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14 September 2005

Submission Proposal P298 – Benzoate and Sulphite Permissions in Food  
Food Standards Australia New Zealand  
PO Box 10559  
The Terrace  
Wellington

Dear Sir/Madam,

Please find enclosed a submission from the Beer Wine and Spirits Council of New Zealand in response to Proposal P298 – Benzoate and Sulphite Permissions in Food.

The Beer Wine and Spirits Council of New Zealand (BWSC) represents the non-commercial interests of New Zealand's two leading drinks companies, [REDACTED]. These companies make up the majority of the New Zealand beer market, and have significant interests in other sectors of the drinks market. The BWSC supports minimisation of harm to the community through the promotion of a moderate and responsible drinking culture.

The main purpose our submission is to express the opinion that it is critical for good process to be followed in the development of Food Standards, which requires a base of good science.

We would ask you to contact us if you agree that we can be beneficial in this process. We would be glad to provide an oral submission.

Sincerely

[REDACTED]  
**Chief Executive**



## **BEER WINE AND SPIRITS COUNCIL OF NEW ZEALAND**

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### **Proposal P298 – Benzoate and Sulphite Permissions in Food**

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**September 2005**

## **THE BEER WINE AND SPIRITS COUNCIL OF NEW ZEALAND**

The Beer Wine and Spirits Council of New Zealand (BWSC) represents the non-commercial interests of New Zealand's two leading drinks companies, Lion Nathan Limited and DB Breweries Limited. These companies make up the majority of the New Zealand beer market, and have significant interests in other sectors of the drinks market. The BWSC supports minimisation of harm to the community through the promotion of a moderate and responsible drinking culture.

The Beer, Wine and Spirits Council welcomes the opportunity to be part of the consultation process regarding P298 – Benzoate and Sulphite Permissions in Food.

The most critical issue to the BWSC is that good process is followed in the development of Food Standards and that requires a base of good science. There appears to be several areas that FSANZ needs to review including the age and method of collection of the Food Consumption data, the statistical effect of generalising daily data, and differences in Australia and New Zealand dietary patterns in order to have confidence in a sound scientific case to base an appropriate Food Standard.

The age of the Australian 1995 National Nutrition Survey raises questions about its relevance given that there are significant differences with more up to date New Zealand equivalent surveys. For example, Food New Zealand Children, Parnell, W et al (2003) showed that "powdered drinks" eg Raro and Refresh, are consumed instead of cordials with a subsequent lower sulphite intake.

The BWSC is aware of significant changes in consumption patterns over the last decade. The swing from beer to R.T.D's would probably have caused a very small drop in sulphite and an increase in benzoate consumption. We are confident that there have been other more significant swings in food

consumption over the last ten years, which would affect the outcome of this survey. If the Standard was to go through full public consultation then up to fifteen years could have elapsed from the starting of the collection of the Australian National Nutrition data to the gazetting of the changed Standard. Is it “the best available scientific evidence” to use outdated Australian data, which is contrary to more recent New Zealand data? Ideally a science-based approach to a common Food Standard requires good data from both countries, particularly if the ninety-five percentile is being used as a trigger point. The New Zealand data and situation appears to have been ignored by Proposal P298.

The BWSC strongly supports the comment in the Summary Section of the 21<sup>st</sup> Australian Total Diet Study (ATD) “that drawing conclusions about lifetime eating patterns from food consumption data derived from a single 24 hour diet recall, may lead to an over-estimation of dieting exposure. This over-estimation is magnified when considering 95<sup>th</sup> percentile consumers....” (Pvii). Averaging 24 hour intakes for the population to produce a mean consumption figure appears probably reasonable, but to use the 95<sup>th</sup> percentile for alcohol in particular is likely to be incorrect. There are many studies on both sides of the Tasman, which show alcohol consumption patterns have daily peaks (Friday/Saturday) and troughs (Monday/Tuesday). Therefore to take “single daily” consumption for individuals, generalise them over a lifetime, select the 95<sup>th</sup> percentile of the population and base a Food Standard on the result seems to the BWSC to risk being contrary to the scientific principles that FSANZ is required to act on.

The influences of white wine on adult sulphite consumption will be affected by the statistical approach of the authors of the 21<sup>st</sup> ATD, particularly when considering the 95<sup>th</sup> percentile group. The BWSC believes FSANZ needs to use other data sources based on more long-term consumption patterns to confirm or otherwise the sulphite consumption from wine for adults. For example, using Alcohol Available for Consumption data available through Statistics New Zealand and their equivalent in Australia to estimate per capita consumption.

With regards to Beer, Standard 1.3.1 permits Sulphites, as sulphur dioxide and its sodium and potassium salts, to be added to beer to a maximum level of 25mg/Kg. At this level sulphites perform a technological function as an antioxidant helping to prolong the “fresh flavour” in beer. Sulphur Dioxide is also naturally produced by yeast during fermentation. Therefore the presence of sulphur dioxide is not an indication by itself that sulphites have been added. If more than 10ppm of sulphur dioxide has been added then the beer is required to be labelled. No New Zealand brewer labels for sulphur dioxide. The BWSC is unaware of any brewer adding more than 10ppm sulphur dioxide.

The level of sulphite in a beer will decline with time, for example over a period of several months the level could reduce from 7ppm to undetectable.

The 21<sup>st</sup> ATD sampled 15 Australian beers, six beers were classified as not detectable for sulphur dioxide, five with a trace, and the maximum reading was 8ppm. Given the age of the beers was not declared these results are unsurprising and could be mirrored in New Zealand.

When considering the total dietary intake, the sulphite contribution from beer was calculated as less than 4 percent for males older than nineteen and less than 1 percent for females. The process of calculation, is as discussed above, likely to “over-estimate....dietary responses”.

The BWSC would ask that FSANZ robustly challenge the protocols around the collection and statistical analysis of the data of the National Nutrition Survey (NNS). Compare it with the more recent equivalent data out of New Zealand and with other alcohol consumption data and review the relevance of NNS data. This will confirm or otherwise the conclusions of the 21<sup>st</sup> ATD particularly with regard to 95<sup>th</sup> percentile. With confidence in the actual consumption figures of sulphite and benzoates, it will be possible to build a scientific case for modifying the Standard.

Given that incidents of food borne illness is increasing on both sides of the Tasman any move to reduce preservatives needs to proceed with caution particularly given the primary objective of FSANZ is “the protection of public health and safety”.

Thank you for your time.

  
**Chief Executive**