

Application A1178

AOAC 2017.16 as a method of analysis for total dietary fibre

Call for Submissions

Submission

Summary

NSW appreciates the opportunity to comment on Application A1178 – AOAC 2017.16 as a method of analysis for total dietary fibre (DF).

NSW is unable to support the options identified by FSANZ in the 1st call for submissions (CFS) and suggests that FSANZ consider another option. This option is to accept the method but require foods containing synthetically made Galacto-Oligosaccharides (GOS) added as a separate ingredient to food to subtract the GOS component from the DF score.

This is considered an appropriate balance between realising the benefits of AOAC 2017.16 but not artificially elevating DF values in foods, where GOS has been intentionally added as an ingredient.

NSW also suggests that FSANZ consider a review of the definition of DF in the Code and the methods approved to measure DF as part of a future proposal as it is clear there is significant divergence between international jurisdictions on this subject as well as divergence from Codex.

NSW would further appreciate advice from FSANZ on the current trade benefits offered by acceptance of AOAC 2017.16 as it is understood that no international jurisdiction or Codex has approved its use. If this method were to be approved is FSANZ aware of trading partner acceptance of this method of analysis for DF in exported food products? NSW understands it is not-approved by Codex or the US, EU or Health Canada. Given the current lack of international acceptance of this method would industry be capable of exporting product where DF has been measured using this method? NSW considers this important so the current trade benefit provided by this method may be accurately characterised in the approval report.

Option 4 – a new option

NSW suggests a new option for FSANZ consideration to balance the benefits of a 'one-size fits all' DF analysis method with ensuring that substance measured as DF comply with the physiological benefits required by the definition of DF in the Code. NSW considers this an important caveat as domestic product or product imported

into Australia is affected so compliance with the definition of dietary fibre (DF) in the Code is legally important to facilitate consistent interpretation of the Code as well as provide consumers with accurate information.

Subtraction of synthetically produced GOS intentionally added as an ingredient to food for sale from DF calculations is proposed as a compromise between complete restriction of AOAC 2017.16 from foods containing any GOS (including naturally occurring levels) and use of the method with no restrictions.

NSW notes that GOS is being added to some foods as an ingredient for a prebiotic purpose. Addition in this context is providing industry with a marketing benefit so it seems reasonable to suggest that inadvertent benefits (inflation of DF values) provided by intentional addition of GOS are counter-balanced to ensure consumers are provided with accurate information on purchased foods.

FSANZ has conducted a robust analysis in SD2 of GOS and has concluded that it does not demonstrate the 3 physiological effects required to comply with the definition of DF in the Code. NSW notes that raffinose, stachyose, verbacose and ajugose all have degrees of polymerisation (DP) > 2 and synthetic analogues of GOS produced from lactose have a DP < 8. In foods with added GOS all polymers with a DP > 2 would be counted as DF by AOAC 2017.16. NSW considers it appropriate that where GOS is added as an ingredient, these non-DF GOS fractions are subtracted from the total DF values so DF information provided to consumers is accurate.

This option could be accommodated by a simple addition to the proposed variation to the Code in Schedule 11 precluding the use of AOAC 2017.16 from foods where GOS is intentionally added to foods as an ingredient and is listed in the statement of ingredients.

NSW does not consider the argument posed concerning underestimation of DF values through errors in Fructo-Oligosaccharides (FOS) concentration through other existing DF methods in the Code as justification to permit a method that over-estimates DF values. Over-estimation of DF values, where an added ingredient creates the error creates greater potential for consumer misinformation as it is linked to other areas of the Code beyond scope of A 1178 – e.g. nutrient content claims. Under-estimation of DF values does not create this concern.

NSW further does not consider reference to an existing method in the Code (AOAC 2001.03) for DF measurement that also over-estimates DF concentration due to GOS components as sufficient reason to preference Option 3 in the call for submission paper. This method was introduced many years ago and the addition of GOS to foods at this time was mostly for preservative purposes. Uses of GOS in food has increased since this time, especially for functional purposes (e.g. prebiotics, sweetener, bulking agent). NSW suggests that adoption of a new method in the Code should consider the current marketing context of GOS as a food ingredient and its uses in foods. Examples of relevant products are nutrition bars or meal replacement shakes. NSW would appreciate advice from FSANZ in the approval report whether it has considered the use of GOS in these contexts in its advice in the 1st CFS.

Review of the definition of dietary fibre and analytical methods for dietary fibre in the Code.

The detailed explanation of dietary fibre definitions in the Code, Codex and in other international jurisdictions highlights there is international ambiguity in this area. This extends to the DP required for substances to be physically capable of claiming to be DF as well as to the physiological benefits of such substances.

NSW notes that such an examination is beyond the scope of A 1178 but information provided in the 1st CFS and its supporting documents suggests that a review and 'tidy-up' of this section of the Code would be prudent for consumer information purposes as well as for industry clarity on appropriate and contemporary methods of analysis for DF measurement.

Quantification of current trade benefits realised by acceptance of AOAC 2017.16

NSW would appreciate greater clarity in the approval report on potential trade benefits that could be realised by Australian foods containing GOS declared as DF if neither Codex, US-FDA, EU or Health Canada are yet to recognise AOAC 2017.16 as an approved method. Does this lack of international approval potentially raise a trade barrier for exported foods should they use AOAC 2017.16 to calculate DF?

This further raises a question on imported foods compliance. Is FSANZ aware of imported foods containing GOS where this is included in the calculated DF expressed on the label of the food? Given FSANZ conclusion in SD 2 that GOS does not comply with the Code definition of DF, are these foods non-compliant with the Code? NSW would appreciate some clarity in the approval report on this matter.

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.