



FOOD POLICY DEVELOPMENT

CONSULTATION FORUM

30 MARCH 2004

Report

History and Background

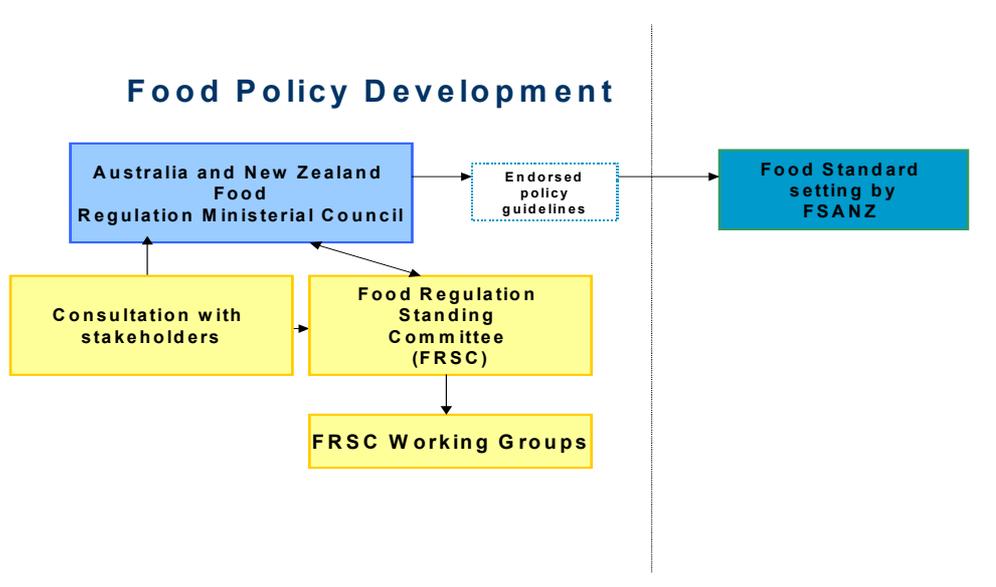
Over the last 8 years, food regulation in Australia and New Zealand has undergone significant change. In 1997, the Prime Minister commissioned a review of the Food Regulation system in Australia, which is known as the “Blair review”. After considering the recommendations made in the Blair review, the Council of Australian Governments signed an inter-governmental Food Regulation Agreement 2000.

This led to a wide number of reforms that resulted in a whole-of-food chain and nationally focused food regulatory system for Australia and New Zealand. The new system came into force in July 2002. It is based upon a strengthening of the partnership between government, consumers and industry, increased Ministerial direction on policy, and a close relationship between Australia and New Zealand in the development of joint food standards.

One of the key changes was the separation of policy decision making from the development of standards. Under the new arrangements, policy guidelines are developed by the Australia and New Zealand Food Regulation Ministerial Council. The Australian Government, States and Territories and the New Zealand Government are represented on this Council. The Food Regulation Standing Committee (comprising public officials from across all jurisdictions) assists the Council by providing advice and developing draft policy guidelines for consideration.

Once approved by the Ministerial Council, then policy guidelines are forward to Food Standards Australia and New Zealand to guide the development of food standards that are ultimately placed in the Food Standards Code.

The new process enables Ministers to consider policy issues at the outset, before standards are made. It also frees up Food Standards Australia and New Zealand to focus on the technical complexities of developing workable standards, that focus on protecting public health and safety. The reforms have created a new culture for policy debate – both within government agencies themselves and in the way that government interacts with the non-government sector.



Food Policy Development Consultation Forum

Introduction

As part of the implementation of the reforms to the food regulatory system, the Food Regulation Standing Committee endorsed a communication strategy to inform stakeholders about the new system. A stakeholder Consultation Forum was one of the components of the strategy. The Food Regulation Standing Committee agreed that the aims of the Forum were to:

- increase public awareness of food policy issues and how the food regulatory system operates; and
- enable stakeholders to provide views on the policy guideline development process, and to build relationships between stakeholders and those developing policy.

The Food Policy Consultation Forum was held on 30 March 2004 in Canberra. The Parliamentary Secretary to the Minister for Health and Ageing, the Hon Trish Worth MP, officially opened the Forum.

The Forum was attended by 75 stakeholders representing the following groups:

Consumer	2 participants
Food Industry	20 participants
Government	37 participants
Public Health	11 participants
Therapeutic Industry	4 participants
Others	1 participant

(See **Attachment 1** for the complete list of participating organisations.)

An independent consultant was engaged to facilitate discussion at the Forum.

Context and Purpose of this Report

This report provides an outline of the general themes and the specific issues that arose during the course of the Forum, and makes no judgements about their feasibility or acceptability. It is important to note that this report does not assume that all Forum participants were in agreement with all of the issues raised during the Forum. Rather, this report outlines the range of issues discussed.

Following circulation to Forum participants and interested parties, the report will be provided to the May 2004 meeting of the Australia New Zealand Food Regulation Ministerial Council for consideration. It will also be used by the Food Regulation Standing Committee and

New Zealand, Australian and State and Territory Governments to inform ongoing improvements to the food policy development processes that guide the regulation of our food supply.

General Themes/Issues

Initial feedback from participants indicates that the Forum achieved its broad objectives by providing:

- an environment for stakeholders to provide feedback and comments on both the food regulatory system as a whole and on the policy development process;
- information to assist participants in broadening their understanding of the policy development process; and
- opportunity for stakeholders to meet face to face with individuals involved in the policy development process as well as meet fellow stakeholders, and hear a wide range of views.

