

19 December 2012

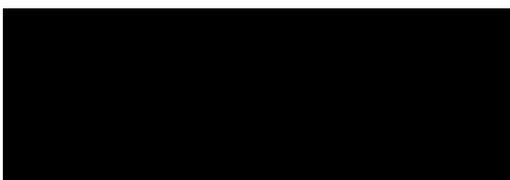
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Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the Call for Submissions for **Application A1074** *Minimum L-histidine in Infant Formula Products*.

Yours sincerely



Katherine Rich  
**Chief Executive**

**Food Standards Australia New Zealand**  
**APPLICATION A1074 MINIMUM L-HISTIDINE IN INFANT FORMULA PRODUCTS**

**Call for Submissions**

**19 December 2012**

The New Zealand Food & Grocery Council (the “NZFGC”) welcomes the opportunity to make a submission on *Application A1074 Minimum L-histidine in Infant Formula Products*.

**New Zealand Food & Grocery Council**

The NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. Collectively this sector generates \$28.7 billion in the New Zealand domestic retail food, beverage and grocery products market and \$26.3 billion in export revenue from exports to 183 countries. Food and beverage manufacturing is the largest manufacturing sector in New Zealand representing 46% of total manufacturing income and 34% of all manufacturing salaries and wages.

Food and beverage manufacturing and wholesaling in New Zealand directly employs 104,160 people (5% total employment) and, when taking the wider food and beverage value chain (including farming and food retailing/foodservice) into account, employment soars to 344,820 in 85,252 enterprises. This represents around one in five people employed in our country.

No matter how you look at it, the New Zealand food, beverage and grocery sector makes a substantial contribution to the New Zealand domestic economy, to our exports and to the general economic well-being of the country.

**Application A1074**

The NZFGC understands that the application is for a decrease in the L-histidine level in infant formula on the basis that: there is no safety issue with a decrease; the decrease would provide alignment of the Australia New Zealand Food Standards Code (the Food Standards Code) with Codex and the EU; and the decrease would remove trade barriers that currently exist between Australasia and the EU and the 185 member countries of Codex.

**Comments**

The NZFGC supports the conclusion reached by FSANZ that would see the Food Standards Code amended to reduce the minimum level of L-histidine in infant formula products from 12mg/100kJ to 10mg/100kJ.

***Changing the level***

Nestlé Australia Ltd and Nestlé New Zealand Ltd (Nestlé) have proposed that the minimum requirement for the essential amino acid, L-histidine, in infant formula and follow-on formula be reduced. The current requirement for L-histidine in infant and follow-on formula, as stated

in the Table to Clause 22 in Standard 2.9.1 of the Food Standards Code, is a minimum of 12mg/100kJ.

### ***International comparisons***

The current L-histidine requirement in the Food Standards Code is higher than the requirements in both Codex and the EU and as such, represents a trade barrier, which could potentially be cause for concern for continual supply of some products for this vulnerable population group.

### ***Safety***

Evidence demonstrates that the proposed minimum level of 10mg/100kJ of L-histidine is safe and will promote normal growth and development in infants. This level is used throughout the EU and in Codex-compliant countries. There are no known reports of inadequate normal growth and development due to insufficient L-histidine in any of these countries.

The amino acid minimum requirements in the Food Standards Code are based on the breast milk composition findings from a 1989 FAO/WHO commissioned Expert Consultation on Protein Quality Evaluation. In 2004, the FAO/WHO commissioned a report from the ESPGHAN International Expert Group to provide a proposal on nutrient levels in infant formula, based on scientific analysis. The recommendations from this report<sup>1</sup> concerning amino acid minimum levels were adopted into Annex I of the Codex Standard on Infant Formula<sup>2</sup> as revised in 2007. This included the requirement for L-histidine levels to be 41mg/100kcal (9.8 mg per 100kJ) based on the mean of human milk studies.

### ***The proposal***

It is proposed that a level of 10mg/100kJ apply in the Food Standards Code in future. This would more closely align the Food Standards Code with Codex and EU levels. The key reason for proposing this change is that the applicant, Nestlé, sources infant and follow-on formula for the Australian and New Zealand markets from Europe. The different L-histidine requirements results in additional costs and a risk of continual supply into the market, particularly for products for the most vulnerable infants such as those with medical conditions. While these products represent a small part of the total formula market in Australia and New Zealand, harmonised L-histidine requirements would allow the same recipe to be used for these markets and for Codex-compliant and EU markets.

### ***Conclusion***

In the absence of safety concerns, and to better align the Food Standards Code with international levels for L-histidine, the NZFGC supports the amendment to the Food Standards Code that would reduce the level of L-histidine to 10mg/100kJ.

### ***References***

Koletzko B, Baker S, Cleghorn G, Neto UF, Gopalan S, Hernell O, Hock QS, Jirapinyo P, Lonnerdal B, Pencharz P, Pzyrembel H, Ramirez-Mayans J, Shamir R, Turck D, Yamashiro Y, Zong-Yi D “Global standard for the composition of infant formula: recommendations of an ESPGHAN coordinated international expert group”. *Journal of Pediatric Gastroenterology and Nutrition* 2005, 41(5):584–599

*Standard for infant formula and formulas for special medical purposes intended for infants: CODEX STAN 72 – 1981, Revised 2007.* Codex, 2011

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<sup>1</sup> Koletzko et al 2005

<sup>2</sup> CODEX STAN 72-1981, Revised 2007

