant has requested confidential treatment of their application.

Assessment

The purpose of this assessment is to determine whether to proceed to develop a food regulatory measure. FSANZ will then either prepare a draft food regulatory measure or variation or reject (in whole or part) the application, or abandon the proposal. In this assessment, FSANZ must have regard to the matters listed under Section 29 (applications) or Section 59 (proposals) of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act). Paragraphs 29(d) and 59(d) also include the Section 18 objectives of the FSANZ Act (see below). A summary of the assessment and reasons for FSANZ's decision are prepared and publicly released for consultation. Calls for public comment are made via the Food Standards Notification Circular, email alerts to interested stakeholders, media releases and published on our website.

If an application or proposal is being considered under the Major procedure, the assessment is carried out in two parts (first and second call for submissions) with an additional round of consultation between. The second call for submissions includes draft variations to the *Australia New Zealand Food Standards Code*.

Section 29 matters

- (2) In assessing the application, the Authority must have regard to the following matters:
 - (a) whether costs that would arise from a food regulatory measure developed or varied as a result of the application outweigh the direct and indirect benefits to the community, Government or industry that would arise from the development or variation of the food regulatory measure;
 - (b) whether other measures (available to the Authority or not) would be more costeffective than a food regulatory measure developed or varied as a result of the application;
 - (c) any relevant New Zealand standards;
 - (d) any other relevant matters.

Section 59 matters

- (2) In assessing the proposal, the Authority must have regard to the following matters:
- (a) whether costs that would arise from a food regulatory measure developed or varied as a result of the proposal outweigh the direct and indirect benefits to the community, Government or industry that would arise from the development or variation of the food regulatory measure;
 - (b) whether other measures (available to the Authority or not) would be more cost-effective than a food regulatory measure developed or varied as a result of the proposal;
 - (c) any relevant New Zealand standards;
 - (d) any other relevant matters.

Section 18 objectives

In descending order of priority:

- (a) The protection of public health and safety; and
- (b) the provision of adequate information relating to food to enable consumers to make informed choices and
- (c) the prevention of misleading or deceptive conduct.

In developing or reviewing food standards, the Authority is also required to have regard to the following.

- (a) The need for standards to be based on risk analysis using the best scientific evidence.
- (b) The promotion of consistency between domestic and international food standards.
- (c) The desirability of an efficient and internationally competitive food industry.
- (d) The promotion of fair trading in food.
- (e) Any written policy guidelines formulated by the Ministerial Council and notified to FSANZ.

Approval

After the submission period, FSANZ must either approve, approve subject to amendment, or reject the draft standard or variation. FSANZ must have regard to all submissions made during the submission period/s. A report is prepared containing the decision, reasons, summary of issues raised in submissions and how these have been addressed, Regulation Impact Statement (if prepared) and if approved, the food regulatory measure or variation.

The report is publicly released following the notification of the decision to ministers. Advice on approvals is made via the Food Standards Notification Circular, email alerts to interested stakeholders and on our website, as well as in the newspapers. The newspaper notices appear nationally in *The Australian* and in New Zealand, *The New Zealand Herald*.

High-level health claims

Applications or proposals seeking a variation whose only effect is to change this list are assessed as a high-level health claim variation. All other applications to amend Standard 1.2.7 are assessed under the General, Minor or Major procedure.

An application or proposal for a high-level health claim variation must only deal with a change to the list in Standard 1.2.7. For example, if the claim related to an unapproved novel food, a separate application or proposal seeking approval for the novel food would be required. FSANZ would then progress both applications or proposals in parallel.

Applicants can also choose to have their application considered confidentially. In this case, no public comment is called and no information is released to the public about the application until after gazettal has occurred.

When assessing an application FSANZ will need to be satisfied that any draft variation will meet the following objectives:

- the protection of public health and safety
- the provision of adequate information relating to food to enable consumers to make informed choices
- the prevention of misleading or deceptive conduct

FSANZ will assess any draft variation against the criteria set out in Standard 1.2.7 in relation to high level health claims, taking into account any recommendations made by the HLHC committee and any submission made on behalf of a jurisdiction represented on FRSC.

If public submissions are to be called for, the same process is followed as for other applications. If not, FSANZ will proceed to consider approval of the draft variation as for other applications.

Ministers consideration of approved food standards

Decisions on food standards, once approved by the FSANZ Board, are notified to the Council of Australian Governments Legislative and Governance Forum on Food Regulation (formerly known as the Australia and New Zealand Food Regulation Ministerial Council) (Food Regulation Forum). Within 60 days of this notification, a majority of jurisdictions on the Food Regulation Forum may ask FSANZ to conduct a review of its decision.

Alternatively, the Food Regulation Forum may inform FSANZ that it does not intend to request a review. In the latter case, the standards are gazetted in Australia and New Zealand and registered as legislative instruments and become law at the date specified.

If the Food Regulation Forum requests a review, FSANZ must conduct the review within three months (or a longer period if allowed by the Food Regulation Forum) and either re-affirm the decision, with or without amendments to the standard, or withdraw its approval of the standard.

That decision is then notified to the Food Regulation Forum. The Food Regulation Forum, by a majority decision, may then, within 60 days, approve, amend or reject the draft variation.

If the Food Regulation Forum amends or does not amend the draft variation, the amendment is gazetted in Australia and New Zealand and registered as a legislative instrument and becomes law at the date specified.

Advice on gazettals is made via the Food Standards Notification Circular, email alerts to interested stakeholders and on our website, as well as in the newspapers. The newspaper notices appear nationally in *The Australian* and in New Zealand, *The New Zealand Herald*.

Once the amendment becomes law, it is the responsibility of state and territory governments and the New Zealand Ministry for Primary Industries to enforce the standard. The Australian Government Department of Agriculture, Fisheries and Forestry is responsible for enforcing standards relating to imported food.

Criteria for requesting a review

Under the 2008 Inter-Governmental Food Regulation Agreement, ministers can only request reviews of FSANZ decisions based on one or more of the following criteria:

- (i) it is not consistent with existing policy guidelines set by the Ministerial Council¹¹
- (ii) it is not consistent with the objectives of the legislation that establishes FSANZ
- (iii) it does not protect public health and safety
- (iv) it does not promote consistency between domestic and international food standards where these are at variance
- (v) it does not provide adequate information to enable informed choice
- (vi) it is difficult to enforce or comply with in both practical or resource terms
- (vii) it places an unreasonable cost burden on industry or consumers.

One request for a review was received in 2012–13. The request for a review on a decision relating to the approval of low tetrahydrocannabinol hemp in food was based on criteria (iii) and (vi).

¹¹ The COAG Legislative and Governance Forum on Food Regulation convenes as the Ministerial Council

APPENDIX 4: EXTERNAL FSANZ COMMITTEE MEMBERS

FSANZ maintains a number of committees with members selected for their skills and knowledge, drawn from a wide range of industry, academia, consumer interests and government bodies. We gratefully acknowledge the contribution of the committee members listed below.

| Committees and groups | Number of meetings and teleconferences | Number of informal consultations* |
|--|--|-----------------------------------|
| Advisory Committee on Novel Foods | 6 | nil |
| Allergen Collaboration | 3 | nil |
| Consumer and Public Health Dialogue | 3 | nil |
| Food Allergy and Intolerance Scientific Advisory Committee | 1 | 1 |
| Food Surveillance Network | 3 | 2 |
| Horticulture Working Group | 1 | nil |
| Industry Advisory Group on Food Packaging | 0 | 6 |
| Infant and Child Health Scientific Advisory Group | 1 | 0 |
| Jurisdictional Forum | 4 | nil |
| Retailers and Manufacturers Liaison Committee | 2 | 1 |
| Social Sciences and Economics Advisory Group | 2 | 0 |

* May include workshops, request for advice on issues outside of meetings. General email contact not included.

Advisory Committee on Novel Foods

| | |
|------------------------|--|
| Mr Michael Apollonov | New South Wales Food Authority |
| Ms Janine Curll | New South Wales Food Authority |
| Ms Rebecca Delsar | Department of Health, Western Australia |
| Ms Julia Edmonds | Ministry for Primary Industries, New Zealand |
| Ms Enita Ostojic | Department of Health, Western Australia |
| Mr John van den Beuken | Ministry for Primary Industries, New Zealand |
| Mr John Ward | Department of Health, Victoria |

Allergen Collaboration

| | |
|---------------------|--|
| Mr Tony Beaver | Food and Beverage Importers Association |
| Mr Mark Bell | Progressive Enterprises Limited (New Zealand) |
| Ms Marisa Bidois | Restaurant Association of New Zealand |
| Ms Heather Carnegie | Restaurant Brands (New Zealand) |
| Ms Natalie Chong | Woolworths Australia |
| Mr Des Crowe | Australian Hotels Association |
| Ms Andrea Currie | ALDI Australia |
| Dr David Cusack | Implementation Sub-Committee for Food Regulation |
| Ms Linda Derrett | Metcash |
| Ms Fiona Fleming | Australian Food and Grocery Council, Allergen Forum |
| Ms Alison Gallagher | Woolworths Australia |
| Ms Kirsten Grinter | Allergen Bureau |
| Ms Carole Inkster | New Zealand Food and Grocery Council |
| Ms Penny Jorgensen | Allergy New Zealand |
| Ms Samara Kitchener | New South Wales Food Authority |
| Mr Kim Leighton | Australian Food and Grocery Council |
| Ms Janet Lymburn | Ministry for Primary Industries, New Zealand |
| Mr Neil McSkimming | Coles Australia |
| Mr Anthony Morgan | Woolworths Australia |
| Mr Glen Neal | Ministry for Primary Industries, New Zealand |
| Ms Angela O'Shea | ALDI Australia |
| Mr George Passas | Metcash |
| Mr Justin Pleass | Restaurant and Catering Australia |
| Mr Bruce Robertson | Hospitality New Zealand |
| Mr Nick Robertson | TPF Group (New Zealand) |
| Ms Maria Said | Allergy and Anaphylaxis Australia |
| Ms Carmel Shanahan | New South Wales Food Authority |
| Ms Robin Sherlock | Allergen Bureau |
| Ms Toni Spicer | Australian Food and Grocery Council—Quick Service Restaurant Forum |
| Ms Penny Tregear | Ministry for Primary Industries, New Zealand |
| Mr Brad Watts | Australian Hotels Association |

Consumer and Public Health Dialogue

| | |
|------------------------------|--|
| Ms Kathy Chapman | Australian Chronic Disease Prevention Alliance |
| Ms Sue Chetwin | Consumer New Zealand |
| Ms Nicola Chilcott | Agencies for Nutrition Action (New Zealand) |
| Ms Christine Cook | Dietitians New Zealand |
| Ms Kathy Dennis | Australian Government Department of Health and Ageing (observer) |
| Dr Danielle Gallegos | Dietitians Association of Australia |
| Assoc Prof Mark Lawrence | Deakin University |
| Ms Angela McDougall | CHOICE |
| Assoc Prof Cliona Ni Mhurchu | University of Auckland |
| Dr Rosemary Stanton | Public Health Association of Australia |
| Assoc Prof Heather Yeatman | University of Wollongong |

Food Allergy and Intolerance Scientific Advisory Committee

| | |
|-------------------------|---|
| Professor Katrina Allen | Royal Children's Hospital, Melbourne |
| Dr Vincent Crump | Auckland Allergy Clinic |
| Dr Robert Loblay | Royal Prince Alfred Hospital, Sydney |
| Dr Raymond Mullins | John James Medical Centre, Canberra |
| Professor Robyn O'Hehir | Alfred Hospital, Melbourne |
| Dr Jane Peake | Royal Children's Hospital, Brisbane |
| Dr Jan Sinclair | Starship Children's Hospital, Auckland |
| Ms Sofia Sipsas | Consultant—Lupin Research and Development |
| Dr William Smith | Royal Adelaide Hospital |
| Dr Martin Stuckey | Hampden Road Specialist Centre, Perth |

Food Surveillance Network

| | |
|---------------------|---|
| Mrs Tracie Brady | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mr Cameron Bright | Queensland Health |
| Mr Garry Clarke | Department of Health, South Australia |
| Mr Mike Clear | Ministry for Primary Industries, New Zealand |
| Ms Natalie Collins | Ministry for Primary Industries, New Zealand |
| Dr Paul Dansted | Ministry for Primary Industries, New Zealand |
| Ms Yvette Dethridge | DAFF Biosecurity |
| Ms Deborah Denehy | ACT Health |

Food Surveillance Network

| | |
|------------------------|---|
| Mr Jim Dodds | Department of Health, Western Australia |
| Ms Julia Edmonds | Ministry for Primary Industries, New Zealand |
| Mr Gerard Fitzsimmons | Australian Government Department of Health and Ageing |
| Ms Tenille Fort | Queensland Health |
| Mr Paul Goldsmith | Department of Health, Victoria |
| Mr Stan Goodchild | Department of Health, Western Australia |
| Ms Heather Haines | Department of Health, Victoria |
| Ms Catherine Hollywell | Dairy Safe Victoria |
| Mr Edward Jansson | New South Wales Food Authority |
| Mr Eric Johnson | Department of Health and Human Services, Tasmania |
| Ms Sally Johnston | Ministry for Primary Industries, New Zealand |
| Mr Radomir Krsteski | ACT Health |
| Ms Robyn Leader | Australian Department of Health and Ageing |
| Mr Chris Lyall | Dairy Industry Authority, Tasmania |
| Mr Glen Martin | Department of Health, South Australia |
| Ms Kristina Paul | Department of Health and Human Services, Tasmania |
| Mr Geoff Raven | Ministry for Primary Industries, New Zealand |
| Mr John Reeve | South Australian Government (Department of Primary Industries and Resources of South Australia) |
| Ms Jenny Reid | Ministry for Primary Industries, New Zealand |
| Mr Ian Reichstein | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Themy Saputra | New South Wales Food Authority |
| Ms Margaret Sexton | South Australian Government (Department of Primary Industries and Resources of South Australia) |
| Mr Russell Schultz | Safe Food Queensland |
| Ms Victoria Stitt | New South Wales Food Authority |
| Dr Rob Solomon | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Kim Unwin | Department of Health, Western Australia |
| Mr John van den Beuken | Ministry for Primary Industries, New Zealand |
| Mr John Ward | Department of Health, Victoria |
| Ms Tracy Ward | Department of Health and Community Services, Northern Territory |
| Mr Brian Witherspoon | Safe Food Queensland |

Horticulture Working Group

| | |
|-------------------------|--|
| Ms Jane Adams | Australian Farmers' Markets Association |
| Ms Gillian Anderson | Ministry for Primary Industries, New Zealand |
| Mr Richard Bennett | Horticulture Australia Limited |
| Mr Courtney Burger | AUSVEG |
| Ms Marion Castle | Ministry for Agriculture and Forestry, New Zealand |
| Ms Allison Clark | Houston's Farm |
| Mr Justin Crosby | NSW Farmers |
| Mr Peter Cochrane | Victorian Farmers' Federation |
| Mr Peter Day | NSW Food Authority |
| Mr Peter Darley | NSW Farmers |
| Ms Sam Edmonds | Victorian Farmers' Markets Association |
| Ms Patricia Elphinstone | Department of Agriculture and Food, Western Australia |
| Mr Tony Fay | Department of Environment and Primary Industries, Victoria |
| Ms Emily Fearnley | Department of Health, South Australia |
| Mr Gerard Fitzsimmons | OzFoodNet |
| Ms Alison Gallagher | Woolworths |
| Mr Owen Gwillian | Biological Farmers' Association |
| Mr Stephen Hall | Department of Primary Industries, Parks, Water and Environment, Tasmania |
| Mr Kurt Hermann | AUSVEG |
| Mr Robert Hinrichsen | AUSVEG |
| Dr Andreas Klieber | Coles |
| Ms Christine Long | Department of Primary Industries and Fisheries, Northern Territory |
| Mr Chris Lyall | Department of Primary Industries, Parks, Water and Environment, Tasmania |
| Ms Vanessa McEvoy | Department of Health, South Australia |
| Ms Rachel MacKenzie | Growcom |
| Mr Neil McSkimming | Coles |
| Ms Cynthia Maher | Australian Government Department of Agriculture, Fisheries and Forestry |
| Dr David Miles | NSW Food Authority |
| Mr Richard Mulcahy | AUSVEG |
| Mr Andy Monk | Biological Farmers' Association |

Horticulture Working Group

| | |
|------------------------|---|
| Mr Phil Pond | Safe Food Production, Queensland |
| Mr Geoff Raven | Biosecurity South Australia |
| Ms Aileen Reid | Department of Agriculture and Food, Western Australia |
| Mr John Roach | Australian Chamber of Fruit and Vegetable Industries |
| Ms Chaseley Ross | Australian Nut Industry Association |
| Dr Rob Solomon | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mr Sam Violi | Golden Vale Strawberries |
| Dr Barbara Wilson | Safe Food Production Queensland |
| Mr Michael Worthington | Produce Marketing Association, Australia New Zealand |

Industry Advisory Group on Food Packaging

| | |
|--------------------|-------------------------------------|
| Mr Adrian Benetti | Cyrovac Australia Pty Ltd |
| Mr Roger Cripps | Mars Petcare Australia |
| Mr Jim Gruber | Australian Food and Grocery Council |
| Mr Paul Haberland | Nestlé Australia Ltd |
| Mr Chris Hartwell | Fonterra Co-Operative Group Ltd |
| Mr Ian Hayes | Murray Goulburn |
| Mr Mark Kerr | Lion |
| Mr Kevin McBrien | Woolworths Ltd |
| Mr Martin Neilson | Visy Pty Ltd |
| Mr Chris Peloso | Amcor |
| Mr Stuart Shepherd | NCI Packaging (NZ) Ltd |
| Mr Richard Smith | Amcor |
| Mr Kim Staples | Australian Beverages Council |
| Mr Gavin Williams | The Packaging Council of Australia |

Infant and Child Health Scientific Advisory Group

| | |
|-----------------------|--------------------------------------|
| Prof Tony Catto-Smith | Royal Children's Hospital, Melbourne |
| Prof Peter SW Davies | University of Queensland |
| Prof Maria Makrides | University of Adelaide |