Specific Issues

The Forum discussions identified a number of key areas for improvement in the policy development process:

Improved Access, Communication and Transparency

- Stakeholders requested a more formalised process for stakeholders to raise issues of concern and get them onto the Australia New Zealand Food Regulation Ministerial Council work program. Some stakeholders expressed concern about a consultative council not being established. The reasoning for this decision were explained with Ministers agreeing to an adaptable approach to consultation that has flexibility to more appropriately reflect the complexity or sensitivity of a given policy topic.
- Stakeholders desire better access to regularly updated information on what policy guidelines have already been developed and what policy guidelines are under development (and associated timelines). Stakeholders also requested 'early warning' of issues of interest so that they can improve their capacity to provide timely input to the policy development process.
- Stakeholders generally considered that individual submissions made in response to public discussion papers, together with a Summary Report, should be made widely available on the Food Regulation Secretariat website.
- Stakeholders considered that the composition of expert advice/advisory groups to inform policy development should be balanced and transparent, with expertise sourced widely. Requests were made for more information on how and when the decision to employ outside expertise is made and on what basis.

- Stakeholders thought that there is a need for increased/improved feedback throughout the policy development process on progress with developing policy guidelines. In particular, stakeholders are seeking information on how stakeholder views are being taken into account in the policy development process.
- Stakeholders also thought there is a need for non-government working group members to be better informed of progress with the development of policy guidelines after the group has completed its task, and throughout the remaining process. For example, where non-government members are directly involved in developing/drafting a specific policy guideline, they would like to be kept informed of progress with finalising the guideline.

Improved Access to the System/Balancing Competing Interests

- There was acknowledgment that the quality of discussion papers on policy options has improved over time, with a need to continue this improvement in the future.
- Some stakeholders sought increased and wider involvement of public health groups in all processes associated with policy guideline development.
- The need to address issues of common interest between food policy and other sectors, for example medicines, was also raised.
- Stakeholders requested information on how the competing interests of stakeholders influence decision making in the policy development process.
- Stakeholders considered there is a need to ensure that all views are considered in the decision making process, and to widely communicate the reasons for decisions.
- Public policy discussion papers should include realistic options only, in preference to the full range of 'theoretical' options.

Resources

- There were requests for increased resourcing, (for example for sitting fees and airfares), to allow increased and/or improved input and participation in the policy development process by not-for-profit groups;
- The need for Governments to employ additional staff to work on policy issues, to improve the timeliness of policy development was raised. Stakeholders recognised that the work of existing staff is of a high quality.
- There was strong support for resources to be committed for a further National Nutrition Survey, to provide up to date evidence on food consumption patterns.

Conclusion

Since the commencement of the new food regulatory system in July 2002, the implementation of procedures to direct the process for developing quality policy guidance continues to evolve. With the benefit of experience and the lessons learned from the development of each policy guideline, improvements can continue to be made.

The Food Policy Consultation Forum represents a significant milestone. It is the first opportunity that stakeholders have had to get together and comment on the process for developing policy to guide the regulation of our food supply. The Forum has provided valuable feedback to those responsible for advising government on policy development. It has also enabled the various food regulation stakeholders to learn from each other's differing, and sometimes competing perspectives.

The next opportunity for stakeholders to comment on the policy development process will be during the review of the Consultation Mechanism. In 2003, the Ministerial Council endorsed an adaptable approach to consultation for the development of food policy that is referred to as the consultation mechanism. At the time of endorsing the consultation mechanism, the Ministerial Council specified that it should be reviewed in 12 months. Plans for this review are underway, and it is expected that the review will commence around the middle of this year. Stakeholders will be invited to participate in the review.

Next Steps

Following circulation to Forum participants and other interested parties, this report will be considered by the Australia New Zealand Food Regulation Ministerial Council in May 2004. It will also be used by the Food Regulation Standing Committee, the body providing advice on policy issues to the Ministerial Council, and the Governments of Australia, New Zealand and the States and Territories, to inform ongoing improvements to the policy development processes.

The report can also be accessed through the Food Regulation Secretariat website on www.foodsecretariat.health.gov.au

List of participating organisations

Advertising Standards Authority Inc
 Australasian Soft Drink Association
 Australian Capital Territory Department of Health and Community Care
 Australian Chamber of Commerce and Industry
 Australian Competition and Consumer Commission
 Australian Consumers' Association
 Australian Division of General Practice
 Australian Food and Grocery Council
 Australian Government Department of Agriculture, Fisheries and Forestry
 Australian Government Department of Health and Ageing
 Australian Government Department of Industry Tourism and Resources
 Australian Government Department of Prime Minister and Cabinet
 Australian Hotels Association
 Australian Local Government Association
 Australian Medical Association
 Australian Self Medication Industry
 Australian Society of Clinical Immunology and Allergy
 Avcare
 Commercial Radio Australia
 Confectionery Manufacturers of Australasia
 CSIRO National Flagships Research Program
 Dairy Australia
 Dairy Australia's Nutrition Communications
 Dairy Food Safety, Victoria
 Department of Health Queensland
 Department of Health Western Australia
 Department of Human Services Victoria
 Department of Primary Industries
 Diabetes Australia
 Dietitians Association of Australia
 Food and Beverage Importers Association
 Food Liaison Pty Ltd
 Food Standards Australia New Zealand
 Food Technology Association of Victoria
 Food Standards Australia New Zealand and Board Members
 George Weston Technologies
 Heinz Company – Asia Pacific Region
 Kadac Pty Ltd
 Medicines Australia
 National School Canteen Association
 New Zealand Food Safety Authority
 NSW Meals on Wheels
 Nutrition Australia
 Private Practitioner and Nutritionist
 Public Health Association at Australia
 Restaurant and Catering Australia
 Restaurant and Catering Queensland
 Safefood Production NSW
 Sanitarium Australia
 Seafood Services Qld
 Therapeutic Goods Advertising Code Council
 Therapeutic Goods Administration