

The Queensland Government has presented a submission to irradiate tomatoes and capsicums as a response to the withdrawal of the post harvest treatment of dimethoate and fenthion and the impact this ban will have on the Victorian and New Zealand markets. The Queensland Government has responded to the pressures of Steritech and the New Zealand Fruit Importers Association.(NZFIA) without assessing the range of alternative treatments. I contend that this submission is flawed and should be rejected.

Steritech stands to gain a monopoly market share because it owns all the irradiation processing plants in Australia. The NZFIA has in place an irradiation enabling protocol which would fast track acceptance from the New Zealand Government and it has an established market in imported irradiated mangoes and litchis which it states has prior consumer approval.

The arguments in this submission intend to show that the QLD Government submission is market and industry driven and ignores principles enshrined in the Codex Alimentarius, at the detriment of consumer safety and the nutritional value of capsicums and tomatoes. This submission will only focus on the dangers of irradiating tomatoes because the market is far larger than the capsicum market and it has the potential to have a greater adverse effect on the nutritional health of Australian and New Zealand consumers because it is a staple food of both national diets.

The Codex Alimentarius (*the international general standard covering irradiated foods which was adopted by the Codex Alimentarius Commission, a joint body of FAO, WHO. The findings are based on the work of the Joint Expert Committee on Food Irradiation convened by FAO, WHO and the International Atomic Energy Agency and American Dietetic Association*) states categorically that any phytosanitary or chemical treatment of food must take into account the impact it has on the daily dietary requirements if it is a major food source. The Queensland Government submission ignores this cautionary principle. The conflation of persimmons and litchies with the consumption of tomatoes is spurious because tomatoes are a major food source while persimmons and litchis are exotic and optional dietary supplements. Therefore there is a greater duty of care to be more stringent in assessing any harmful irradiation health effects.

. Portions of the QLD Government application have been reproduced from the application A1038, "Application to amend Standard 1.5.3 Irradiation of Food of the Food Standards Code to include persimmon (*Diospyros kaki*) using irradiation as a phytosanitary measure" previously submitted. A1038 has been challenged in the High Court by Gene Ethics Australia as a seriously flawed change in FSANZ regulatory protocols. Gene Ethics has accused FSANZ of using the persimmon application to change the whole labeling regime of the irradiation of food. The High Court has ruled that the Notification Circular sent out by FSANZ was in fact, misleading although clarification was made in the full document displayed in a separate electronic link.

No awarding of costs was made against Gene Ethics so it can be plausibly assumed that the High Court found the Complaint non-defamatory of intent and non-trivial in content when it handed down its judgement. *However it must be stressed that non-government organizations like Gene Ethics or members of the public should not be burdened with the responsibility of challenging the probity of FSANZ's regulatory processes..*

The Queensland Government submission states "some consumers are likely to always reject irradiated foods and want to avoid consuming them. The mandatory labeling requirements of Standard 1.5.3 will ensure that consumers are informed that the food has been irradiated and they can make informed choices." While this is laudatory and most likely a response from pro-labeling advocates such as Friends of the Earth and Gene Ethics, it *does not* address the health effects of the irradiation of tomatoes, with or without labeling. Apart from the necessary labeling of these products we do not want to be forced into purchasing our tomatoes from an expensive niche market in order to buy an important staple food which we can be assured is healthy and nutritionally adequate and labeled "not irradiated".

The Queensland Government submission recognises "that some significant irradiation dose by time interactions and time effects were found in tomatoes and capisicums but the impact of time in storage generally affected the chemical components more than the irradiation itself." It must be noted that irradiation was first used to prolong shelf life before it was used as a phytosanitary procedure, so the statement that storage effects and irradiation effects were irrelevant, begs the question, because they have not been sufficiently isolated to make a definitive evaluation

Since the Codex Alimentarius was amended in 1981 to incorporate new scientific evidence identifying unique radiolytic compounds created by the irradiation of food there has been no scientific consensus on the relative harm caused by irradiation. The recent findings on the effects of alkyl- cyclobutanones (ACBs) and dodecyl-cycobutanones (DCBs) and the discovery of lyopcene in tomatoes has added a whole new area of controversial research. Lyopene, the chemical that makes the tomato skin red has been purported to have a therapeutic effect on prostate cancer in men. This finding has created a great deal of interest in the scientific community and brought the issue of radiation effects to public attention. The effect it will have on the consumer acceptance of irradiation remains to be seen.

Although market contingencies and economies of scale should not be advanced to the detriment of consumer health and nutrition, FSANZ as the government regulator, could encourage the Queensland Government to seek alternatives that could achieve economies of scale if given government sponsorship and seed funding. As consumers, we do not want to be faced with the onerous choice of toxic chemical residues in our food caused by dimethoate and fenthion or unknown cytogenic hazards caused by irradiation.

Irradiation is still a contentious issue and it will remain so until the public is given reliable, factual information, without spin, misappropriation of obscure research or biased risk assessments by vested interests.