Jurisdictional Forum

| | |
|----------------------------|---|
| Ms Elena Anear | Department of Health, South Australia |
| Mrs Tracie Brady | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Nola Caffin | Queensland Health |
| Ms Joanne Cammans | Department of Health, South Australia |
| Ms Milena Canil | Department of Health, Primary Industries, Victoria |
| Ms Clare Chandler | Ministry for Primary Industries, New Zealand |
| Dr Kerry Chant | Department of Health, New South Wales |
| Mrs Yvette Dethridge | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mrs Candy D'Menzie-Bunshaw | Department of Health, Victoria |
| Ms Tenille Fort | Queensland Health |
| Mr Paul Goldsmith | Department of Health, Victoria |
| Dr Heather Haines | Department of Health, Victoria |
| Mr Stuart Heggie | Department of Health and Human Services, Tasmania |
| Mr Edward Jansson | New South Wales Food Authority |
| Dr Fay Jenkins | Department of Health, South Australia |
| Mr David Larkings | Queensland Health |
| Ms Narelle Marro | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mr Dean McCullum | Department of Health, South Australia |
| Ms Julie-Anne Price | Australian Government Department of Health and Ageing |
| Mrs Monique Reardon | Department of Health and Human Services |
| Ms Jenny Reid | Ministry for Primary Industries, New Zealand |
| Ms Jennifer Savenake | Department of Health and Human Services, Tasmania |
| Ms Judy Seal | Department of Health and Human Services, Tasmania |
| Dr Robert Solomon | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mrs Patricia Squire | Australian Government Department of Agriculture, Fisheries and Forestry |
| Mr Vojkan Stefanovic | ACT Health |
| Dr Roscoe Taylor | Department of Health and Human Services, Tasmania |
| Ms Samantha Torres | New South Wales Food Authority |
| Mr John Van Den Beuken | Ministry for Primary Industries, New Zealand |
| Ms Tracy Ward | Department of Health and Community Services, Northern Territory |
| Mr John Ward | Department of Health, Victoria |
| Ms Sophe Williamson | Department of Health Western Australia |

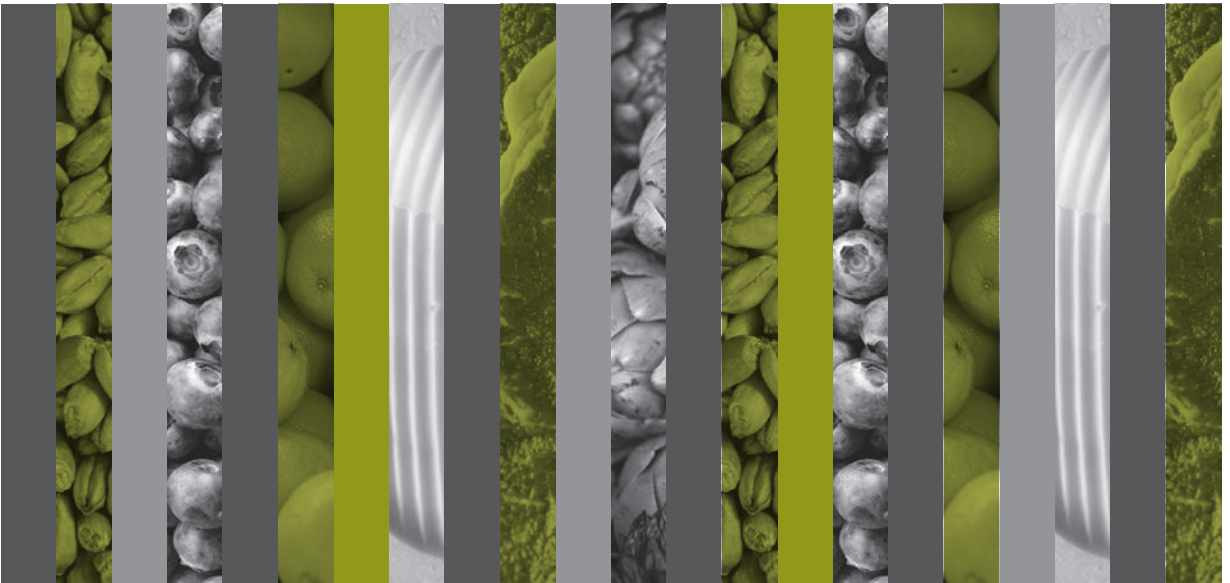
Retailers and Manufacturers Liaison Committee

| | |
|----------------------|---|
| Ms Angeline Achariya | Yum! Restaurants International |
| Dr Geoffery Annison | Australian Food and Grocery Council |
| Mr Tony Beaver | Food and Beverage Importers' Association |
| Dr Roger Bektash | Mars Food Australia |
| Mr Mark Bell | Progressive Enterprises Ltd |
| Ms Katie Birch | Australian Government Department of Health and Ageing |
| Mrs Tracie Brady | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Suzanne Davies | Australian Food and Grocery Council |
| Ms Kirsten Grinter | Nestlé Australia |
| Ms Kirsten Hall | Australian Government Department of Health and Ageing |
| Ms Jackie Healing | Coles Supermarkets Australia Pty Ltd |
| Mr Barry Hellberg | New Zealand Retailers Association |
| Mr Ken Henrick | National Assoc of Retail Grocers of Australia |
| Ms Melissa Hodd | Foodstuffs (NZ) Ltd |
| Ms Carole Inkster | New Zealand Food and Grocery Council |
| Ms Janet Macdonald | Goodman Fielder Ltd |
| Ms Julie Newlands | Unilever Australasia |
| Ms Angela O'Shea | ALDI Stores |
| Mr Geoff Parker | Australian Beverages Council Ltd |
| Mr George Passas | Metcash Trading Limited |
| Miss Lucy Pearson | Unilever Australia |
| Mr Mark Phythian | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Julie-Anne Price | Australian Government Department of Health and Ageing |
| Ms Stephanie Rajczyk | Nestlé Australia |
| Ms Katherine Rich | New Zealand Food and Grocery Council |
| Ms Nadene Smith | Woolworths Limited |
| Dr Robert Solomon | Australian Government Department of Agriculture, Fisheries and Forestry |
| Ms Kim Staples | Australian Beverages Council Ltd |
| Ms Jennifer Thompson | The Australian Industry Group |
| Mr Kerry Tyack | New Zealand Juice and Beverage Association |
| Mr John Ward | Department of Health, Victoria |

Social Sciences and Economics Advisory Group

| | |
|--------------------------------|--|
| Prof Jeff Bennett | Australian National University |
| Prof Michael Burton | University of Western Australia |
| Prof John Cary | Victoria University |
| Prof John Coveney | Flinders University |
| Prof Janet Hoek | University of Otago |
| Assoc Prof Emily Lancsar | Monash University |
| Dr Phil Mohr | Commonwealth Scientific and Industrial Research Organisation Animal, Food and Health Sciences |
| Assoc Prof Cliona Ni Mhurchu | University of Auckland |
| Emeritus Prof Richard Shepherd | University of Surrey, United Kingdom |
| Prof Carlene Wilson | Flinders University, Cancer Council of South Australia |

APPENDIX 5: FINANCIAL STATEMENTS



05



INDEPENDENT AUDITOR'S REPORT

To the Minister for Health

I have audited the accompanying financial statements of the Food Standards Australia New Zealand for the year ended 30 June 2013, which comprise: a Statement by the Directors, Chief Executive and Chief Finance Officer; the Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; and Notes to and forming part of the Financial Statements, including a Summary of Significant Accounting Policies and other explanatory information.

Directors' Responsibility for the Financial Statements

The directors of the Food Standards Australia New Zealand are responsible for the preparation of the financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Food Standards Australia New Zealand's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Food Standards Australia New Zealand's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

GPO Box 707 CANBERRA ACT 2601
19 National Circuit BARTON ACT 2600
Phone (02) 6203 7300 Fax (02) 6203 7777

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting my audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Opinion

In my opinion, the financial statements of the Food Standards Australia New Zealand:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Food Standards Australia New Zealand's financial position as at 30 June 2013 and of its financial performance and cash flows for the year then ended.

Australian National Audit Office



Puspa Dash
Executive Director

Delegate of the Auditor-General

Canberra

19 September 2013



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STATEMENT BY THE DIRECTORS, CHIEF EXECUTIVE AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2013 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, as amended.

In our opinion, at the date of this statement, there are reasonable grounds to believe that Food Standards Australia New Zealand will be able to pay its debts as and when they become due and payable.

This Statement is made in accordance with a resolution of the directors.

| | | | |
|---|---|---|--|
|  |  |  |  |
| Ms Philippa Smith AM Chairperson 19 September 2013 | Dr. Dave Roberts Director 19 September 2013 | Mr. Steve McCutcheon Chief Executive Officer 19 September 2013 | Ms Audrey Gormley Chief Finance Officer 19 September 2013 |

FOOD STANDARDS AUSTRALIA NEW ZEALAND
STATEMENT OF COMPREHENSIVE INCOME
for the period ended 30 June 2013

| | Notes | 2013 \$ | 2012 \$ |
|---|-------|-------------------|-------------------|
| EXPENSES | | | |
| Employee benefits | 3A | 15,353,666 | 16,393,379 |
| Supplier | 3B | 5,020,231 | 5,784,576 |
| Depreciation and amortisation | 3C | 793,348 | 821,752 |
| Finance costs | 3D | 14,760 | 19,324 |
| Write-down and impairment of assets | 3E | 83 | 857 |
| Foreign exchange losses | 3F | 3,800 | 6,395 |
| Losses from asset sales | 3G | - | 596 |
| Total expenses | | 21,185,888 | 23,026,879 |
| LESS: | | | |
| OWN-SOURCE INCOME | | | |
| Own-source revenue | | | |
| Sale of goods and rendering of services | 4A | 2,662,282 | 3,286,190 |
| Interest | 4B | 451,686 | 574,940 |
| Other revenue | 4C | 20,727 | 25,620 |
| Total own-source revenue | | 3,134,695 | 3,886,750 |
| Gains | | | |
| Sale of assets | 4D | 678 | - |
| Total gains | | 678 | - |
| Total own-source income | | 3,135,373 | 3,886,750 |
| Net cost of services | | 18,050,515 | 19,140,129 |
| Revenue from Government | 4E | 18,104,171 | 18,651,480 |
| (Deficit) Surplus | | 53,656 | (488,649) |
| (Deficit) Surplus attributable to the Australian Government | | 53,656 | (488,649) |
| OTHER COMPREHENSIVE INCOME | | | |
| Changes in asset revaluation surplus | | 144,217 | 970,493 |
| Total other comprehensive income | | 197,873 | 481,844 |
| Total comprehensive income attributable to the Australian Government | | 197,873 | 481,844 |

The above statement should be read in conjunction with the accompanying notes.

FOOD STANDARDS AUSTRALIA NEW ZEALAND

BALANCE SHEET

as at 30 June 2013

05

APPENDIXES

| | Notes | 2013 \$ | 2012 \$ |
|-----------------------------------|-------|--------------------------|-------------------|
| ASSETS | | | |
| Financial Assets | | | |
| Cash and cash equivalents | 5A | 11,199,884 | 10,707,283 |
| Trade and other receivables | 5B | 643,674 | 655,759 |
| Total financial assets | | <u>11,843,558</u> | <u>11,363,042</u> |
| Non-Financial Assets | | | |
| Land and buildings | 6A,C | 1,235,818 | 1,393,186 |
| Property, plant and equipment | 6B,C | 496,730 | 599,471 |
| Intangibles | 6D,E | 2,727,362 | 1,933,403 |
| Other non-financial assets | 6F | 165,614 | 276,071 |
| Total non-financial assets | | <u>4,625,524</u> | <u>4,202,131</u> |
| Total assets | | <u>16,469,082</u> | <u>15,565,173</u> |
| LIABILITIES | | | |
| Payables | | | |
| Suppliers | 7A | 534,910 | 815,536 |
| Other payables | 7B | 3,856,822 | 2,914,667 |
| Total payables | | <u>4,391,732</u> | <u>3,730,203</u> |
| Provisions | | | |
| Employee provisions | 8A | 5,049,320 | 4,962,989 |
| Other provisions | 8B | 295,729 | 337,553 |
| Total provisions | | <u>5,345,049</u> | <u>5,300,542</u> |
| Total liabilities | | <u>9,736,781</u> | <u>9,030,745</u> |
| Net assets | | <u>6,732,301</u> | <u>6,534,428</u> |
| EQUITY | | | |
| Contributed equity | | 1,823,000 | 1,823,000 |
| Reserves | | 2,097,406 | 1,953,189 |
| Retained surplus | | 2,811,895 | 2,758,239 |
| Total equity | | <u>6,732,301</u> | <u>6,534,428</u> |

The above statement should be read in conjunction with the accompanying notes.

**FOOD STANDARDS AUSTRALIA NEW ZEALAND
STATEMENT OF CHANGES IN EQUITY**

for the period ended 30 June 2013

| | Retained earnings | | Asset revaluation surplus | | Contributed equity/capital | | Total equity | |
|--|-------------------|------------------|---------------------------|------------------|----------------------------|------------------|------------------|------------------|
| | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Opening balance | | | | | | | | |
| Balance carried forward from previous period | 2,758,239 | 3,246,888 | 1,953,189 | 982,696 | 1,823,000 | 1,823,000 | 6,534,428 | 6,052,584 |
| Adjusted opening balance | 2,758,239 | 3,246,888 | 1,953,189 | 982,696 | 1,823,000 | 1,823,000 | 6,534,428 | 6,052,584 |
| Comprehensive income | | | | | | | | |
| Other comprehensive income | - | - | 144,217 | 970,493 | - | - | 144,217 | 970,493 |
| (Deficit) Surplus for the period | 53,656 | (488,649) | - | - | - | - | 53,656 | (488,649) |
| Total comprehensive income | 53,656 | (488,649) | 144,217 | 970,493 | - | - | 197,873 | 481,844 |
| Transactions with owners | | | | | | | | |
| Contributions by owners | - | - | - | - | - | - | - | - |
| Equity injection | - | - | - | - | - | - | - | - |
| Sub-total transactions with owners | - | - | - | - | - | - | - | - |
| Closing balance as at 30 June | 2,811,895 | 2,758,239 | 2,097,406 | 1,953,189 | 1,823,000 | 1,823,000 | 6,732,301 | 6,534,428 |

The above statement should be read in conjunction with the accompanying notes.

FOOD STANDARDS AUSTRALIA NEW ZEALAND
CASH FLOW STATEMENT

for the period ended 30 June 2013

05

APPENDICES

| | Notes | 2013 \$ | 2012 \$ |
|---|-------|---------------------|---------------------|
| OPERATING ACTIVITIES | | | |
| Cash received | | | |
| Receipts from Government | | 18,104,171 | 18,651,479 |
| Sales of goods and rendering of services | | 1,872,538 | 2,644,228 |
| Funding from New Zealand Government | | 1,664,173 | 1,621,376 |
| Interest | | 464,993 | 669,834 |
| Net GST received | | 453,013 | 483,561 |
| Other | | 21,406 | 25,620 |
| Total cash received | | 22,580,294 | 24,096,098 |
| Cash used | | | |
| Employees | | (15,312,353) | (15,514,512) |
| Suppliers | | (5,531,891) | (6,306,157) |
| Total cash used | | (20,844,244) | (21,820,669) |
| Net cash from operating activities | 9 | 1,736,050 | 2,275,429 |
| INVESTING ACTIVITIES | | | |
| Cash received | | | |
| Proceeds from sales of property, plant and equipment | | - | 4,240 |
| Total cash received | | - | 4,240 |
| Cash used | | | |
| Purchase of property, plant and equipment | | (1,241,964) | (1,153,088) |
| Total cash used | | (1,241,964) | (1,153,088) |
| Net cash used by investing activities | | (1,241,964) | (1,148,848) |
| Net increase (decrease) in cash held | | | |
| | | 494,086 | 1,126,581 |
| Cash and cash equivalents at the beginning of the reporting period | | 10,707,283 | 9,587,097 |
| Effect of exchange rate movements on cash and cash equivalents at the beginning of the reporting period | | (1,485) | (6,395) |
| Cash and cash equivalents at the end of the reporting period | 5A | 11,199,884 | 10,707,283 |

The above statement should be read in conjunction with the accompanying notes.

FOOD STANDARDS AUSTRALIA NEW ZEALAND

SCHEDULE OF COMMITMENTS

as at 30 June 2013

| | 2013 | 2012 |
|--|---------------------|---------------------|
| BY TYPE | \$ | \$ |
| Commitments receivable | | |
| Sublease rental income ¹ | 739,382 | 655,723 |
| Contracts receivable ² | 3,872,944 | 4,167,375 |
| Net GST recoverable on commitments | 967,141 | 1,206,095 |
| Total commitments receivable | <u>5,579,467</u> | <u>6,029,193</u> |
| Commitments payable | | |
| Operating leases ³ | (11,609,574) | (14,070,913) |
| Other commitments ⁴ | (791,231) | (1,124,910) |
| Total commitments payable | <u>(12,400,805)</u> | <u>(15,195,823)</u> |
| Net commitments by type | <u>(6,821,338)</u> | <u>(9,166,630)</u> |
| BY MATURITY | | |
| Commitments receivable | | |
| One year or less | 2,361,912 | 2,668,365 |
| From one to five years | 2,400,050 | 2,406,626 |
| Over five years | 817,505 | 954,202 |
| Total commitments receivable | <u>5,579,467</u> | <u>6,029,193</u> |
| Commitments payable | | |
| Operating lease commitments | | |
| One year or less | (1,145,315) | (1,577,288) |
| From one to five years | (5,150,724) | (5,463,138) |
| Over five years | (5,313,535) | (7,030,487) |
| Total operating lease commitments | <u>(11,609,574)</u> | <u>(14,070,913)</u> |
| Other Commitments | | |
| One year or less | (711,231) | (876,510) |
| From one to five years | (80,000) | (248,400) |
| Total other commitments | <u>(791,231)</u> | <u>(1,124,910)</u> |
| Total commitments payable | <u>(12,400,805)</u> | <u>(15,195,823)</u> |
| Net commitments by maturity | <u>(6,821,338)</u> | <u>(9,166,630)</u> |

NB: Commitments are GST inclusive where relevant.

