

30 September 2015

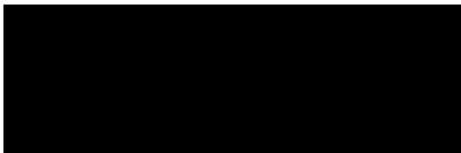
Project Manager
Food Standards Australia New Zealand
PO Box 10559
The Terrace
Wellington 6143
NEW ZEALAND

Email: standards.management@foodstandards.gov.au

Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the ***Application A1100 Maximum Permitted Level of Acesulphame Potassium in Chewing Gum.***

Yours sincerely



Katherine Rich
Chief Executive

Food Standards Australia New Zealand

CALL FOR SUBMISSIONS – APPLICATION P1100: MAXIMUM PERMITTED LEVEL OF ACESULPHAME POTASSIUM IN CHEWING GUM

1 October 2015

The New Zealand Food & Grocery Council (the “NZFGC”) welcomes the opportunity to comment on the ***Application A1100 Application A1100 Maximum Permitted Level of Acesulphame Potassium in Chewing Gum***.

New Zealand Food & Grocery Council

NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. This sector generates over \$34 billion in the New Zealand domestic retail food, beverage and grocery products market, and over \$28 billion in export revenue from exports to 185 countries – some 61% of total merchandise exports. 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. Our members directly or indirectly employ 370,000 people – one in five of the workforce.

The Application

Permission is being sought to increase the Maximum Permitted Level (MPL) of the intense sweetener food additive acesulphame potassium (Ace K), in chewing gum to 5000 mg/kg. Schedule 15 – Food Additives, in the revised Code, permits Ace K in chewing gum at a maximum level of 2000 mg/kg.

The application does not impact on the requirement to adhere to the ‘unity principle’ which limits the overall amounts of additives (in this case sweeteners) in a food when two or more are used for the same technological purpose.

Comments

NZFGC notes that Ace K (INS 950) is a food additive with technological purposes as an intense sweetener and flavour enhancer and that it has been a permitted food additive in the Code for many years, in a wide range of food categories at a range of levels. These food categories (a full list is at Attachment A) include a range of specialty milks, ice cream, preserved fruits and vegetables, spreads including jams and chutneys, confectionery, flour products (including noodles and pasta), biscuits, cakes and pastries, fruit and vegetable juice products, electrolyte drinks, brewed soft drinks, coffee, tea, herbal infusions, custard powder, jelly, desserts, dips, snacks, sauces, toppings, soups and a range of special foods including sports foods and foods for special medical purposes.

In many foods, as with chewing gum, a blend of sweeteners is often used to meet the flavour and desired format profile. In the case of chewing gum, the application of the ‘unity principle’ is not changing and therefore the total amount of sweeteners in chewing gum will not change. The change proposed is to the mix of sweeteners.

For intense sweeteners in chewing gum, the ‘unity principle’ requires that the maximum amount of each additive is proportional to its maximum permitted level (MPL), with the sum of the proportions of all the additives not exceeding 1. With an MPL of 2000mg/kg, the allowable

proportion of Ace K in chewing gum in Australia and New Zealand is less than that permitted by our main trading partners. The level has therefore become a trade barrier.

FSANZ noted the Acceptable Daily Intake (ADI) of 0–15 mg Ace K per kg bodyweight established by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) was a suitable health-based guidance value to compare with estimated dietary exposure. FSANZ then conducted a dietary exposure assessment and found that the additional dietary exposure resulting from the proposed increase in the MPL for Ace K in chewing gum was well below the acceptable ADI levels for consumers of 15 mg/kg bw.

FSANZ found that the contribution to total Ace K dietary exposure for Australian and New Zealand populations from confectioneries (i.e. chewing gum, lollies, chocolate etc), was 7-10% for the Australian - New Zealand population compared to the contribution of Ace K from non-alcoholic beverages (including carbonated soft drinks, cordial and fruit drinks - 61% - 82%) and flavoured yoghurts and mousses (<5% - 22%). An increase in the MPL for Ace K in chewing gum might be expected to increase the percentage contribution to total estimated Ace K dietary exposure from chewing gum by a limited amount depending on its share of the chewing gum market, with a subsequent small decrease in percentage contribution from all other foods.

