



13 September 2012

Project Officer Application A1043
Food Standards Australia New Zealand
PO Box 10559
The Terrace
WELLINGTON 6036

FS350-117-1043

Dear Sir/Madam

Application A1043 – World Health Organization Limits for Packaged Water – Call for Submissions

Thank you for the opportunity to comment on this application. The Ministry for Primary Industries (MPI) has the following comments to make.

MPI supports Option 2, that is to adopt limits for substances in packaged water that have been established by the World Health Organization (WHO) for drinking water, and the proposed lower level for fluoride of 1.0 mg/L and a higher level for styrene of 0.03 mg/L. MPI notes that the proposed level for fluoride is consistent with the current permission for the addition of fluoride to packaged water and the target range set by the New Zealand Ministry of Health. The proposed level for styrene is consistent with limits already established for styrene in the New Zealand and Australian drinking water standards and the maximum permitted level for packaged water under clause 11 of Standard 1.3.3 (Processing Aids).

However, MPI believes that the Approval Report could contain further information and comment on impacts of the new MLs on existing products on the market, particularly relating to the fluoride levels. This information might be provided in submissions, and/or provided in response to the WTO notification (as referenced in section 3.4.2 of the 'Call for Submissions' report).

Transition period


MPI notes that the Commencement date proposed in the 'Call for Submissions' report is three years from gazettal, and then that the normal one year stock in trade provision would apply. We understand this to mean that industry must comply with the new provisions on and after the commencement date (estimated to be some time in 2015). We also understand that this does not prohibit compliance during the three year period before this date, provided that such compliance does not otherwise contravene any other Standard in the Code.

It is therefore four years from gazettal, before the new provisions must be complied with. MPI considers that industry should be allowed to comply with the new provisions, or the current Code, in the transition period. This would allow industry the ability to truly transition to the new arrangements. It is likely that industry would expect such a transition arrangement to be in place, and may not understand the consequences of the Commencement date of 2015, as currently proposed.

Attachment B to the 'Call for Submissions' report

Section 1, third paragraph appears to contain some additional words that are not needed (i.e. 'to institute')

Yours sincerely


Manager Food Science and Risk Assessment