1. Sublease rental income relates to car parking spaces sub leased to staff.
2. Contracts receivable includes future receivables from contracts and term deposit interest.
3. Operating leases are in relation to office accommodation, car leases and equipment.
4. Other commitments comprise mainly future payments to contractors and consultants under formally agreed contracts.

Operating leases included are effectively non-cancellable and comprise:

| Nature of lease | General Description |
|---|--|
| Leases for office accommodation | Australian lease payments are subject to a fixed annual increase of 3%. Food Standards Australia New Zealand (FSANZ) has taken the option to extend the office lease in Australia for five more years. New Zealand lease payments are subject to market reviews. |
| Lease in relation to computer equipment | The lessor provides all computer equipment and software designated as necessary in the supply contract for 3 to 5 years. FSANZ may vary its original designated requirement, subject to giving 3 months notice. |

The above schedule should be read in conjunction with the accompanying notes.

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Note 1: Summary of Significant Accounting Policies**1.1 Objectives of Food Standards Australia New Zealand (FSANZ)**

Food Standards Australia New Zealand (FSANZ) is an Australian Government controlled entity. It is a not for profit entity. The objective of FSANZ is to improve the health of all Australians. FSANZ is structured to meet one outcome - A safe food supply and well informed consumers in Australia and New Zealand, including through the development of food regulatory measures and the promotion of their consistent implementation, coordination of food recall activities and the monitoring of consumer and industry food practices.

FSANZ was established under the *Food Standards Australia New Zealand Act 1991* (FSANZ Act). The continued existence of FSANZ in its present form and with its present programs is dependent on Government policy and on continuing funding by Parliament for FSANZ's administration and programs.

1.2 Basis of Preparation of the Financial Statements

The financial statements are general purpose financial statements and are required by clause 1(b) of Schedule 1 to the *Commonwealth Authorities and Companies Act 1997*.

The financial statements have been prepared in accordance with:

- Finance Minister's Orders (FMOs) for reporting periods ending on or after 1 July 2011; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial

The financial statements are presented in Australian dollars and values are rounded to the nearest dollar unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMOs, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to FSANZ or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under executor contracts are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the schedule of contingencies.

Unless an alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the Statement of Comprehensive Income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

1.3 Significant Accounting Judgements and Estimates

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

1.4 New Australian Accounting Standards**Adoption of New Australian Accounting Standard Requirements**

No accounting standard has been adopted earlier than the application date as stated in the standard.

Other new standards, revised standards, interpretations or amendments to standards that were issued prior to the sign-off date and are applicable to the current reporting period did not have a financial impact, and are not expected to have a future financial impact on FSANZ.

Future Australian Accounting Standard Requirements

No new standards, revised standards, interpretations or amendments to standards that were issued prior to the sign-off date are expected to have a financial impact on FSANZ for future reporting periods.

1.5 Revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- FSANZ retains no managerial involvement nor effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to FSANZ.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- the probable economic benefits associated with the transaction will flow to FSANZ.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance. Collectability of debts is reviewed at the end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*.

Resources Received Free of Charge

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

Revenue from Government

Funding received or receivable from agencies (appropriated to the agency as a CAC Act body payment item for payment to FSANZ) is recognised as Revenue from Government unless they are in the nature of an equity injection or a loan.

1.6 Gains**Sale of Assets**

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

1.7 Transactions with the Government as Owner**Equity injections**

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

1.8 Employee Benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits due within twelve months of the end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of FSANZ is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including FSANZ's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the shorthand method as prescribed by the FMOs. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. FSANZ recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

FSANZ staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap) or a complying superannuation fund.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap and other complying superannuation funds are defined contribution schemes.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance and Deregulation's administered schedules and notes.

FSANZ makes employer contributions to the employees' superannuation schemes at rates determined by an actuary to be sufficient to meet the current cost to the Government. FSANZ accounts for the contributions as if they were contributions to defined contribution plans.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the last pay accrual of the year.

1.9 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Operating lease payments are expensed on a straight line basis which is representative of the pattern of benefits derived from the leased assets. FSANZ has no finance leases.

Lease incentives

Lease incentives taking the form of 'free' leasehold improvements and rent holidays are recognised as liabilities. These liabilities are reduced on a straight-line basis by allocating lease payments between rental expense and reduction of the lease incentive liability.

1.10 Borrowing Costs

All borrowing costs are expensed as incurred.

1.11 Cash

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- a) cash on hand; and
- b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

1.12 Financial Assets

FSANZ classifies its financial assets as loans and receivables. The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon trade date.

Effective Interest Method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

Income is recognised on an effective interest rate basis except for financial assets that are recognised at fair value through profit or loss.

Loans and Receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

Impairment of Financial Assets

Financial assets are assessed for impairment at end of each reporting period.

Financial assets carried at amortised cost - if there is objective evidence that an impairment loss has been incurred for loans and receivables, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Statement of Comprehensive Income.

1.13 Financial Liabilities

Financial liabilities are classified as other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Other Financial Liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.14 Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset, or represent a liability or asset in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain, and contingent liabilities are disclosed when settlement is greater than remote. FSANZ did not have any contingent assets or liabilities to report as at 30 June 2013.

1.15 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor authority's accounts immediately prior to the restructuring.

1.16 Property, Plant and Equipment

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$2,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by FSANZ where there exists an obligation to restore the property to prescribed conditions. These costs are included in the value of FSANZ's leasehold improvements with a corresponding provision for the 'make good' recognised.

Revaluations

Leasehold improvement, property plant & equipment are carried at fair value, being revalued with sufficient frequency such that the carrying amount of each asset class is not materially different at reporting date from its fair value. An independent valuation of all asset categories was carried out by Pickles Valuation Services as at 30 June 2012. Pickles Valuation Services reviewed the asset classes as at 30 June 2013 and the difference in value was not material.

Fair values for each class of asset are determined as shown below:

| <u>Asset class</u> | <u>Fair value measurement</u> |
|-----------------------------|-------------------------------|
| Leasehold improvements | Depreciated replacement cost |
| Property, plant & equipment | Market selling price |

Following initial recognition at cost, property, plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations were conducted with sufficient frequency to ensure that the carrying amounts of assets did not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to FSANZ using, in all cases, the straight-line method of depreciation. Leasehold improvements are depreciated on a straight line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

| | 2013 | 2012 |
|------------------------|-------------------|------------|
| Leasehold improvements | Lease term | Lease term |
| Plant and equipment | 3-10 years | 3-15 years |

Impairment

All assets were assessed for impairment at 30 June 2013. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if FSANZ were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

1.17 Intangibles

FSANZ's intangibles comprise internally developed software for internal use and purchased software. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Internally developed software and purchased software with values of \$20,000 or greater are capitalised. Any purchases under these thresholds are expensed in the year of acquisition (other than when they form part of a group of similar items which are significant in total).

Software is amortised on a straight line basis over their anticipated useful lives. The useful lives of FSANZ's software are:

| | 2013 | 2012 |
|-------------------------------|----------------|---------|
| Internally developed software | 4 Years | 4 years |
| Purchased | 4 Years | 4 years |

All software assets were assessed for indications of impairment as at 30 June 2013.

1.18 Taxation

FSANZ is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST) in Australia and New Zealand.

Revenues, expenses, assets and liabilities are recognised net of GST, except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

1.19 Foreign Currency

Transactions denominated in a foreign currency are converted at the exchange rate at the date of the transaction. Foreign currency bank account amounts are translated at the exchange rate current as at the reporting date.

1.20 Comparative Figures

Comparative figures have been adjusted, where required, to conform with any presentation changes made in these financial statements:

Note 2: Events After the Reporting Period

There was no subsequent event that had the potential to significantly affect the ongoing structure and financial activities of FSANZ.

Note 3: Expenses

| | 2013 | 2012 |
|-----------------------------------|-------------------|-------------------|
| | \$ | \$ |
| Note 3A: Employee Benefits | | |
| Wages and salaries | 12,926,524 | 13,172,975 |
| Superannuation | | |
| Defined contribution plans | 822,092 | 844,801 |
| Defined benefit plans | 1,252,567 | 1,052,707 |
| Leave and other entitlements | 295,674 | 1,159,736 |
| Separation and redundancies | - | 98,402 |
| Other employee expenses | 56,809 | 64,758 |
| Total employee benefits | 15,353,666 | 16,393,379 |

Note 3B: Suppliers**Goods and services**

| | | |
|---------------------------------|------------------|------------------|
| Consultants | 600,610 | 958,261 |
| Contractors | 184,202 | 261,019 |
| Travel | 785,581 | 1,105,127 |
| Computer expenses | 482,157 | 457,048 |
| Subscriptions | 158,069 | 120,839 |
| Legal fees | 317,601 | 294,516 |
| Training | 232,265 | 205,487 |
| Other | 837,365 | 930,511 |
| Total goods and services | 3,597,850 | 4,332,808 |

Goods and services are made up of:

| | | |
|--|------------------|------------------|
| Provision of goods – related entities | 2,809 | 2,089 |
| Provision of goods – external parties | 648,220 | 742,605 |
| Rendering of services – related entities | 607,778 | 768,959 |
| Rendering of services – external parties | 2,339,043 | 2,819,155 |
| Total goods and services | 3,597,850 | 4,332,808 |

Other supplier expenses

| | | |
|--------------------------------------|------------------|------------------|
| Operating lease rentals: | | |
| Minimum lease payments | 1,394,646 | 1,419,285 |
| Workers compensation expenses | 27,735 | 32,483 |
| Total other supplier expenses | 1,422,381 | 1,451,768 |
| Total supplier expenses | 5,020,231 | 5,784,576 |

Note 3C: Depreciation and Amortisation**Depreciation:**

| | | |
|-------------------------------|----------------|----------------|
| Property, plant and equipment | 498,707 | 628,801 |
| Total depreciation | 498,707 | 628,801 |

Amortisation:

| | | |
|--|----------------|----------------|
| Computer Software | 294,641 | 192,951 |
| Total amortisation | 294,641 | 192,951 |
| Total depreciation and amortisation | 793,348 | 821,752 |

Note 3D: Finance Costs

| | | |
|----------------------------|---------------|---------------|
| Unwinding of discount | 14,760 | 19,324 |
| Total finance costs | 14,760 | 19,324 |

Note 3E: Write-Down and Impairment of Assets

| | | |
|--|-----------|------------|
| Write Offs | 83 | 857 |
| Total write-down and impairment of assets | 83 | 857 |

Note 3F: Foreign Exchange Losses

| | | |
|--------------------------------------|--------------|--------------|
| Non-speculative | 3,800 | 6,395 |
| Total foreign exchange losses | 3,800 | 6,395 |

Note 3G: Losses from Asset Sales

| | | |
|--------------------------------------|----------|------------|
| Property, plant and equipment | | |
| Proceeds from sale | - | (4,240) |
| Carrying value of assets sold | - | 4,836 |
| Total losses from asset sales | - | 596 |

Note 4: Income

| | 2013 | 2012 |
|--|------|------|
| | \$ | \$ |

OWN-SOURCE REVENUE

Note 4A: Sale of Goods and Rendering of Services

| | | |
|--|------------------|------------------|
| New Zealand Government funding | 1,664,173 | 1,621,376 |
| Cost recovery fees | 149,155 | 416,157 |
| CIS Revenue States & Territories | 133,322 | 108,706 |
| International projects | - | 120,494 |
| Nanotechnology | 70,000 | 100,000 |
| Surveys | 529,665 | 714,936 |
| Royalties | 306 | 846 |
| Dietary Modelling | - | 171,000 |
| Labelling | 100,000 | - |
| GS1 Development | 15,661 | |
| Other | - | 32,675 |
| Total sale of goods and rendering of services | 2,662,282 | 3,286,190 |

Sale of goods and rendering of services are made up of:

| | | |
|--|------------------|------------------|
| Rendering of services - related entities | 715,326 | 985,936 |
| Rendering of services - external parties | 1,946,956 | 2,300,254 |
| Total sale of goods and rendering of services | 2,662,282 | 3,286,190 |

Note 4B: Interest

| | | |
|-----------------------|----------------|----------------|
| Deposits | 451,686 | 574,940 |
| Total interest | 451,686 | 574,940 |

Note 4C: Other Revenue

| | | |
|----------------------------|---------------|---------------|
| Other | 20,727 | 25,620 |
| Total other revenue | 20,727 | 25,620 |

GAINS

Note 4D: Gains from Asset Sales

Property, plant and equipment

| | | |
|-------------------------------------|------------|----------|
| Proceeds from sale | 678 | - |
| Total gains from asset sales | 678 | - |

Note 4E: Revenue from Australian Government

Department of Health and Ageing

| | | |
|--------------------------------------|-------------------|-------------------|
| CAC Act body payment item | 18,104,171 | 18,651,480 |
| Total revenue from Government | 18,104,171 | 18,651,480 |

Note 5: Financial Assets

| | 2013 | 2012 |
|---|-------------------|-------------------|
| | \$ | \$ |
| Note 5A: Cash and Cash Equivalents | | |
| AUSTRALIA | | |
| Cash on hand or on deposit | 11,106,392 | 10,656,565 |
| NEW ZEALAND | | |
| Cash on hand or on deposit | 93,492 | 50,718 |
| Total cash and cash equivalents | 11,199,884 | 10,707,283 |
| Note 5B: Trade and Other Receivables | | |
| Goods and services - related entities | 429,447 | 370,072 |
| Goods and services - external parties | 109,932 | 177,672 |
| Total receivable for goods and services | 539,379 | 547,744 |
| Other receivables: | | |
| Interest | 45,584 | 58,891 |
| Other receivables | 58,711 | 49,124 |
| Total other receivables | 104,295 | 108,015 |
| Total trade and other receivables (gross) | 643,674 | 655,759 |
| Less impairment allowance account | - | - |
| Total trade and other receivables (net) | 643,674 | 655,759 |
| Receivables are expected to be recovered in: | | |
| No more than 12 months | 643,674 | 655,759 |
| Total trade and other receivables (net) | 643,674 | 655,759 |
| Receivables are aged as follows: | | |
| Not overdue | 551,482 | 636,749 |
| Overdue by: | | |
| 0 to 30 days | 2,045 | 19,010 |
| 31 to 60 days | 1,725 | - |
| 61 to 90 days | 189 | - |
| More than 90 days | 88,233 | - |
| Total receivables (gross) | 643,674 | 655,759 |
| The impairment allowance account is aged as follows: | | |
| Overdue by: | | |
| 0 to 30 days | - | - |
| Total impairment allowance account | - | - |

Note 6: Non-Financial Assets

| | 2013 | 2012 |
|--|--------------------|--------------------|
| | \$ | \$ |
| <u>Note 6A: Land and Buildings</u> | | |
| Leasehold improvements | | |
| – Leasehold improvements at fair value | 1,427,285 | 1,578,650 |
| – Accumulated depreciation | (191,467) | (185,464) |
| Total leasehold improvements | <u>1,235,818</u> | <u>1,393,186</u> |
| Total land and buildings | <u>1,235,818</u> | <u>1,393,186</u> |
| <u>Note 6B: Property, Plant and Equipment</u> | | |
| Artefacts | | |
| Artefacts (at fair value) | 7,500 | 7,500 |
| Accumulated depreciation | - | - |
| Total artefacts | <u>7,500</u> | <u>7,500</u> |
| Furniture and fittings | | |
| Furniture & Fittings (at fair value) | 46,390 | 9,650 |
| Accumulated depreciation | (5,368) | - |
| Total furniture & fittings | <u>41,022</u> | <u>9,650</u> |
| Computer equipment | | |
| Computer Equipment (at fair value) | 386,882 | 386,982 |
| Accumulated depreciation | (126,843) | - |
| Total computer equipment | <u>260,039</u> | <u>386,982</u> |
| Office equipment | | |
| Office Equipment (at fair value) | 277,899 | 195,339 |
| Accumulated depreciation | (89,730) | - |
| Total office equipment | <u>188,169</u> | <u>195,339</u> |
| Total property, plant and equipment | <u>496,730</u> | <u>599,471</u> |

An independent valuation of all asset categories was carried out by Pickles Valuation Services as at 30 June 2012. Pickles Valuation Services reviewed the asset classes as at 30 June 2013 and the difference in fair value was not material.

No indicators of impairment were found for property, plant and equipment.

No property, plant or equipment is held for sale, however, some assets may be sold as part of the normal refresh process within the next 12 months.

Note 6: Non-Financial Assets**Note 6C: – Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2012-13)**

| | Buildings - Leasehold Improvements | Property, Plant & Equipment | Total |
|---|--|--------------------------------|------------------|
| | \$ | \$ | \$ |
| As at 1 July 2012 | | | |
| Gross book value | 1,578,650 | 599,471 | 2,178,121 |
| Accumulated depreciation/amortisation and impairment | (185,464) | - | (185,464) |
| Net book value 1 July 2012 | 1,393,186 | 599,471 | 1,992,657 |
| Additions: | | | |
| By purchase | 34,063 | 119,300 | 153,363 |
| By makegood recognition | - | - | - |
| Revaluations and impairments recognised in other comprehensive income | 85,318 | - | 85,318 |
| Depreciation/amortisation expense | (276,749) | (221,958) | (498,707) |
| Disposals: | | | |
| Other disposals | | (83) | (83) |
| Net book value 30 June 2013 | 1,235,818 | 496,730 | 1,732,548 |
| Net book value as of 30 June 2013 represented by: | | | |
| Gross book value | 1,427,285 | 718,671 | 2,145,956 |
| Accumulated depreciation/amortisation and impairment | (191,467) | (221,941) | (413,408) |
| Net book value 30 June 2013 | 1,235,818 | 496,730 | 1,732,548 |

Note 6C (Cont'd): – Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2011-12)

| | Buildings - Leasehold Improvements | Property, Plant & Equipment | Total |
|---|--|--------------------------------|------------------|
| | \$ | \$ | \$ |
| As at 1 July 2011 | | | |
| Gross book value | 683,081 | 692,170 | 1,375,251 |
| Accumulated depreciation/amortisation and impairment | (179,784) | - | (179,784) |
| Net book value 1 July 2011 | 503,297 | 692,170 | 1,195,467 |
| Additions: | | | |
| By purchase | 194,439 | 238,817 | 433,256 |
| By makegood recognition | 27,936 | - | 27,936 |
| Revaluations and impairments recognised in other comprehensive income | 994,360 | (23,867) | 970,493 |
| Depreciation/amortisation expense | (326,846) | (301,956) | (628,802) |
| Disposals: | | | |
| Other disposals | - | (5,693) | (5,693) |
| Net book value 30 June 2012 | 1,393,186 | 599,471 | 1,992,657 |
| Net book value as of 30 June 2012 represented by: | | | |
| Gross book value | 1,578,650 | 599,471 | 2,178,121 |
| Accumulated depreciation/amortisation and impairment | (185,464) | - | (185,464) |
| Net book value 30 June 2012 | 1,393,186 | 599,471 | 1,992,657 |

Note 6: Non-Financial Assets2013
\$2012
\$**Note 6D: Intangibles****Computer software:**

| | | |
|------------------------------------|-----------|-----------|
| Purchased | 1,396,201 | 973,657 |
| Internally developed – in progress | 1,897,056 | 1,230,999 |
| Accumulated amortisation | (565,895) | (271,253) |

Total computer software

2,727,362 1,933,403

No indicators of impairment were found for intangible assets.

