



Moving Forward

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Key events since the last forum:

- Amendments to the *Food Standards Australia New Zealand Act 1991*
- Review of the Food Regulation Agreement
- Review of the Joint Food Standards Treaty with New Zealand



Inter-governmental agreement

- COAG inter-governmental agreement signed in 2000.
- The Food Regulation Agreement amended in 2002, established the ANZFR Ministerial Council.



Reviews have identified a number of issues, including:

- Governance arrangements;
- Time taken to develop standards; and
- Issues with food safety programs, country of origin labelling, imported food products and food type dietary supplements.



FSANZ Act Amendments

- FSANZ Act sets out the mechanism for the development of food standards.
- Experience with the system, and a review, identified strengths and weaknesses.
- This led to a number of amendments to the FSANZ Act.



FSANZ Act Amendments

- The Amendments included:
 - Reforming the assessment and consultation process;
 - Harmonising assessment processes for applications and proposals;
 - Allowing for the alignment of policy setting and standard development;
 - Aligning the processes of the APVMA and FSANZ for the setting of MRLs;



FSANZ Act Amendments

- Recognising potential need for urgent standards due to unforeseen negative trade impacts;
- Removal of the Ministerial Council's ability to seek a second review (subject to amendments to the Treaty); and
- Creation of a process for expert scientific assessment of future high level health claims.



FSANZ Act Amendments

- A Key outcome of the amendments is the removal of the 'one size fits all' approach to assessments.
- There are now 3 different assessment types – minor, general, and major – each with defined time limits.
- Most applications will now take only 9 months, down from 16 months.



Review of the Joint Food Standards Treaty between Australia and New Zealand

- A review was conducted between January 2006 and October 2007.
- Significant comments from stakeholders



Review of the Joint Food Standards Treaty

- Key strengths include:
 - Increased international competitiveness;
 - A stronger voice for both countries internationally;
 - Harmonisation of food standards;
 - Transparency by FSANZ;
 - Rigorous standards; and
 - Clear focus on the protect of public health.



Review of the Joint Food Standards Treaty

- Issues identified:
 - A number of standards that are not harmonisation (eg Country of Origin Labelling, dietary supplements);
 - A need to articulate the process and purpose of a review in instances where New Zealand opts out;
 - Inconsistencies between the grounds for which separate standards may be developed and for instances where New Zealand may opt out; and
 - Potential issues arising from temporary standards.



Food Regulation Agreement Review

- Stage 1
 - Re-drafting of the FRA to reflect the current status of the system, and reflect amendments to the FSANZ Act.
 - Updated FRA signed by COAG on 3 July 2008.
- Stage 2
 - Consideration of further changes to the FRA.



Food Regulation Agreement Review

- The review identified a number of issues, including:
 - Better governance, efficient process and increased transparency;
 - Improving consistent implementation and enforcement of food standards; and
 - Legislative reform to simplify the system.



Food Regulation Agreement Review

- In March 2008, COAG agreed to add food regulation to its de-regulation agenda.
- This is being managed by the BRCWG, chaired by the Minister for Finance and Deregulation.
- Specific task: *To report on options for reducing the regulatory burden on businesses and not-for-profit organisations, without compromising public health.*



Conclusion

- Key events since the last forum:
 - Amendments to the FSANZ Act.
 - Review and amendments to the Food Regulation Agreement.
 - Review of the Joint Food Standards Treaty with New Zealand.
- Ongoing work:
 - Consideration of further amendments to the FRA.
 - BRCWG to consider de-regulation opportunities.