Oral care benefits of sugar free gum are supported by dental associations worldwide including New Zealand¹, Australian², British³, Canadian⁴, and USA⁵.

A number of health claims have been approved for the relationship between sugar-free chewing gum and dental hygiene including Health Canada (<http://www.hc-sc.gc.ca/fn-an/label-etiquet/claims-reclam/assess-evalu/gum-gomme-dental-carie-dentaire-eng.php>), European Food Safety Authority (<http://www.efsa.europa.eu/en/efsajournal/pub/1775>) and FSANZ (Standard 1.2.7, Schedule 3).

Sugar-free chewing gum provides greater consumer choices for those consumers on low calorie diets and with diabetes. Increasing the level of Ace K will increase the range of sugar free gums available in Australasia.

The proposed increase will also support industry growth and innovation and will align with international standards. Codex Alimentarius, Canada and Japan all permit Ace K in chewing gum to 5000mg/kg, the USA permits addition in accordance with GMP and the level in the EU is set at 2000mg/kg but without the unity principle applying. Increasing the level of Ace K would remove the trade barrier.

In the absence of public health and safety concerns associated with the proposed increase in the MPL for Ace K in chewing gum, and the above benefits including the international recognition of those benefits, NZFGC therefore supports the proposed increase.

¹ <https://www.nzda.org.nz/pub/index.php?id=98>

² http://www.ada.org.au/app_cmslib/media/lib/1301/m477316_v1_seal%20of%20approval%20guidelines.pdf

³ <https://www.dentalhealth.org/tell-me-about/topic/caring-for-teeth/sugar-free-chewing-gum>

⁴ https://www.cda-adc.ca/en/oral_health/seal/products/

⁵ <http://www.mouthhealthy.org/en/az-topics/c/chewing-gum>

References

Al-Haboubi M, Zoitopoulous L, Beighton D, Gallagher J (2012). The potential benefits of sugar-free chewing gum on the oral health and quality of life of older people living in the community: a randomized controlled trial. *Community Dent Oral Epidemiol* 2012. Oct;40(5):415-24. doi: 10.1111/j.1600-0528.2012.00685.x. Epub 2012 Apr 26.

European Food Safety Authority (2010). Scientific opinion on the substantiation of a health claim related to sugar-free chewing gum and reduction of tooth demineralisation which reduces the risk of dental caries pursuant to Article 14 of Regulation (EC) No 1924/20061. EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA) *EFSA Journal* 2010;8(10):1775

Sharma N, Galustians J, Qaqish J (2001). An evaluation of a commercial chewing gum in combination with normal toothbrushing for reducing dental plaque and gingivitis. *Compend Contin Educ Dent* 2001 Jul;22(7A):13-7.

Attachment A**Foods permitted to include added Ace K in Australia and New Zealand**

- Liquid milk to which phytosterols, phytostanols or their esters have been added
- Fermented milk products and renneted milk products
- Ice cream and edible ices
- Fruits and vegetables in vinegar, oil, brine or alcohol
- Commercially sterile fruits and vegetables in hermetically sealed container
- Fruit and vegetable spreads including jams, chutneys and related products
- Confectionery
- Flour products (including noodles and pasta)
- Biscuits, cakes and pastries
- Tabletop sweeteners
- Formulated meal replacements
- formulated supplementary foods and special purpose foods for the purposes of Standard 2.9.6
- Formulated supplementary sports foods
- Food for special medical purposes
- Fruit and vegetable juice products
- Low joule fruit and vegetable juice products
- Electrolyte drink and electrolyte drink base
- Brewed soft drink
- Formulated Beverages
- Coffee, coffee substitutes, tea, herbal infusions and similar products
- Custard mix, custard powder and blancmange powder
- Jelly
- Dairy and fat based desserts, dips and snacks
- Sauces and toppings (including mayonnaises and salad dressings)
- Soup bases (the maximum permitted levels apply to soup made up as directed)