No intangibles are expected to be sold or disposed of within the next 12 months.

Note 6E: Reconciliation of the Opening and Closing Balances of Intangibles 2013

| | Computer software internally developed \$ | Computer software purchased \$ | Total \$ |
|--|--|-----------------------------------|------------------|
| As at 1 July 2012 | | | |
| Gross book value | 1,230,999 | 973,657 | 2,204,656 |
| Accumulated amortisation and impairment | - | (271,253) | (271,253) |
| Net book value 1 July 2012 | 1,230,999 | 702,404 | 1,933,403 |
| Additions: | | | |
| By purchase or internally developed | 666,057 | 422,544 | 1,088,601 |
| Amortisation | - | (294,642) | (294,642) |
| Net book value 30 June 2013 | 1,897,056 | 830,306 | 2,727,362 |
| Net book value as of 30 June 2013 represented by: | | | |
| Gross book value | 1,897,056 | 1,396,201 | 3,293,257 |
| Accumulated amortisation and impairment | - | (565,895) | (565,895) |
| Net book value 30 June 2013 | 1,897,056 | 830,306 | 2,727,362 |

Note 6E (Cont'd): Reconciliation of the Opening and Closing Balances of Intangibles 2012

| | Computer software internally developed \$ | Computer software purchased \$ | Total \$ |
|--|--|-----------------------------------|------------------|
| As at 1 July 2011 | | | |
| Gross book value | 1,263,575 | 483,624 | 1,747,199 |
| Accumulated amortisation and impairment | (234,800) | (105,878) | (340,678) |
| Net book value 1 July 2011 | 1,028,775 | 377,746 | 1,406,521 |
| Additions: | | | |
| By purchase or internally developed | 202,224 | 517,608 | 719,832 |
| Amortisation | - | (192,950) | (192,950) |
| Net book value 30 June 2012 | 1,230,999 | 702,404 | 1,933,403 |
| Net book value as of 30 June 2012 represented by: | | | |
| Gross book value | 1,230,999 | 973,657 | 2,204,656 |
| Accumulated amortisation and impairment | - | (271,253) | (271,253) |
| Net book value 30 June 2012 | 1,230,999 | 702,404 | 1,933,403 |

Note 6F: Other Non-Financial Assets

| | | |
|---|----------------|----------------|
| Prepayments | 165,614 | 276,071 |
| Total other non-financial assets | 165,614 | 276,071 |

All other non-financial assets are expected to be recovered in no more than 12 months.

No indicators of impairment were found for other non-financial assets.

Note 7: Payables

| | 2013 | 2012 |
|---|----------------|----------------|
| | \$ | \$ |
| Note 7A: Suppliers | | |
| Trade creditors and accruals | <u>534,910</u> | 815,536 |
| Total suppliers payables | <u>534,910</u> | <u>815,536</u> |
| Supplier payables - expected to be settled within 12 months: | | |
| Related entities | 138,951 | 169,760 |
| External parties | <u>395,959</u> | 645,776 |
| Total | <u>534,910</u> | <u>815,536</u> |
| Total suppliers payables | <u>534,910</u> | <u>815,536</u> |

Settlement was usually made within 30 days.

Note 7B: Other Payables

| | | |
|--|------------------|------------------|
| Wages and salaries | 327,525 | 360,055 |
| Superannuation | 53,619 | 51,518 |
| Performance based pay | 256,000 | 282,819 |
| Unearned income | 2,759,364 | 2,061,913 |
| Lease incentives | 337,972 | 28,370 |
| Other | <u>122,342</u> | 129,992 |
| Total other payables | <u>3,856,822</u> | <u>2,914,667</u> |
| Total other payables are expected to be settled in: | | |
| No more than 12 months | 3,607,789 | 2,898,726 |
| More than 12 months | <u>249,033</u> | 15,941 |
| Total other payables | <u>3,856,822</u> | <u>2,914,667</u> |

Note 8: Provisions

| | 2013 | 2012 |
|---|------------------|------------------|
| | \$ | \$ |
| Note 8A: Employee Provisions | | |
| Leave | <u>5,049,320</u> | 4,962,989 |
| Total employee provisions | <u>5,049,320</u> | <u>4,962,989</u> |
| Employee provisions are expected to be settled in: | | |
| No more than 12 months | 1,790,069 | 1,831,047 |
| More than 12 months | <u>3,259,251</u> | <u>3,131,942</u> |
| Total employee provisions | <u>5,049,320</u> | <u>4,962,989</u> |

Note 8B: Other Provisions

| | | |
|--|----------------|----------------|
| Provision for restoration obligations | <u>295,729</u> | 337,553 |
| Total other provisions | <u>295,729</u> | <u>337,553</u> |
| Other provisions are expected to be settled in: | | |
| No more than 12 months | - | 308,606 |
| More than 12 months | <u>295,729</u> | <u>28,947</u> |
| Total other provisions | <u>295,729</u> | <u>337,553</u> |

| | Provision for restoration | Total |
|--|------------------------------|----------------|
| | \$ | \$ |
| Carrying amount 1 July 2012 | 337,553 | 337,553 |
| Additional provisions made (Revaluations) | (58,899) | (58,899) |
| Unwinding of discount or change in discount rate | 14,760 | 14,760 |
| Restatement of NZ Balance | 2,315 | 2,315 |
| Closing balance 2013 | <u>295,729</u> | <u>295,729</u> |

FSANZ currently has two agreements (2012: Two) for the leasing of premises which have provisions requiring FSANZ to restore the premises to their original condition at the conclusion of the lease. FSANZ has made a provision to reflect the present value of this obligation.

Note 9: Cash Flow Reconciliation

| | 2013 | 2012 |
|--|------------------|------------------|
| | \$ | \$ |
| Reconciliation of cash and cash equivalents as per Balance Sheet to Cash Flow Statement | | |
| Cash and cash equivalents as per: | | |
| Cash flow statement | 11,199,884 | 10,707,283 |
| Balance sheet | 11,199,884 | 10,707,283 |
| Difference | <u>-</u> | <u>-</u> |
| | | |
| Reconciliation of net cost of services to net cash from operating activities: | | |
| Net cost of services | (18,050,515) | (19,140,129) |
| Add revenue from Government | 18,104,171 | 18,651,479 |
| | | |
| Adjustment for non-cash items | | |
| Depreciation / amortisation | 793,348 | 821,752 |
| Net write down of non-financial assets | - | 857 |
| Foreign Exchange loss/(gain) | 3,800 | 6,395 |
| Loss (Gain) on sale of assets | 83 | 596 |
| Unwinding of discount | 14,760 | 19,324 |
| | | |
| Changes in assets/liabilities | | |
| (Increase) / decrease in net receivables | 12,085 | (170,959) |
| (Increase) / decrease in prepayments | 110,458 | (63,415) |
| Increase / (decrease) in other payable | 942,155 | 1,047,041 |
| Increase / (decrease) in employee provisions | 86,331 | 884,544 |
| Increase / (decrease) in supplier payables | (280,626) | 217,943 |
| Net cash from operating activities | <u>1,736,050</u> | <u>2,275,428</u> |

Note 10: Contingent Assets and Liabilities

As FSANZ had no contingent liabilities or contingent assets as at 30 June 2013 or in the preceeding reporting period, a Schedule of Contingencies has not been included. FSANZ also had no unquantifiable or remote contingent assets or liabilities as at 30 June 2013. (2012: Nil)

Note 11: Directors Remuneration

| | 2013 | 2012 |
|---|------------------|-----------|
| | No. | No. |
| The number of non-executive directors of FSANZ included in these figures are shown below in the relevant remuneration bands: | | |
| \$0 to \$29,999 | 2 | 1 |
| \$30,000 to \$59,999 | 8 | 9 |
| \$60,000 to \$89,999 | 1 | 1 |
| Total number of directors of FSANZ | <u>11</u> | <u>11</u> |
| Total remuneration received or due and receivable by directors of FSANZ | \$409,406 | \$419,823 |

Directors of FSANZ are appointed by the Minister for Health and Ageing. New Zealand members are nominated for appointment by the New Zealand Minister for Food Safety.

The Chief Executive Officer is the only full time paid director and is included in Note 13 Senior Executive Remuneration.

Note 12: Related Party Disclosures

FSANZ had no related party transactions during the year. (2012: Nil)

Note 13: Senior Executive Remuneration**Note 13A: Senior Executive Remuneration Expenses for the Reporting Period**

| | 2013 | 2012 |
|---|------------------|------------------|
| | \$ | \$ |
| Short-term employee benefits: | | |
| Salary | 1,267,449 | 1,254,073 |
| Annual leave accrued | 91,507 | 79,486 |
| Performance bonuses | 123,366 | 114,588 |
| Other | 86,505 | 87,945 |
| Total short-term employee benefits | <u>1,568,827</u> | <u>1,536,092</u> |
| Post-employment benefits: | | |
| Superannuation | 195,104 | 163,749 |
| Total post-employment benefits | <u>195,104</u> | <u>163,749</u> |
| Other long-term benefits: | | |
| Long-service leave | 34,413 | 27,111 |
| Total other long-term benefits | <u>34,413</u> | <u>27,111</u> |
| Termination benefits | - | 98,402 |
| Total | <u>1,798,344</u> | <u>1,825,354</u> |

Notes:

- Note 13A is prepared on an accrual basis
- Note 13A excludes acting arrangements and part-year service where remuneration expensed as a senior executive was less than \$180,000.
- Other employee benefits include motor vehicle leases and their associated fringe benefit tax.

Note 13: Senior Executive Remuneration

Note 13B: Average Annual Reportable Remuneration Paid for Substantive Senior Executives During the Reporting Period

Average annual reportable remuneration paid to substantive senior executives in 2013

| Average annual reportable remuneration ¹ | 2013 | | | | | |
|---|-----------------------|-----------------------------------|--|---------------------------------------|----------------------------|----------|
| | Senior Executives No. | Reportable salary ² \$ | Contributed superannuation ³ \$ | Reportable allowances ⁴ \$ | Bonus paid ⁵ \$ | Total \$ |
| Total remuneration (including part-time arrangements): | | | | | | |
| \$210,000 to \$239,999 | 3 | 188,793 | 25,093 | - | 16,236 | 230,122 |
| \$240,000 to \$269,999 | 2 | 218,113 | 38,868 | - | 10,088 | 267,069 |
| \$330,000 to \$359,999 | 1 | 279,810 | 38,253 | - | 30,894 | 348,957 |
| Total number of substantive senior executives | 6 | | | | | |

Average annual reportable remuneration paid to substantive senior executives in 2012

| Average annual reportable remuneration ¹ | # | | | | | |
|---|-----------------------|-----------------------------------|--|---------------------------------------|----------------------------|----------|
| | Senior Executives No. | Reportable salary ² \$ | Contributed superannuation ³ \$ | Reportable allowances ⁴ \$ | Bonus paid ⁵ \$ | Total \$ |
| Total remuneration (including part-time arrangements): | | | | | | |
| \$210,000 to \$239,999 | 3 | 176,164 | 23,209 | - | 12,432 | 211,805 |
| \$240,000 to \$269,999 | 1 | 206,303 | 39,355 | - | 18,824 | 264,482 |
| \$300,000 to \$329,999 | 1 | 272,444 | 23,327 | - | 6,515 | 302,286 |
| \$330,000 to \$359,999 | 1 | 250,721 | 31,439 | - | 29,994 | 312,154 |
| Total number of substantive senior executives | 6 | | | | | |

Notes:

- This table reports substantive senior executives who received remuneration during the reporting period. Each row is an averaged figure based on headcount for individuals in the band.
- Reportable salary¹ includes the following:
 - gross payments (less any bonuses paid, which are separated out and disclosed in the 'bonus paid' column);
 - reportable fringe benefits (at the net amount prior to 'grossing up' for tax purposes);
 - exempt foreign employment income; and
 - salary sacrificed benefits.
- The 'contributed superannuation' amount is the average cost to FSANZ for the provision of superannuation benefits to substantive senior executives in that reportable remuneration band during the reporting period.
- Reportable allowances⁴ are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
- Bonus paid⁵ represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving FSANZ during the financial year.
- 2011-12 has been restated to show salary sacrificed superannuation benefits in reportable salary.

Note 13C: Other Highly Paid Staff

Average annual reportable remuneration paid to other highly paid staff in 2013

| Average annual reportable remuneration ¹ | 2013 | | | | | |
|---|-----------|-----------------------------------|--|---------------------------------------|----------------------------|----------|
| | Staff No. | Reportable salary ² \$ | Contributed superannuation ³ \$ | Reportable allowances ⁴ \$ | Bonus paid ⁵ \$ | Total \$ |
| Total remuneration (including part-time arrangements): | | | | | | |
| \$180,000 to \$209,999 | 1 | 151,172 | 27,211 | - | 8,274 | 186,657 |
| Total number of other highly paid staff | 1 | | | | | |

Average annual reportable remuneration paid to other highly paid staff in 2012

| Average annual reportable remuneration ¹ | 2012 | | | | | |
|---|-----------|-----------------------------------|--|---------------------------------------|----------------------------|----------|
| | Staff No. | Reportable salary ² \$ | Contributed superannuation ³ \$ | Reportable allowances ⁴ \$ | Bonus paid ⁵ \$ | Total \$ |
| Total remuneration (including part-time arrangements): | | | | | | |
| \$180,000 to \$209,999 | - | - | - | - | - | - |
| Total number of other highly paid staff | - | | | | | |

Notes:

- This table reports staff:
 - who were employed by the entity during the reporting period;
 - whose reportable remuneration was \$180,000 or more for the financial period; and
 - were not required to be disclosed in Tables A, B or director disclosures.
 Each row is an averaged figure based on headcount for individuals in the band.
- Reportable salary¹ includes the following:
 - gross payments (less any bonuses paid, which are separated out and disclosed in the 'bonus paid' column);
 - reportable fringe benefits (at the net amount prior to 'grossing up' for tax purposes);
 - exempt foreign employment income; and
 - salary sacrificed benefits.
- The 'contributed superannuation' amount is the average cost to FSANZ for the provision of superannuation benefits to other highly paid staff in that reportable remuneration band during the reporting period.
- Reportable allowances⁴ are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
- Bonus paid⁵ represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving FSANZ during the financial year.

Note 14: Remuneration of Auditors

| | 2013 | 2012 |
|---|---------------|---------------|
| | \$ | \$ |
| Financial statement audit services were provided by the Australian National Audit Office (ANAO) | | |
| Fair value of the services provided | | |
| Financial statements audit services | 36,500 | 35,000 |
| | <u>36,500</u> | <u>35,000</u> |

No other services were provided by the ANAO.

Note 15: Financial Instruments

| | 2013 | 2012 |
|--|-------------------|-------------------|
| | \$ | \$ |
| 15A: Categories of Financial Instruments | | |
| Financial Assets | | |
| Loans and receivables: | | |
| Cash and cash equivalents | 11,199,884 | 10,707,283 |
| Trade and other receivables | 591,860 | 592,745 |
| Total | <u>11,791,744</u> | <u>11,300,028</u> |
| Carrying amount of financial assets | <u>11,791,744</u> | <u>11,300,028</u> |
| Financial Liabilities | | |
| Other Liabilities: | | |
| Payables - suppliers | 534,910 | 815,536 |
| Total | <u>534,910</u> | <u>815,536</u> |
| Carrying amount of financial liabilities | <u>534,910</u> | <u>815,536</u> |
| 15B: Net Income and Expense from Financial Assets | | |
| Loans and receivables | | |
| Interest revenue | 451,686 | 574,940 |
| Foreign exchange (loss) | (3,800) | (6,395) |
| Net gain from loans and receivables | <u>447,886</u> | <u>568,545</u> |
| Net gain from financial assets | <u>447,886</u> | <u>568,545</u> |

15C: Fair Value of Financial Instruments

| | Carrying amount 2013 \$ | Fair value 2013 \$ | Carrying amount 2012 \$ | Fair value 2012 \$ |
|------------------------------|----------------------------------|-----------------------------|----------------------------------|-----------------------------|
| Financial Assets | | | | |
| Loans and receivables | 11,791,744 | 11,791,744 | 11,300,028 | 11,300,028 |
| Total | <u>11,791,744</u> | <u>11,791,744</u> | <u>11,300,028</u> | <u>11,300,028</u> |
| Financial Liabilities | | | | |
| Other Liabilities | 534,910 | 534,910 | 815,536 | 815,536 |
| Total | <u>534,910</u> | <u>534,910</u> | <u>815,536</u> | <u>815,536</u> |

Note 15: Financial Instruments (Cont'd)**15D: Credit risk**

FSANZ is exposed to minimal credit risk as loans and receivables are trade and other receivables. The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade and other receivables (2013: \$591,860 and 2012: \$592,745). FSANZ has assessed the risk of the default on payment as minimal and no allowance for impairment has been made.

FSANZ holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

| | Not Past Due Nor Impaired 2013 \$ | Not Past Due Nor Impaired 2012 \$ | Past due or impaired 2013 \$ | Past due or impaired 2012 \$ |
|------------------------------|--|--|---------------------------------------|---------------------------------------|
| Loans and receivables | | | | |
| Cash and cash equivalents | 11,199,884 | 10,656,565 | - | - |
| Trade and other receivables | 499,668 | 573,735 | 92,192 | 82,024 |
| Total | 11,699,552 | 11,230,300 | 92,192 | 82,024 |

Ageing of financial assets that are past due but not impaired for 2013

| | 0 to 30 days \$ | 31 to 60 days \$ | 61 to 90 days \$ | 90+ days \$ | Total \$ |
|------------------------------|-----------------------|------------------------|------------------------|-------------------|---------------|
| Loans and receivables | | | | | |
| Trade and other receivables | 2,045 | 1,725 | 189 | 88,233 | 92,192 |
| Total | 2,045 | 1,725 | 189 | 88,233 | 92,192 |

Ageing of financial assets that are past due but not impaired for 2012

| | 0 to 30 days \$ | 31 to 60 days \$ | 61 to 90 days \$ | 90+ days \$ | Total \$ |
|------------------------------|-----------------------|------------------------|------------------------|-------------------|---------------|
| Loans and receivables | | | | | |
| Trade and other receivables | 19,010 | - | - | - | 19,010 |
| Total | 19,010 | - | - | - | 19,010 |

15E: Liquidity risk

FSANZ's financial liabilities are trade creditors and other payables. The exposure to liquidity risk is based on the notion that FSANZ will encounter difficulty in meeting its obligations associated with financial liabilities. This is highly unlikely due to Government funding and other mechanisms available to FSANZ and internal policies and procedures put in place to ensure there are appropriate resources to meet its financial obligations.

FSANZ has no past experience of default.

Maturities for non-derivative financial liabilities 2013

| | On demand \$ | within 1 year \$ | 1 to 5 years \$ | > 5 years \$ | Total \$ |
|-----------------------------|--------------------|------------------------|-----------------------|--------------------|----------------|
| Payables - suppliers | - | 534,910 | - | - | 534,910 |
| Total | - | 534,910 | - | - | 534,910 |

Maturities for non-derivative financial liabilities 2012

| | On demand \$ | within 1 year \$ | 1 to 5 years \$ | > 5 years \$ | Total \$ |
|-----------------------------|--------------------|------------------------|-----------------------|--------------------|----------------|
| Payables - suppliers | - | 815,536 | - | - | 815,536 |
| Total | - | 815,536 | - | - | 815,536 |

FSANZ had no derivative financial liabilities in either 2013 or 2012.

15F Market risk

FSANZ held basic financial instruments that did not expose FSANZ to certain market risks. FSANZ holds assets and liabilities in New Zealand dollars and is exposed to normal currency fluctuations in the Australian/New Zealand dollar exchange rate, however no other material exposures existed at year end.

Note 16: Financial Assets Reconciliation

| | 2013 | 2012 |
|---|-------------------|------------|
| | \$'000 | \$'000 |
| Financial assets | | |
| Total financial assets as per Balance Sheet | 11,843,558 | 11,363,042 |
| Less: non-financial instrument components | | |
| Other receivables | <u>51,814</u> | 63,014 |
| Total non-financial instrument components | <u>51,814</u> | 63,014 |
| Total financial assets as per financial instruments note | 11,791,744 | 11,300,028 |

Note 17: Reporting of Outcomes

FSANZ operates primarily in a single industry and has operations in both Canberra, Australia and Wellington, New Zealand.

FSANZ objectives, in developing or reviewing food standards as set down in legislation, are to: protect public health and safety; ensure the provision of adequate information relating to food to enable informed consumer choice; and prevent misleading and deceptive conduct.

FSANZ is structured to meet one outcome:

Outcome 1: A safe food supply and well-informed consumers in Australia and New Zealand, including through the development of food regulatory measures and the promotion of their consistent implementation, coordination of food recall activities and the monitoring of consumer and industry food practices.

Note 17A: Net Cost of Outcome Delivery

| | Outcome 1 | | Total | |
|--|-------------------|-------------------|-------------------|-------------------|
| | 2013 | 2012 | 2013 | 2012 |
| | \$ | \$ | \$ | \$ |
| Expenses | 21,185,888 | 23,026,879 | 21,185,888 | 23,026,879 |
| Income from non-government sector | | | | |
| Activities subject to cost recovery | 149,155 | 416,157 | 149,155 | 416,157 |
| Other | 2,270,893 | 2,369,050 | 2,270,893 | 2,369,050 |
| Total | 2,420,048 | 2,785,207 | 2,420,048 | 2,785,207 |
| Other own-source income | | | | |
| Other | 715,326 | 992,836 | 715,326 | 992,836 |
| Net cost of outcome delivery | 18,050,515 | 19,248,836 | 18,050,515 | 19,248,836 |

Outcome 1 is described in Note 1, 1.1 as FSANZ has one outcome the disclosure relating to Departmental expense, income, assets and liability are not required as per FMOs.

Note 18: Compensation and Debt Relief

FSANZ incurred no expenses or liabilities in relation to compensation and debt relief in the reporting period

Food Standards Australia New Zealand is a statutory authority established by the *Food Standards Australia New Zealand Act 1991*. The Act came into effect on 19 August 1991. FSANZ is part of the Health and Ageing portfolio of the Australian Government and, on day-to-day matters, is accountable to the Parliamentary Secretary for Health and Ageing, the Hon. Shayne Neumann MP.

Sections 13 and 14 of the Act state:

Functions

- (1) The functions of the Authority are:
 - (a) in accordance with this Act, to develop standards and variations of standards, and to review standards and variations of standards; and
 - (b) in accordance with this Act, to develop codes of practice and variations of codes of practice for industry and to review codes of practice; and
 - (c) to develop guidelines to assist the interpretation of the Australia New Zealand Food Standards Code on its own initiative or in consultation with the States, the Territories and any other body or person that the Authority considers appropriate; and
 - (d) to promote consistency between standards in Australia and New Zealand with those used internationally, based on the best available scientific evidence; and
 - (e) in consultation with the States and Territories, or on its own initiative, to facilitate the harmonisation of State and Territory laws relating to food; and
 - (f) in consultation with the States and Territories, or on its own initiative, to co-ordinate the development of procedures required to implement requirements set out in standards; and
 - (g) in consultation with the States and Territories, to co-ordinate the monitoring, surveillance and enforcement of activities relating to food available in Australia; and
 - (h) in consultation with the States and Territories, or on its own initiative, to conduct research and surveys in relation to any of the matters that may be included in a standard; and

- (i) in co-operation with the States and Territories, to develop food education initiatives, including the publication of information to increase public awareness of food standards and food labels; and
 - (j) in co-operation with the Department administering Division 1A of Part V of the *Trade Practices Act 1974*, to co-ordinate the recall of food under that Division; and
 - (k) at the request of the States and Territories, to co-ordinate action by the States and Territories to recall food under State and Territory laws; and
 - (l) to develop assessment policies in relation to food imported into Australia; and
 - (m) to provide advice to the Minister on matters relating to food; and
 - (n) to participate in international, regional and bilateral negotiations on matters that may be included in standards; and
 - (o) to make the Authority's knowledge, expertise, equipment, facilities and intellectual property available to other persons on a commercial basis; and
 - (p) at the request of New Zealand, to perform functions for New Zealand similar to the functions that the Authority may perform in relation to the States and Territories; and
 - (q) at the request of New Zealand, to perform functions for New Zealand similar to the other functions that the Authority may perform; and
 - (qa) such other functions as are conferred on the Authority by this Act; and
 - (r) any functions incidental to any of the foregoing functions.
- (2) The function conferred by paragraph (1)(o):
- (a) can only be exercised:
 - (i) for a purpose for which the Parliament has power to make laws; or
 - (ii) to utilise the Authority's spare capacity; and
 - (b) does not authorise the Authority to do something that would impede the Authority's capacity to perform its other functions.

Powers

- (1) The Authority has power to do all things necessary or convenient to be done in connection with the performance of its functions and, in particular, may:
 - (a) enter into contracts; and
 - (b) acquire, hold and dispose of real or personal property; and
 - (c) occupy, use and control any land or building owned, or held under lease, by the Commonwealth and made available for the purposes of the Authority; and
 - (d) engage persons to perform services for the Authority; and
 - (e) provide assistance to bodies or persons to prepare submissions:
 - (i) relating to the development or consideration of draft food regulatory measures or draft variations of food regulatory measures; or
 - (ii) relating to the performance of any other function of the Authority;if the Authority determines that such assistance will advance the development or consideration of that draft or the performance of that other function; and
 - (f) accept gifts, grants, bequests and advances made to the Authority (whether on trust or otherwise) and act as trustee of money or other property vested in the Authority on trust; and
 - (fa) form, or participate in the formation of, companies; and
 - (fb) subscribe for or purchase shares in, or debentures and other securities of, companies; and
 - (fc) participate in partnerships, trusts and unincorporated joint ventures; and
 - (g) do anything incidental to any of its powers.
- (2) The powers of the Authority may be exercised within or outside Australia.

APPENDIX 7: GENERAL AND SCIENTIFIC PUBLICATIONS

GENERAL PUBLICATIONS

All publications are available from www.foodstandards.gov.au and limited hard copies of certain publications are available by contacting info@foodstandards.gov.au.

Please note the hard copy of the *Australia New Zealand Food Standards Code* and User Guides are available from SAI Global at <http://www.saiglobal.com/Information/Legislation/Services/Food> or on +61 3 9278 1144.

| Title | Description |
|---|---|
| <i>Agents of Foodborne Illness</i> | A technical series summarising key information on microorganisms associated with foodborne illness. First published 2011. Second edition published June 2013 |
| <i>Annual Report 2011–12</i> | A report to the Australian Parliament on FSANZ's activities for the year. Annual publication. |
| <i>AUSNUT</i> | Australian Food and Nutrient Database. AUSNUT is FSANZ's first ever data release on CD-Rom. The AUSNUT CD contains a set of seven inter-related data files and explanatory notes that contain a wealth of descriptive and numerical data on the food and nutrient composition of Australian foods. First published 1999 |
| <i>Australian Total Diet Study (formerly the Australian Market Basket Survey)</i> | This study monitors pesticide and contaminant residues present in food and estimates their intake in the diets of Australians. FSANZ uses this information when developing food standards. 19th ATDS published April 2001 20th ATDS published January 2003 21st ATDS August 2005 22th ATDS August 2008 23rd ATDS August 2011 |
| <i>Australia's Safe Food System</i> | A brochure explaining how FSANZ works with the food industry, consumers, public health professionals and governments to ensure food remains safe and consumers are protected. Printed 2012 |
| <i>Corporate Plan 2012–15</i> | The Corporate Plan sets out FSANZ's strategic directions over a three-year period. Latest edition 2012–15. Printed August 2012 |

| Title | Description |
|--|---|
| <i>Food Industry Recall Protocol</i> | This booklet is a step-by-step guide to carrying out food recalls. It explains what must be done when food products have to be recalled from shops or consumers for health and safety reasons. First published June 1994. Latest 5th edition September 2002. Print rerun June 2004, September 2008 |
| <i>Food labels: What do they mean?</i> (Poster) | A full colour A2 poster explaining the changes to food labels. First published October 2001. Print reruns 2002, 2003 and 2004 Updated 2007 |
| <i>Food Standards News</i> | A monthly e-newsletter about the key issues and significant projects undertaken by FSANZ. |
| <i>Food Surveillance News</i> | A publication co-coordinating microbiological and other food safety studies from the states and territories. Available by email and website |
| <i>GM Foods— Safety Assessment of Genetically Modified Foods</i> | FSANZ's safety assessment process for genetically modified foods. Published June 2005 |
| <i>Listeria and Food</i> | An easy-to-read brochure which explains how to reduce the risk of infection by <i>Listeria microorganisms</i> —specifically advice for people at risk—pregnant women, their unborn and newborn children, older people (65 years and older), or the immuno-compromised. The brochure sets out foods that are safe and those at 'higher risk' of Listeria contamination. Reprinted June 2012 and 2013. Available from the website and in hard copy |
| <i>Mercury in fish</i> | The mercury in fish brochure contains information on the recommended portions of fish that should be consumed by various sectors of the population. Further information is available on the FSANZ website. |
| <i>Monitoring of Emerging Issues Newsletter</i> | Occasional summary of global food safety issues. Available on website only |
| <i>NUTTAB</i> | Also known as Australian Food Composition Tables. NUTTAB 2010 is an updated food composition publication containing data on the nutrient content of foods available in Australia. |
| <i>Nutrition Information Panel Calculator</i> | A database to allow industry to calculate nutrition information panels. Released August 2001 |
| <i>The Analysis of Food-Related Health Risks</i> | Publication providing information on the risk analysis process used by FSANZ to identify, assess and manage food-related health risks within a structured framework. Published February 2009, revised 2012–13. New edition published 2013 |

| Title | Description |
|--|--|
| <i>Safe Food Australia 2nd Edition</i> January 2001 (A Guide to the Food Safety Standards) | This book contains Chapter 3 of the <i>Australia New Zealand Food Standards Code</i> (Applies to Australia only). The guide had been prepared to assist with interpretation of three of the food safety standards in Chapter 3 of the <i>Australia New Zealand Food Standards Code</i> . They are: 3.1.1 Interpretation and Application; 3.2.2 Food Safety Practices and General requirements; 3.2.3 Food Premises and Equipment. Available from SAI Global at cost and from the website free of charge |
| <i>Science Strategy 2010–15</i> | Published 2010 |
| <i>Thinking About Having a Baby?</i> | Pamphlet providing nutritional information for women who may be thinking about getting pregnant. |

SCIENTIFIC PUBLICATIONS

During the year FSANZ staff contributed the following papers to journals and conferences.

Ambrosini GL, Bremner AP, Reid A, **Mackerras D**, Alfonso H, Olsen NJ, Musk AW & de Klerk NH (2012), No dose-dependent increase in fracture risk after long-term exposure to high doses of retinol or beta-carotene, *Osteoporosis International*, 24(4): 1285–1293.

Craig DL (2013), Microbiological risk assessment: Making sense of an increasingly complex world, *Microbiology Australia*, 34(2): 83–85.

Dias-Wanigasekera B, Craig D & Fitzroy M (2012), Legal status of bacteriophage use, Conference proceedings, 2nd Workshop on Food Safety Technologies and Innovations Applied to Food Safety, July 5–6, Valencia, Spain.

Dugbaza J & Cunningham J (2012), Estimates of total dietary folic acid intake in the Australian population following mandatory folic acid fortification of bread, *Journal of Nutrition and Metabolism*, 2012: 1–7.

Dugbaza J, Cunningham J & Baines J (2012), Impact of mandatory iodine fortification of bread to total intake: Results from FSANZ's 2010 post fortification bread survey. Presentation to the Nutrition Society of Australia meeting, November 27–30, Wollongong, New South Wales.

Food Standards Australia New Zealand (FSANZ) (2012), The 2007 Australian National Children's Nutrition and Physical Activity Survey: Additional analysis, Volume Eight: Dietary exposure to food sourced chemicals, Department of Health and Ageing, Canberra, <http://www.health.gov.au/internet/main/publishing.nsf/Content/add-anal>

Hambridge TL, Baines J, Cunningham J, Henderson K & Mackerras D (2012), Is there a seasonality effect due to the seven month sampling time frame of the 2007 Australian national Children's Nutrition and Physical Activity Survey? Paper presentation to the Nutrition Society of Australia meeting, November 27–30, Wollongong, New South Wales.

Jin H (2012), Trends and features of VTEC infections notified to the Australian national notifiable disease surveillance system between 2001 and 2010, *Zoonoses and Public Health*, 159(S1): 77–78 (abstract).

Lewis J (2012), The regulation of protein content and quality in national and international food standards, *British Journal of Nutrition*, 108(S2): S212–S221.

Liu J, Padula J, Strobel N, Hsu J, Greenfield H, Arcot J, **Cunningham J**, McLeod C & Fraser TL (2012), New analytical data for vitamin D content of Australian animal foodstuffs, Presentation made by Dr H Greenfield to the Nutrition Society of Australia meeting, November 27–30, Wollongong, New South Wales.

Mackerras D (2012), Food standards, dietary modelling and public health nutrition policy, *Nutrition and Dietetics*, 69: 208–212.

Mackerras D & Dugbaza J (2012), Response to folic acid article (letter to the Editor), *Australian and New Zealand Journal of Public Health*, 36: 492–493.

Mackerras D & Eastman CJ (2012), Estimating the quantity of an iodine supplement for pregnant and breastfeeding women in Australia, *Medical Journal of Australia*, 197: 238–242.

MacLachlan D & **Mueller U** (2012), A refined approach to estimate exposure for use in calculating the maximum residue limit of veterinary drugs, *Regulatory Toxicology and Pharmacology*, 62(1): 99–106.

McCall MJ, Coleman VA, Herrmann J, Kirby JK, Gardner IR, **Brent PJ**, & Johnson CM (2013), A tiered approach, *Nature Nanotechnology*, 8(5), 307–308.

Mulvena V, Dale K, Priestly B, **Mueller U**, Humpage A, Shaw G, Allinson G & Falconer I (2012), Health risk assessment for cyanobacterial toxins in seafood, *International Journal of Environmental Research and Public Health*, 9(3): 807–820.

Shaw S, Baines J & Sobolewski R (2012), Nutritional composition of kangaroo tail, canned meats and salted plums for the 2011–13 Australian Health Survey. Poster presentation to the Nutrition Society of Australia meeting, November 27–30, Wollongong, New South Wales.

APPENDIX 8: CATEGORIES OF DOCUMENTS HELD

Administration

Documents relating to administration include personnel, finance, property and resource management records.

Agreements

FSANZ holds copies of the following agreements:

- the Agreement between the Commonwealth of Australia, the States, the Northern Territory of Australia and the Australian Capital Territory in relation to the adoption of uniform food standards (2000)
- the Agreement between the Commonwealth of Australia and New Zealand establishing a system for the development of joint food standards, which was signed in 1995 and came into effect in 1996. (This document can be found on the Internet under the Australian Treaty Series 1996 Number 12. This link is available from the our website at www.foodstandards.gov.au/about/background/foodlaw together with links to all relevant legislation.

Food recalls

A full list of the products involved and the reasons for each recall are given in an end-of-year food recall report. A summary appears in this annual report at page 56.

Briefs, submissions and reports

We prepare and hold copies of briefing papers, submissions and reports relevant to specific functions. Briefing papers and submissions include those prepared for ministers, Australia and New Zealand Food Regulation Ministerial Council, Food Regulation Standing Committee, Implementation Sub Committee on Food Regulation and other committees.

Databases

We maintain a wide range of computer databases to support our information and processing needs, including the Australian Nutrient Databank and our dietary modelling software (DIAMOND). All are held in our Canberra office.

Files

Both paper-based and computer-based records are maintained on FSANZ's activities. They primarily relate to the processing of applications or proposals associated with a draft standard or a draft variation to a standard. While most of these records are held in our Canberra office, some are held in the Wellington office.

Finance documents

We maintain a series of documents relating to FSANZ financial management, including our chart of accounts, expenditure and revenue ledgers and appropriation ledger.

Freedom of information enquiries

Initial enquiries concerning access to documents under the *Freedom of Information Act 1982* should be directed to the FOI coordinator at FOI@foodstandards.gov.au or on (02) 6271 2222.

Mailing lists

We maintain, for our own use, mailing lists to disseminate information to key stakeholders and interested individuals. Documents distributed through this list include FSANZ annual reports, Food Standards News, Food Surveillance Newsletter, information circulars, information summaries, Explanatory Notes and Statements of Reason.

Maps and plans

Maps and plans held are mainly working drawings, plans and specifications for our offices.

Public Register

We maintain a Public Register of documents for all applications and proposals. Applications, public submissions and other associated material (with the exception of any commercially confidential material or other confidential information), as well as relevant FSANZ documents are placed on the Public Register file.

The Public Register files are now generally available electronically. Members of the public wishing to access files no longer have to come to the Canberra or Wellington offices to view the documents.

Public Register files can be inspected for an administrative charge with five working days notice. In Australia, the charge is: 1 file AU\$110; 2–4 files AU\$145; and 5 or more files AU\$180. Additional fees are charged for copying, postage and CDs. The charge may be partially or fully waived for academic institutions, private individuals, community, consumer or non-profit organisations.

Review and research

Documents relating to policy review, dietary surveys, labelling research and organisational and communications reviews are held in our Canberra office.

Media releases

All media releases are available on request. They can also be accessed from the FSANZ website at www.foodstandards.gov.au.

Publications

See Appendix 7 for a list of current publications.

Consultancies worth \$10,000 or more carried out in FSANZ during 2012–13:

| Consultant | Nature of consultancy | Amount – excl. GST | Reason for use | Selection process |
|--------------------------------------|--|--------------------|----------------|------------------------------|
| Australian National University (ANU) | ARC Linkage Project – Identifying and controlling the source of <i>Campylobacter</i> and <i>Salmonella</i> in Australia | 20,000.00 | B | Sole provider |
| Australian National University (ANU) | Evaluating weight of evidence training course | 18,350.00 | B | Sole provider |
| Catalyst | Surveying and Costing of the Regulatory Costs Associated with Bringing a New Nutrient or Novel Food to Market | 26,967.25 | B | Selective tender |
| DAFF Collector of Public Moneys | Report on the effect legalising hemp seed foods may have on the price and quantity of production in Australia | 19,900.00 | B | Sole provider |
| Directons for Change | Leadership and coaching training | 43,886.80 | B | Sole provider |
| Face 2 Face Recruitment Pty Ltd | Temporary APS4 support on recipe work for ABS contract to provide a nutrient database for the 2011–13 Australian Health Survey | 22,919.00 | A | Sole provider |
| Flinders University | ARC Linkage Project – Trust Makers, breakers and brokers: Building trust in the Australian Food System | 15,000.00 | C | Part of an existing contract |
| Fujitsu Australia Ltd | Completion of Phase 1 of an ICT project to integrate and modernise FSANZ's existing dietary modelling and food composition databases (Harvest) | 637,851.04 | A,B | Part of an existing contract |
| Health Work Pty Ltd | Rehabilitation services for managing an ill staff member. | 15,488.00 | B | Selective tender |
| Instinct and Reason Pty Ltd | Literature review on the impact of label format on consumers' attention and comprehension for mandated label elements | 31,000.00 | C | Panel |
| Kowalski Recruitment Pty Ltd | Recruitment and hire of temporary administrative staff | 26,390.28 | A | Panel |

| Consultant | Nature of consultancy | Amount – excl. GST | Reason for use | Selection process |
|---------------------------------------|---|--------------------|----------------|------------------------------|
| Michigan State University | Production of presentations from an APEC Food Safety Incident Management Workshop | 10,147.82 | A | Sole provider |
| National Measurement Institute (NMI) | Various food analytical programs, to support the development of a nutrient database for the 2011–13 Australian Health Survey, under a contract with the ABS | 61,606.00 | A,B | Panel |
| Protiviti Pty Ltd | Provision of internal audit services | 50,681.00 | B | Part of an existing contract |
| Randstad Pty Ltd | Recruitment and hire of part time receptionist and scientist | 42,095.35 | A | Panel |
| TT Co Pty Ltd | Team building | 11,698.67 | A,B | Sole provider |
| Symbio Alliance | Preparation, analysis and freight of samples for the 25th Australian Total Diet Study (ATDS) | 76,493.18 | B | Panel |
| University of Technology Sydney (UTS) | Peer review of the cost of illness model | 14,954.55 | B | Selective tender |
| Wardy IT Solutions | Scoping and completion of Phase 2 of an ICT project to integrate and modernise FSANZ's existing dietary modelling and food composition databases (Harvest) | 144,573.00 | A,B | Sole provider |
| Wizard People Pty Ltd | Scribing services for various recruitment processes and drafting of employment policies | 36,854.41 | A | Panel |
| Yellow Edge Pty Ltd | Development of a FSANZ capability framework | 17,750.00 | A,B | Part of an existing contract |
| Australian Government Solicitor | Legislative drafting services for revision of the <i>Australia New Zealand Food Standards Code</i> | 224,606.00 | A,B | Sole provider |
| Clayton Utz | Litigation Services | 62,632.95 | A,B | Selective tender |
| Total | | 1,631,845 | | |

Reason for use

A – skills currently unavailable within agency.

B – need for specialised or professional skills.

C – need for independent research or assessment.

INTERNATIONAL FORUMS ATTENDED

Including Codex Alimentarius Commission (Codex), World Health Organization (WHO) and Food and Agriculture Organization of the United Nations (FAO)

| Date | International committee meeting or conference | Who attended | Country |
|----------------------|--|--------------------|---------------|
| 16–18 July 2012 | International Food Safety Conference 2012 | Steve McCutcheon | Malaysia |
| 18–20 July 2012 | World Congress on Risk 2012 | Hong Jin | Australia |
| 27–28 July 2012 | Zoonoses Conference 2012 | Rosalind Dalefield | Australia |
| 29–31 August 2012 | 7th Seminar and Workshop on Nutrition Labelling, Claims and Communication Strategies | Hazel Fowler | Thailand |
| 11–20 September 2012 | The Joint FAO/WHO Meeting on Pesticide Residues | Matthew O'Mullane | Italy |
| 5 November 2012 | APEC Wine Regulatory Forum | Steve McCutcheon | New Zealand |
| 12–16 November 2012 | Codex Committee on Food Hygiene, 44th session | Amanda Hill | United States |
| 3–7 December 2012 | Codex Committee on Nutrition and Foods for Special Dietary Uses, 34th session | Janine Lewis | Germany |
| 17–18 December 2012 | Hong Kong Centre for Food Safety Veterinary Public Health Workshop | Duncan Craig | Hong Kong |
| 12–14 March 2013 | Hong Kong Centre for Food Safety Expert Advisory Committee | Paul Brent | Hong Kong |
| 15–22 March 2013 | Codex Committee on Food Additives, 44th Session | Paul Brent | Beijing |
| 25–27 March | WHO Consultation on Salt Reduction and Iodine Fortification | Dorothy Mackerras | Australia |
| 8–12 April 2013 | Codex Committee on Contaminants in Food, 7th Session | Leigh Henderson | Moscow |

| Date | International committee meeting or conference | Who attended | Country |
|------------------|---|--|-----------|
| 10–13 April 2013 | APEC—Food Safety Cooperation Forum suite of events | Dr Paul Brent Dr Barbara Butow Ms Patricia Blenman Ms Lisa Tengdahl | Indonesia |
| 10 April 2013 | International Life Sciences Institute International Food Biotechnology Committee Workshop on Composition and Toxicological Assessment of Genetically Modified Crops | Lynda Graf | France |
| 11–12 April 2013 | 20th Meeting of the OECD Task Force for the Safety of Novel Foods and Feeds | Lynda Graf | France |
| 4–13 June 2013 | 77th FAO/WHO Joint Expert Committee on Food Additives (Rome) | Utz Mueller Janis Baines | Italy |
| 24–26 June 2013 | Hong Kong Centre for Food Safety Expert Advisory Committee | Paul Brent | Hong Kong |

APEC = Asia Pacific Economic Cooperation; Codex = Codex Alimentarius Commission FAO = Food and Agriculture Organization of the United Nations; OECD = Organisation for Economic Co-operation and Development; WHO = World Health Organization.

| Date | Event | Presenter(s) | Title |
|-----------------|--|------------------|--|
| 3 July 2012 | Australian Society for Microbiology Annual Scientific Meeting (Brisbane) | Duncan Craig | Reviewing microbiological limits in the Food Standards Code |
| 4 July 2012 | CSIRO Biotechnology Course (Canberra) | Lynda Graf | Panel member discussing the regulation of GM foods |
| 10 July 2012 | Eighth International Social Science Methodology Conference (Sydney) | Trevor Webb | Food research in government—Methodologies and challenges |
| 11 July 2012 | Eighth International Social Science Methodology Conference (Sydney) | Michelle Gosse | Rasch analysis of food choice survey data |
| 11 July 2012 | Eighth International Social Science Methodology Conference (Sydney) | Hazel Fowler | Cross-country questionnaire design for a hot topic |
| 12 July 2012 | Eighth International Social Science Methodology Conference (Sydney) | Michelle Gosse | Conversion of a SAS method for nutrient intake into equivalent R method |
| 17–20 July 2012 | World Congress on Risk 2012 (Sydney) | Marion Healy | Accelerated assessment of existing chemicals |
| 19 July 2012 | Michigan State University Institute for Food Laws and Regulations current issues seminar (Lansing) | Janine Lewis | 1) The creation of a binational food regulatory authority 2) The regulatory response to nutritional risk |
| 7 August 2012 | OzFoodNet face-to-face meeting (Adelaide) | Duncan Craig | Reviewing microbiological limits in the Food Standards Code |
| 8 August 2012 | Australian Bureau Statistics meeting with the Bangladesh Bureau of Statistics (Canberra) | Renee Sobolewski | Developing a nutrient database for the Australian Health Survey; monitoring of iodine fortification case study |
| 14 August 2012 | AusDrinks Conference 2012 (Melbourne) | Steve McCutcheon | Regulatory horizons |
| 30 August 2012 | Food and Beverage Importers Association (Canberra) | Jane Allen | FSANZ—our role and some current issues |

| Date | Event | Presenter(s) | Title |
|----------------------|--|--------------------------------|--|
| 4 September 2012 | International Congress of Dietetics | Dorothy Mackerras | Food standards, dietary modelling and public health nutrition policy |
| 25 September 2012 | University of Canterbury course on food safety (Christchurch) | Leigh Henderson | Regulatory approaches to managing food chemical risks |
| 27–28 September 2012 | Food Security: Science, Sustainability and Governance Conference (Melbourne) | Marion Healy | The essential relationship between innovation and regulation |
| 10 October 2012 | Standards Australia Consumer Forum (Sydney) | Jane Allen | Food Labelling—FSANZ |
| 18 October 2012 | Biotechnology in Society course unit, ANU (Canberra) | Lynda Graf | Guest Lecture on the Regulation of GM Foods in Australia/NZ |
| 23 October 2012 | Salmonella Summit (Melbourne) | Steve McCutcheon | Policy tensions what is possible? The standards-setting process |
| 23 October 2012 | Food Metrology Symposium (Melbourne) | Judy Cunningham | Analysis of food nutrients at trace vs fortification levels |
| 24 October 2012 | Workshop on vitamin analysis, National Measurement Institute (Melbourne) | Judy Cunningham | Vitamin analysis for labelling and food composition tables |
| 25 October 2012 | Workshop on antioxidant analysis, National Measurement Institute (Melbourne) | Judy Cunningham | Antioxidant health claims—labelling requirements |
| 25–26 October 2012 | ACTRA Annual Scientific Meeting (Adelaide) | Marion Healy | Human health risks of phthalates in foods and consumer products |
| 2 November 2012 | AusFoodTech Symposium (Melbourne) | Jenny Hazelton | Food labelling—now and into the future |
| 15 November 2012 | Food Sector Advisory Committee Update | Barbara Butow | FSANZ's role in the regulation of nanotechnologies in food and food packaging |
| 21 November 2012 | Riddett Symposium (Palmerston North) | Leigh Henderson Diane Bourn | Is your new functional food ingredient or process safe? Nutrition and health claims |

| Date | Event | Presenter(s) | Title |
|---------------------|--|--|--|
| 21 November 2012 | Manawatu Research Day, School of Psychology, Massey University (Palmerston North) | Michelle Gosse | Research opportunities as a psychology graduate in government, with a FSANZ focus |
| 13 December 2012 | ABS/FSANZ Workshop (Canberra) | Tracy Hambridge Janis Baines Michelle Gosse Dorothy Mackerras Rainer Reuss | Estimating second day intakes using the NCI approach |
| 18 February 2013 | AFGC Mandatory reporting workshop | Tania Martin | FSANZ's role in mandatory reporting |
| 20–21 February 2013 | 39th OzFoodNet face-to-face meeting (Melbourne) | Tania Martin | FSANZ's role in mandatory reporting |
| 4 March 2013 | Presentation (via WebEx) to Food and Environmental Hygiene Department Hong Kong (Canberra) | Jason March Hazel Fowler | Use of economics and the other social sciences to assist regulatory decision making |
| 5 March 2013 | NSA, Wollongong Branch (Wollongong) | Janis Baines Dorothy Mackerras | Update on Australian Health Survey Use and misuse of data |
| 5 March 2013 | Cambodian Delegation Visit/Study Tour (Canberra) | Jason March Jayantha Somasundaram | Why regulation should not always be the first resort Impact analysis of food regulations Cost of illness modelling |
| 13 March 2013 | AusDrinks Health and Nutrition Claims Seminar (Sydney) | Jenny Hazelton | Opportunities: The new nutrition and health claims standard |
| 19 March 2013 | AlFST (Vic Branch) Seminar on <i>Proof of the Pudding?</i> —health claims compliance and substantiation (Melbourne) | Jenny Hazelton | The new nutrition and health claims standard |
| 21 March 2013 | ACTRA Life Stage Specific Human health Risk Assessments Workshop (Sydney) | Marion Healy | Determining the risks of food related hazards to different population groups |
| 3 April 2013 | CropLife Regulator Roundtable Seminar on New Crop Biotechnologies | Paul Brent | New Crop Technologies |

| Date | Event | Presenter(s) | Title |
|---------------|---|-------------------------------|---|
| 9 April 2013 | The Allergen Bureau & VITAL—our place in the world Industry Seminar (Melbourne) | Dean Stockwell | Advances in collaboration |
| 10 April 2013 | The Allergen Bureau & VITAL—our place in the world Industry Seminar (Sydney) | Dean Stockwell | Advances in collaboration |
| 12 April 2013 | The Allergen Bureau & VITAL—our place in the world Industry Seminar (Auckland) | Lisa Katzer | Advances in collaboration |
| 29 April 2013 | Presentation (via WebEx) to Sweden National Food Agency; Institute for Food and Agricultural Economics, Lund University; Swedish Board of Agriculture; Swedish National Food Agency and Swedish University of Agricultural Sciences | Jason March Hazel Fowler | Behavioural and Regulatory Analysis Section |
| 1 May 2013 | Frucor (Auckland) | Dean Stockwell Diane Bourn | Opportunities: The new nutrition, health claims standard |
| 3 May 2013 | Presentation (via WebEx) to Food and Drug Administration, Philippines (Canberra) | Jason March Hazel Fowler | Use of economics and the other social sciences to assist regulatory decision making |
| 6 May 2013 | Philippine Delegation Australian RIA Study Tour—Visit to FSANZ (Canberra) | Jason March | Using economics to improve regulatory outcomes |
| 9 May 2013 | Food Science Department University of Otago (Dunedin) | Diane Bourn | Development of food policy and food regulation in Australia and New Zealand |
| 10 May 2013 | Food Science Department University of Otago (Dunedin) | Diane Bourn | Food labelling and health claims standard |
| 20 May 2013 | Presentation at Massey University (Palmerston North) | Michelle Gosse | Statistics and government |

| Date | Event | Presenter(s) | Title |
|--------------|---|---|--|
| 22 May 2013 | Nutrition Society of Australia and Dietitians Association of Australia Symposium: Data outputs from the Australian Health Survey (Canberra) | Janis Baines Renee Sobolewski Dorothy Mackerras | Why the nutrition survey is embedded in the Australian Health Survey Food composition—development of the database and outputs available Use and misuse of survey data and statistics |
| 22 May 2013 | Presentation at Deakin University (Melbourne) | Trevor Webb | Consumer and Social Sciences in Food Regulation |
| 25 May 2013 | Dietitians Association of Australia National Conference Workshop (Canberra) | Jenny Hazelton | The Hitchhiking dietitians guide to food regulation (and nutrition and health claims) |
| 31 May 2013 | Packaging Council of Australia (Melbourne) | Paul Brent | Approaches to Management of Food Packaging Chemicals in Australia/NZ |
| 30 May 2013 | ACT Health Protection Service | Amber Gallagher Tania Martin | FSANZ's role in coordinating food recalls |
| 11 June 2013 | Complementary Healthcare Council Advertising Compliance Seminar (Sydney) | Jenny Hazelton | Nutrition, health and related claims: a new food labelling standard |
| 18 June 2013 | Dietitians Association of Australia, Corporate Nutrition Interest Group (Sydney) | Jenny Hazelton | Nutrition, health and related claims: a new food labelling standard |
| 19 June 2013 | Presentation (via WebEx) to South Korea National Food Safety Information Service (Canberra) | Jason March Hazel Fowler | Use of economics and the other social sciences to assist regulatory decision making |
| 26 June 2013 | Standards Australia Food Sector Advisory Forum (Sydney) | Jane Allen | FSANZ—role, scope, horizons |

ACTRA = Australasian College of Toxicology and Risk Assessment Inc; AFGC = Australian Food and Grocery Council; AIFST = Australian Institute of Food Science Technology; ANU = Australian National University; CSIRO = Commonwealth Scientific and Industrial Research Organisation; GM = genetically modified; NCI = National Cancer Institute (US); NSA = Nutrition Society of Australia; NZ = New Zealand; Vic = Victoria; VITAL = Voluntary Incidental Trace Allergen Labelling system.

APPENDIX 11: FSANZ BOARD MEMBERS, ATTENDANCE, QUALIFICATIONS AND EXPERIENCE

ATTENDANCE AND QUALIFICATIONS

| Member | Qualifications | Meetings | Teleconferences |
|--|---|----------|-----------------|
| Ms Philippa Smith AM (Chair) | BEC (University of Sydney) | 5/5 | 3/3 |
| Dr Michele Allan | BAppSc (Biomedical Science—Cytology) (University of Technology Sydney) MMgt (Technology) (University of Melbourne) DBA (Royal Melbourne Institute of Technology) MComLaw (Deakin University) | 5/5 | 1/3 |
| Professor Katrine Baghurst | BSc (University of St Andrews) PhD (Australian National University) | 2/3 | 1/1 |
| Mr Peter Boyden | BSc Mathematics (University of Southampton) | 5/5 | 2/3 |
| Associate Professor Stephen Corbett | MB BS (University of Queensland) MPH (University of Sydney) | 5/5 | 3/3 |
| Ms Jenni Mack | BA (Journalism) (University of Queensland) MALP (University of Sydney) Graduate Certificate International Food Laws and Regulation (Michigan State University) | 5/5 | 3/3 |
| Mr Steve McCutcheon (Chief Executive Officer) | BEC GradDipPubLaw | 5/5 | 3/3 |
| Dr Andrew McKenzie QSO | BVSc (Massey University) DVPH (Massey University) | 5/5 | 3/3 |
| Dr James (Gardner) Murray AO | BVMS DVMS(hc) (University of Glasgow) | 5/5 | 2/3 |

| Member | Qualifications | Meetings | Teleconferences |
|---------------------|---|----------|-----------------|
| Mr Tony Nowell CNZM | BBS (part-time and extramurally), (Auckland University, University of Otago and Massey University—not completed) | 5/5 | 0/3 |
| Dr David Roberts | BSc (hons) (University of Liverpool) PhD (Australian National University) | 5/5 | 3/3 |
| Mr Neil Walker JP | BSc (Victoria University of Wellington) BBS (Massey University) | 5/5 | 3/3 |
| Observer | | | |
| Dr Anne Astin | | 4/5 | 0/3 |

Finance, Audit and Risk Management Committee attendance

| Member | Meetings |
|---|----------|
| Dr Michele Allan (FARMC Chair) | 4/4 |
| Ms Philippa Smith AM (Board Chair) | 4/4 |
| Dr Andrew McKenzie QSO | 4/4 |
| Dr David Roberts | 4/4 |
| Observers | |
| Mr Steve McCutcheon (Chief Executive Officer) | 4/4 |
| Ms Audrey Gormley (FSANZ Chief Finance Officer) | 4/4 |

EXPERIENCE

Sections of the *Food Standards Australia New Zealand Act 1991* that apply to members' expertise and experience:

| | |
|---------------|--|
| s. 116(1)(a) | Chair One or more of the following fields: public health, consumer affairs, food science, food allergy, human nutrition, medical science, microbiology, food safety, biotechnology, veterinary science, food industry, food processing or retailing, primary food production, small business, international trade, government, or food regulation |
| s. 116(1)(b) | CEO |
| s. 116(1)(c) | 2 members nominated by the New Zealand lead Minister One or more of the following fields: public health, consumer affairs, food science, food allergy, human nutrition, medical science, microbiology, food safety, biotechnology, veterinary science, food industry, food processing or retailing, primary food production, small business, international trade, government or food regulation |
| s. 116(1)(ca) | 1 member nominated by the New Zealand lead Minister One or more of the following fields: public health, consumer affairs, food science, food allergy, human nutrition, medical science, microbiology, food safety, biotechnology or veterinary science |
| s. 116(1)(d) | 1 member nominated by consumer organisations* |
| s.116(1)(e) | 1 member nominated by the CEO of the National Health and Medical Research Council |
| s. 116(1)(f) | 3 members nominated by organisations, or public bodies, established for purposes relating to science or public health* One or more of the following fields: public health, consumer affairs, food science, food allergy, human nutrition, medical science, microbiology, food safety, biotechnology or veterinary science |
| s. 116(1)(g) | 2 members nominated by organisations, or public bodies, established for purposes relating to the food industry* One or more of the following fields: the food industry, food processing or retailing, primary food production, small business, international trade, government or food regulation |

* These organisations are prescribed in the FSANZ Regulations.

Ms Philippa Smith AM (term expires 30 June 2016)

Ms Philippa Smith AM [s. 116(1)(a)] was appointed Chair of the FSANZ Board in July 2008. Ms Smith is a former Commonwealth Ombudsman, CEO of the Association of Superannuation Funds of Australia and the inaugural Chair of the Consumers Health Forum. She has developed strong strategic skills and extensive experience in ensuring effective accountability and governance structures across a number of portfolios.

Dr Michele Allan (term expires 30 June 2013)

Dr Michele Allan [s. 116(1)(f)] has strong leadership experience across many facets of the food industry. Her areas of expertise include manufacturing strategy, organisational strategy, risk and insurance leadership, food safety systems implementation, food packaging innovation and commercialisation. Dr Allan has held senior executive positions with Amcor Limited, Bonlac Foods, Bioinformatics Centre of Excellence Tasmania, Kraft Foods and ICI; and has also held board positions within both the private and public sectors.

Professor Katrine Baghurst (until December 2012)

Professor Katrine Baghurst [s. 116(1)(e)] was involved in research and in translation of research to practice in the nutrition field in both Australia and New Zealand over the past 30 years, notably at the Commonwealth Scientific and Industrial Research Organisation Human Nutrition Division. Her extensive experience made her a specialist in relation to determining food choice, consumer needs, current dietary patterns in the community and nutritional and food education. Professor Baghurst was an Adjunct Professor in the Department of Medicine, University of Adelaide, and worked as a nutrition consultant.

Mr Peter Boyden (term expires 30 June 2013)

Mr Peter Boyden [s. 116(1)(g)] has had extensive international experience as a chief executive officer, with extensive general management and marketing experience gained in consumer foods businesses in Australia, United Kingdom, Netherlands and Greece. Mr Boyden has been the Managing Director and regional Board member of the Unilever Australasian foods business and a Board member of the Australian Food and Grocery Council. He is currently an Executive Mentor and non-Executive Director. His areas of responsibility have included the management of consumer marketing, product and packaging development, food production and general management, where he has focused on strategy development and portfolio management.

Associate Professor Stephen Corbett (term expires 30 June 2015)

Associate Professor Stephen Corbett [s. 116(1)(f)] has had more than 20 years of experience as a public and environmental health physician, with qualifications in public health and medicine. His interests include environmental health risk assessment and management, regulatory policy and practice, and chronic disease prevention. Associate Professor Corbett's experience includes holding senior executive positions in NSW Health—Public Health; being Conjoint Associate Professor at the School of Public Health, University of Sydney and Western Clinical School, Westmead Hospital; and being Associate Editor on the journal *Evolution, Medicine and Public Health*.

Ms Jenni Mack (term expires 30 June 2013)

Ms Jenni Mack [s. 116(1)(d)] has worked in consumer affairs since 1992, when she was Executive Director of the Australian Federation of Consumer Organisations. Her work has spanned food, chemicals, telecommunications, energy and financial services policy incorporating areas such as industry self-regulatory and co-regulatory practices, professional standards and codes of practice. Ms Mack has worked closely with regulators and government agencies on good regulatory science, community education, licensing, best practice enforcement and compliance schemes, and community and social research projects.

Mr Steve McCutcheon (Chief Executive Officer) (term expires 30 June 2017)

Mr McCutcheon [s. 116(1)(b)] holds a Bachelor of Economics degree and has undertaken further studies in public law and public policy. He was appointed Chief Executive Officer of FSANZ in October 2007. Prior to his appointment, Mr McCutcheon held a number of senior executive positions in the Australian Government Department of Agriculture, Fisheries and Forestry. During that time, he led the team that developed the new food regulatory framework for Australia and New Zealand under the auspices of the Council of Australian Governments. Mr McCutcheon also led the Australian delegation to annual sessions of the Codex Alimentarius Commission.

Dr Andrew McKenzie QSO (term expires 30 June 2014)

Dr Andrew McKenzie [s. 116(1)(c)] is qualified as a veterinarian with post graduate qualifications in veterinary public health and has a background working for the New Zealand Ministry of Agriculture and Fisheries, with a focus on the meat, seafood and other food industries. In 2002, Dr McKenzie set up the New Zealand Food Safety Authority and led it until his retirement in June 2010. He has extensive experience in domestic food safety policy and standards, as well as international food safety and trade standards at the bilateral and multilateral level. Dr McKenzie has a continuing interest in management and governance, as well as contemporary regulatory approaches to food safety/quality and trade, particularly around standard-setting.

Dr James (Gardner) Murray AO PSM (term expires 30 June 2013)

Gardner Murray [s. 116(1)(f)] has veterinary medicine, surgery and management qualifications. Through his work in high level government positions and via his company—Gardner Murray Pty Ltd., Dr Murray has contributed to national and international developments in food safety, animal health, 'One Health' (collaboration between animal, human and environmental scientists and related disciplines to achieve optimal health), biosecurity, market access, emergency management, animal welfare, policy development and strategic planning. He has held and holds numerous high-level board, commission and committee positions at the national and international levels.

Mr Tony Nowell CNZM (term expires 30 June 2013)

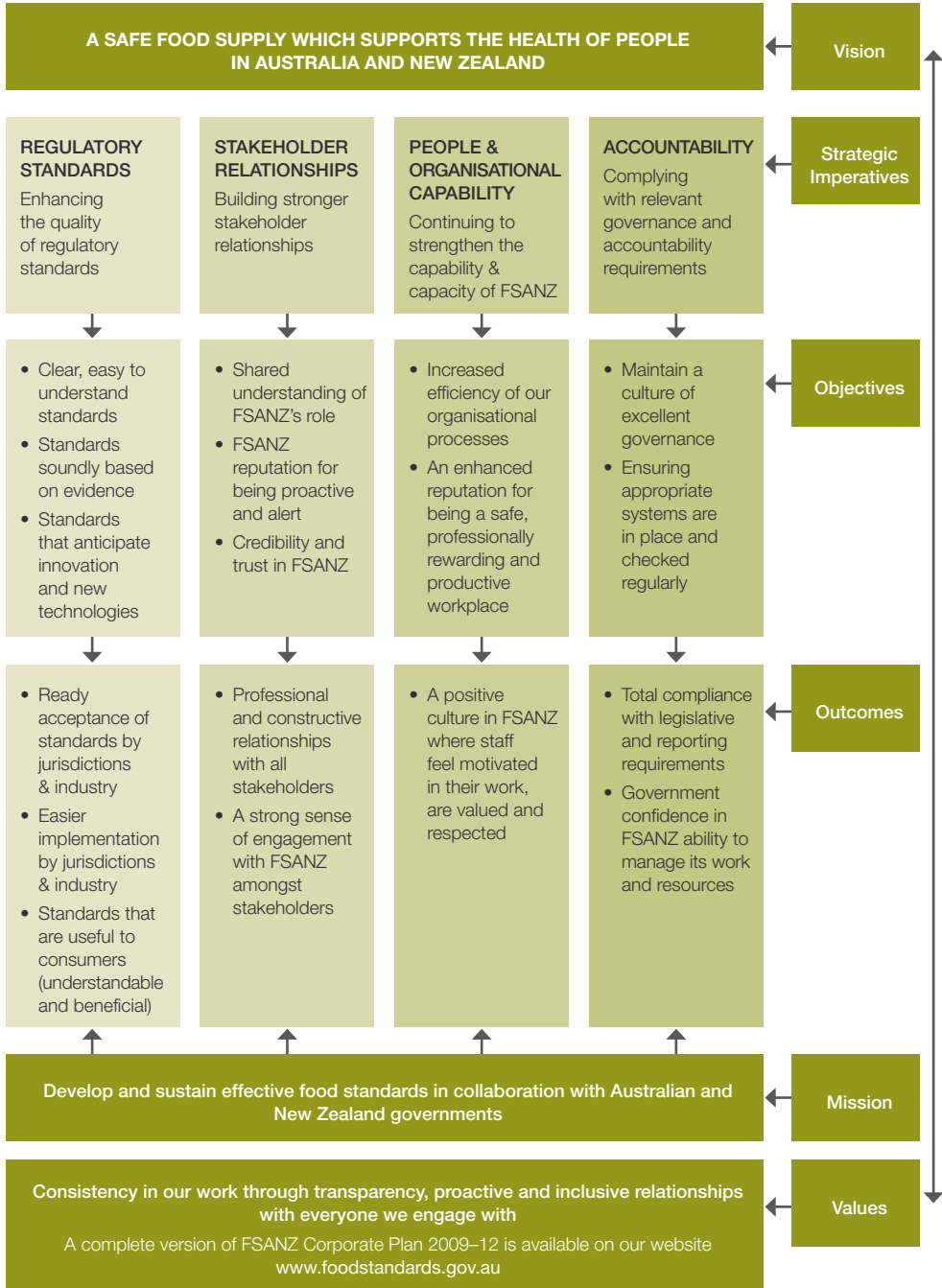
Mr Tony Nowell [s. 116(1)(c)] has had extensive senior executive experience across various industries (including food) both internationally and within New Zealand. This has included holding positions such as Chief Executive Officer of Zespri International; Managing Director of Griffin's Foods; Regional Vice President of Sara Lee Asia; Zone Manager for Sara Lee Indonesia, Philippines and Thailand; Managing Director of Sara Lee Indonesia; Managing Director of L'Oreal Indonesia; and Operations Manager of L'Oreal New Zealand. Mr Nowell's other roles and responsibilities have included being the former Chair of the New Zealand Packaging Accord Governing Board and the New Zealand Government Food and Beverage Taskforce; and include Chairmanship of the New Zealand Forest Research Institute and Wellington Drive Technologies, as well as directorships at New Zealand Food Innovation Auckland and the Export Advisory Board of Business New Zealand. Mr Nowell has represented New Zealand as a member of the Asia-Pacific Economic Cooperation Business Advisory Council since 2007.

Dr David Roberts (term expires 30 June 2013)

Dr David Roberts [s. 116(1)(g)] is a food and nutrition consultant with extensive experience in health and science. He has expertise in public health, food science, food allergy, human nutrition, food safety, food industry, food processing/retail, government and regulation. Dr Roberts was the Deputy Chief Executive Officer and scientific and technical Director of the Australian Food and Grocery Council for 5 years until October 2007. Prior to that, he had held the Foundation Chair in Nutrition and Dietetics (established 1991) at the University of Newcastle for 10 years. Dr Roberts was at Sydney University for 12 years teaching and researching in nutritional biochemistry. He is a former Chair of the Federation of Australasian Nutrition Organisations, former President of the Nutrition Society of Australia (3 years), former Chair of the NSW Branch of Australian Institute of Food Science Technology (1 year), former Chair of the inaugural Complementary Medicines Evaluation Committee of the Therapeutic Goods Administration (4 years) and former member of the editorial board of the British nutrition foundation (over 10 years).

Mr Neil Walker JP (term expires 30 June 2014)

Mr Neil Walker [s. 116(1)(ca)] is a food scientist with 35 years of experience in the dairy industry in New Zealand. He is a fellow of both the Institute of Chemistry and the New Zealand Institute of Food Science and Technology (NZIFST); and was the Dairy Chair of the NZIFST. He has had experience as chair, director, trustee and committee member in relation to public councils and authorities; private trusts; companies and organisations; and national, community, charitable and family entities.





The Hon Catherine King MP
Parliamentary Secretary for Health and Ageing

Ms Philippa Smith AM Chairperson
Food Standards Australia New Zealand Board
PO Box 7186
Canberra ACT 2610

Dear Ms Smith

I would like to express my appreciation of the valuable and important work being undertaken by Food Standards Australia New Zealand (FSANZ) to fulfil the objectives of FSANZ as set out in the *Food Standards Australia New Zealand Act 1991* (FSANZ Act).

On 10 August 2009, the then Parliamentary Secretary for Health, the Hon Mark Butler MP, provided you with a Statement of Expectation for your consideration and requested that you respond to this document by providing a Statement of Intent, indicating how you intended to meet the Statement of Expectation. You complied with this request and provided your Statement of Intent on 17 September 2009.

To ensure that the Statement of Expectation remains current, it is reviewed annually and, if required, updated. FSANZ's Statement of Expectation has recently been reviewed and the updated Statement of Expectation is below. This Statement of Expectation does not constitute a Ministerial Direction, a conferral of functions, a term or condition of office, or a delegation of power under the FSANZ Act. I request that FSANZ consider this updated Statement of Expectation and respond by reviewing and appropriately updating your Statement of Intent accordingly.

This response should indicate how FSANZ proposes to meet the Government's expectations, based on appropriate, measurable and verifiable performance indicators.

The Statement of Expectation for FSANZ

This Statement of Expectation formally outlines how FSANZ should operate to achieve its key objectives.

The object of the FSANZ Act is to ensure a high standard of public health protection through the establishment and operation of FSANZ to achieve the following goals:

- a high degree of consumer confidence in the quality and safety of food produced, processed, sold or exported from Australia and New Zealand;
- an effective, transparent and accountable regulatory framework within which the food industry can work efficiently;
- the provision of adequate information relating to food to enable consumers to make informed choices; and
- the establishment of common rules for both countries and the promotion of consistency between domestic and international food regulatory measures without reducing the safeguards applying to public health and consumer protection.

In performing your role as Chairperson of the FSANZ Board (the Board), I ask the Board to work closely and cooperatively with the Department of Health and Ageing (the Department), which will continue as the primary source of policy development and advice to the Australian Government.

Short and long-term priorities

I ask that FSANZ supports the Government's priorities through the appropriate prioritising of its functions. The Government is committed to a food regulation system that protects public health and safety while seeking to provide the most efficient and effective regulatory regime possible.

One of the functions of FSANZ is to provide me, as the Parliamentary Secretary responsible for food matters, with advice. This is an essential function as it allows me to be fully informed about food matters, and in particular in respect of issues concerning public health and safety. However, this also facilitates the coordination of information received from other portfolios and government agencies, enabling the Government to coordinate its broader policy objectives.

In the short-term, this may be achieved through continued liaison with the Department in relation to various initiatives:

- The Government response to *Labelling Logic: the Review of Food Labelling Law and Policy* (2011). The response to the labelling review is due to be considered by the Australia and New Zealand Food Regulation Ministerial Council (Ministerial Council) in December 2011 and, depending on which recommendations are adopted, could potentially have short, medium and long-term impacts on FSANZ. I would like FSANZ to be mindful of the potential impact that this response may have for your organisation, and outline your thoughts on managing these possible changes.
- At the Ministerial Council meeting in May 2011, it was agreed that all the 2009 COAG milestones had been met. It was also noted that further changes to the food regulation arena may form part of a new package of regulatory reforms post COAG's August 2011 meeting. FSANZ should note that there may be further work as a result. FSANZ will have a role in supporting the Government in this work, which may influence any short-term priorities.

In the longer term, FSANZ will have involvement in the following initiatives:

- The National Food Plan (NFP) has a broad scope, and is examining issues such as food security, productivity and efficiency, sustainability, health and nutrition and general economic policy relating to the food sector. The NFP will recognise the wide range of work already being undertaken by other stakeholders and government agencies such as FSANZ. I would like FSANZ to be cognisant of this process and to give some thought to FSANZ's role as the Plan develops.
- FSANZ is responsible for the new Code Interpretation Service (CIS) which will provide interpretive advice on some food standards in the Australia New Zealand Food Standards Code, in consultation with the states and territories. Operating primarily on a cost recovery basis, this service will be adopted and applied by all state and territory food regulatory agencies in the course of their monitoring and enforcement activities. The CIS is to be reviewed after two years of operation. I would like FSANZ to outline how this service has been received by users after the first year of operation and advise me of any early issues that may have arisen.
- At the August 2011 Implementation Sub Committee meeting, members discussed the new mandatory reporting regime which requires suppliers to report to the Australian Competition and Consumer Council (ACCC) consumer product related incidents where there has been a death or serious injury or illness within two days of becoming aware of the incident. I would like to know how mandatory reporting fits into the existing food regulation system and how FSANZ will be working with the NSW Food Authority and the ACCC on a process for direct referral of mandatory notifications from the ACCC to the responsible jurisdiction.

- At the same meeting, the issue of regulatory oversight of the Food Medicine Interface was also discussed. I would like FSANZ to outline how it sees its position in relation to the Therapeutic Goods Administration (TGA), as pmi of the interface between the regulators.
- I also ask that FSANZ maintain a strong focus on its productivity and efficiency, particularly in regard to its standards development work. The requisite legislative timelines are a maximum timeframe and I would like to see FSANZ delivering final outputs that are well within these timelines. I also request that FSANZ continues to ensure project work is aligned with the Government's strategic direction and priorities. In your Statement of Intent back to me, I would like you to include performance targets to measure improvements in timeframes for finalising standards.

Legislative framework

I ask that FSANZ fully complies with its responsibilities under the FSANZ Act and that FSANZ operates in accordance with all relevant legislation including the FSANZ Act, the *Public Service Act 1999* (PS Act), the *Commonwealth Authorities and Companies Act 1997* (CAC Act) and the *Corporations Act 2001* (Corporations Act).

Role

In addition to its role as stipulated in the FSANZ Act, FSANZ also undertakes a range of other important functions, such as the national coordination of food surveillance and food recall systems, providing information to consumers, conducting research and supporting the Australian Quarantine and Inspection Service in the control of imported foods. I ask that FSANZ continue to play a leading role in these activities.

FSANZ's functions are set out in section 13 of the FSANZ Act. A number of these functions, such as: facilitating the harmonisation of state and territory laws relating to food; coordinating the development of procedures required to implement requirements set out in standards; and coordinating the monitoring, surveillance and enforcement of activities relating to food available in Australia, are directly relevant to FSANZ's role in supporting the Government in achieving its priorities in the broader food regulatory framework. I would also request that FSANZ directly support the Government's priorities relating to the cutting of red tape and reducing regulatory burden, without compromising public health and safety, as an additional functional responsibility.

As a part of FSANZ's consideration of applications and proposals, FSANZ is required to have regard to policy guidelines formulated by the Ministerial Council. While FSANZ must have regard to policy guidelines they are not binding on FSANZ. However, inconsistency with policy guidelines can be invoked by the Ministerial Council as a reason to request a review. This, however, should not override the need for food standards to be based on risk analysis using the best available scientific evidence.

The FSANZ Board comprises 12 members (including yourself) drawn from specialist areas—public health, food science, human nutrition, consumer affairs, food allergy, medical science, microbiology, food safety, biotechnology, veterinary science, primary food production, the food industry, food processing or retailing, small business, international trade, food regulation, consumer rights and consumer affairs policy, the National Health and Medical Research Council and government. The Board should ensure that it is aware of, and fully engaged in the development of, the strategic directions of FSANZ.

Stakeholder relationships

I note that FSANZ and the Department operate within the same broad policy platform. The Secretary of the Department plays an important role in providing me with policy advice in my oversight of portfolio agencies. To ensure that the Secretary and the Department can undertake this advisory role, I request that you inform the Secretary (or the Department) of relevant issues and information affecting the portfolio. I ask FSANZ and the Department to maintain their close working relationship based on the principles of open communication, “no surprises”, and information sharing.

The work undertaken by FSANZ involves building relationships with other agencies and organisations to ensure that the objectives of FSANZ are met. These relationships include the Food Medicine Interface with the TGA and the joint work that is undertaken between FSANZ and the Australian Quarantine and Inspection Service.

FSANZ has also fostered relationships internationally for work involving the CODEX Alimentarius Commission, as well as projects that are research focused. I would like you to advise how these relationships will be maintained and if there are any further relationships which FSANZ is facilitating.

In having regard to the interests of the Government, I ask that you provide myself and the Department with appropriate notice of key issues, reports and events that may impact on government operations or policies.

Compliance activities—CAC Act bodies

I request that the Board exercise prudence in its financial management of FSANZ in the context of its legislative framework, my expectations as set out in this document and the requirements of the CAC Act and the Corporations Act.

The FSANZ Board is collectively accountable for the performance of FSANZ’s functions and financial management. Directors are responsible for exercising their powers and discharge of their duties in good faith and in the best interests of the Commonwealth; and with the degree of care and diligence that a reasonable person would exercise.

Under the CAC Act, the Board must notify me of any significant events, keep me informed of the operations of FSANZ, and comply with general policy orders issued by the Minister for Finance.

Any breaches of the CAC Act, CAC Regulations or CAC Finance Ministers Orders must be reported in your annual compliance report.

The agency as an employer

I ask you as Chairperson of the Board to ensure that FSANZ is a responsible employer, develops a positive work culture, and manages workforce planning including oversight of turnover and retention.

In addition, I would like you to lead FSANZ in a way that it is seen as a good place to work, family friendly and an employer that is inclusive of our diverse community. FSANZ should set high human resource standards and ensure that it is well placed to effectively implement human resource policy equivalent to public sector workplaces.

FSANZ employees shall be aware of, and adhere to, the Public Service Code of Conduct and the PS Act. I ask the Authority to comply with the Australian Public Service Bargaining Framework. As FSANZ employs staff under the PS Act, it is necessary that FSANZ complies with the Australian Government's Employee Bargaining Framework. In addition, in the development of any Enterprise Agreement (EA), it is Government policy that the Minister for Health and Ageing, the Hon Nicola Roxon MP, approves the EA prior to the finalisation of negotiations with staff and consideration (vote) by staff.

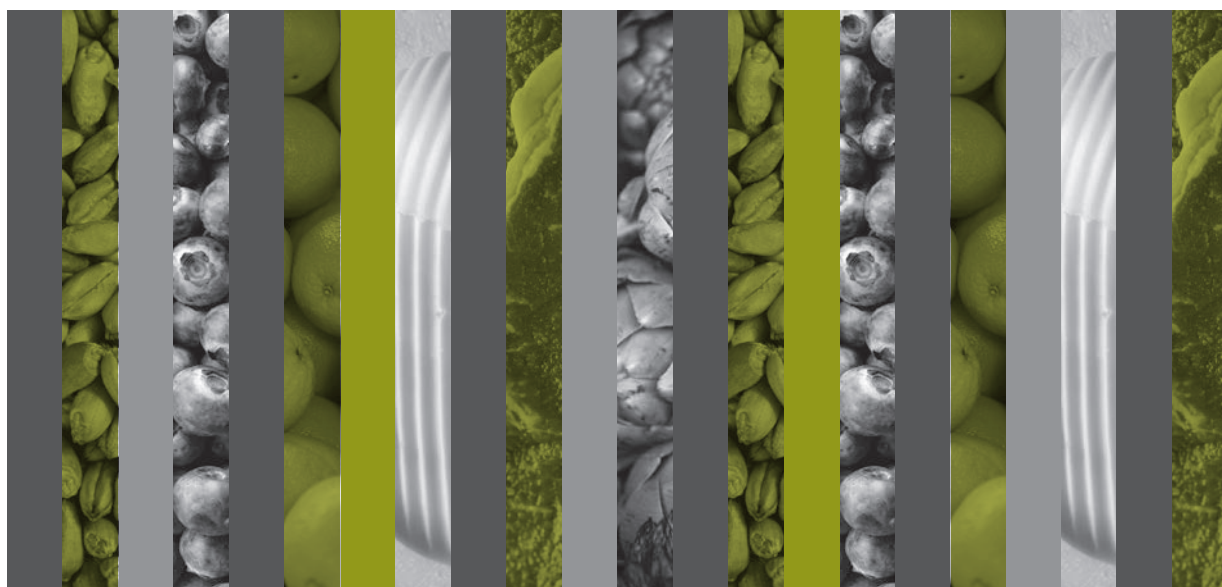
In the interests of transparency, I expect that the FSANZ Statement of Expectation and the Statement of Intent will be placed on the FSANZ website.

I look forward to continuing to work collaboratively with FSANZ to ensure that the current high standards continue into the future. I would appreciate receiving the FSANZ Statement of Intent within the next three months outlining how you plan to achieve the goals, standards and timelines outlined in this Statement of Expectation.

Yours sincerely

Catherine King

OTHER INFORMATION



06

| | |
|----------------|---|
| ABS | Australian Bureau of Statistics |
| ACCC | Australian Competition and Consumer Commission |
| AHS | Australian Health Survey |
| APEC | Asia-Pacific Economic Cooperation |
| APS | Australian Public Service |
| APSC | Australian Public Service Commission |
| ATDS | Australian Total Diet Study |
| BSE | bovine spongiform encephalopathy |
| CEO | Chief Executive Officer |
| COAG | Council of Australian Governments |
| DAFF | Australian Government Department of Agriculture, Fisheries and Forestry |
| FoP | front-of-pack |
| FRSC | Food Regulation Standing Committee |
| FSANZ | Food Standards Australia New Zealand |
| FSN | Food Surveillance Network |
| GM | genetically modified |
| ICT | information and communication technology |
| ILS | Integrated Leadership System |
| INFOSAN | International Food Safety Authorities Network |
| ISFR | Implementation Sub-Committee for Food Regulation |
| MRL | maximum residue limit |
| NHMRC | National Health and Medical Research Council |
| OECD | Organisation for Economic Co-operation and Development |
| PBS | Portfolio Budget Statements |
| THC | tetrahydrocannabinol |
| WHO | World Health Organization |
| WHS | work health and safety |

COMPLIANCE INDEX

The checklist below summarises FSANZ’s compliance with essential reporting requirements in this annual report.

| Topic | Requirement status | Comment | Page |
|--|--------------------|---|-------|
| <i>Commonwealth Authorities and Companies Act 1997 (CAC Act)</i> | | | |
| Timeframe for tabling in Parliament | Yes | Report tabled by 31 October 2013 | 3 |
| <i>CAC Act 1997, Schedule 1—reporting requirements</i> | | | |
| Report of operations | Yes | | 25–66 |
| Financial statements | Yes | Appendix 5 | 126 |
| Auditor-General’s report | Yes | Appendix 5 | 126 |
| Financial statements certification signed by directors | Yes | Appendix 5 | 126 |
| <i>Commonwealth Authorities (Annual Reporting) Orders 2011</i> | | | |
| Approval by directors [Letter of transmittal] | Yes | Letter of transmittal | 3 |
| Exemptions | Nil | | |
| <i>Standards of presentation and content</i> | | | |
| Parliamentary standards of presentation (including printing standards) | Yes | Report is B5, burst bound with a full colour cover and internals that do not exceed two colours | |
| Plain English and clear design | Yes | Report has been redesigned to aid navigability (e.g. improved compliance index) and improve coherence | |
| | | Contents | 4 |
| | | Compliance index | 189 |
| | | General index | 193 |

| Topic | Requirement status | Comment | Page |
|---|--------------------|--|------|
| Enabling legislation and responsible minister | | | |
| The authority's enabling legislation, including a summary of its objectives and functions | Yes | Functions and powers Appendix 6 | 154 |
| Ministerial responsibility | Yes | FSANZ's operating environment: the Hon. Shayne Neumann MP, Parliamentary Secretary for Health and Ageing | 18 |
| Ministerial directions and other statutory requirements | | | |
| Directions issued by the responsible or other minister | Yes | Appendix 13—Statement of Expectation from Parliamentary Secretary | 181 |
| | | Additional work requested by the Council of Australian Governments Legislative and Governance Forum on Food Regulation (the Food Regulation Forum) | 35 |
| Australian Government policies notified under the CAC Act before 1 July 2008 and still applicable | n/a | | |
| General Policy Orders applicable under the CAC Act (s. 48A) | Yes | | |
| Directors | | | |
| Directors' details | Yes | Members of the FSANZ Board are directors of the agency Appendix 11 | 173 |
| Board meeting attendance | Yes | FSANZ Board Appendix 11 | 173 |
| Organisational structure | | | |
| Organisational structure of the authority (including subsidiaries) | Yes | Organisational chart | 21 |
| | | Organisational structure | 83 |
| Location of major activities and facilities | Yes | Organisational chart | 21 |
| | | Organisational structure | 83 |
| | | FSANZ employment profile | 73 |

| Topic | Requirement status | Comment | Page |
|--|--------------------|---|------|
| Statement on governance | | | |
| Board committees and their main responsibilities | Yes | Finance Audit and Risk Management Committee | 91 |
| | | Other advisory committees | 92 |
| Education and performance review processes for directors | Yes | Business planning and management Appendix 11 | 173 |
| Ethics and risk management policies | Yes | Finance Audit and Risk Management Committee | 91 |
| Related entity transactions | | | |
| Disclosure of decision-making process by the Board when approval is given to purchase of goods/services from another entity | n/a | | |
| Disclosure of decision-making process by the Board when a director is also a director of an entity providing goods/ services | n/a | | |
| Disclosure of decision-making process by the Board when aggregate value of transactions exceeds \$10,000 | Yes | Appendix 9 contains details of consultancies over \$10,000, reasons for use and selection process | 164 |
| Key activities and changes affecting the authority | | | |
| Significant events under the CAC Act (s. 15) | Nil | | |
| Operational and financial results | Yes | Appendix 5—Financial statements | 126 |
| Key changes to authority's state of affairs or principal activities | Nil | | |
| Amendments to the authority's legislation and to any other legislation relevant to its operations | Nil | | |

| Topic | Requirement status | Comment | Page |
|--|--------------------|--|------|
| Judicial decisions and reviews by outside bodies | | | |
| Judicial decisions and administrative tribunal decisions | Yes | Administrative and judicial reviews of FSANZ decisions | 14 |
| Reports about the authority by the Auditor-General, a Parliamentary committee, Commonwealth Ombudsman or Office of the Australian Information Commissioner | Nil | | |
| Subsidiaries | | | |
| Explanation on missing information on subsidiaries (if applicable) | n/a | | |
| Indemnities | | | |
| Indemnity for officers, including premiums paid or agreed to be paid | Yes | Insurance | 92 |
| Disclosure requirements for government business enterprises | n/a | | |
| Index | | | |
| Index of annual report requirements | Yes | Compliance index | 189 |
| Other statutory requirements | | | |
| <i>Commonwealth Electoral Act 1918</i> (s. 331A): advertising, market research organisations and advertising campaigns | n/a | | |
| <i>Environment Protection and Biodiversity Conservation Act 1999</i> (s. 516A): ecologically sustainable development | Yes | Sustainable development | 73 |
| <i>Occupational Health and Safety Act 1991</i> (s. 74): health and safety matters | Yes | Employment environment | 79 |
| <i>Work Health and Safety Act 2011</i> (Schedule 2, Part 4): health and safety matters | Yes | Employment environment | 80 |

n/a = not applicable.

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