



Food Intolerance Network

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LABELLING OF FOOD FLAVOURS

On 12 May 2004 the Food Intolerance Network sighted documents leaked from a major Australian flavour supplier to Channel 7's Today Tonight program. These documents detailed the exact identity and quantities of components used in compounding flavours used by a major multi-national in Australia. According to the source of these documents, the resulting compounded flavours were then described on labels simply as "flavours", as allowed in the Food Standards Code.

We were dismayed to find that the declared flavours contained colours, preservatives and antioxidants that were not declared on the food labels. In fact, the flavour was being used as a vehicle to incorporate colours, in particular, in foods without having to declare the presence of the colours.

To be specific, one "blackberry flavour" contained carmoisine (122) and brilliant blue (133), and a "custard flavour" contained "food colour coffee" (not found in the Food Standards Code) and tartrazine (102), all in significant quantities certainly designed to colour not just the compounded flavour but the food product in which the flavour was to be incorporated. Several flavours contained propionic acid (280) apparently functioning as a preservative and one contained tocopherol (306,307) apparently functioning as an antioxidant.

We were also concerned to find heliotropin, a liver-damaging alkaloid, and coumarin, an anticoagulant related to the rat poison warfarin, in significant quantities (0.15% and 0.30% by weight respectively) within one flavour. As we do not have access to the publication which lists permitted flavourings, it would be appreciated if you would confirm that these are in fact permitted and in these quantities.

The use of flavours as vehicles to avoid the declaration of colours and other food additives in foods is against the spirit if not the exact words of the Food Standards Code. The Food Intolerance Network requests that you advise food manufacturers of the requirement to declare all additives in flavours and consider changing the Food Standards Code to make this declaration compulsory.

Yours truly

Dr Howard Dengate

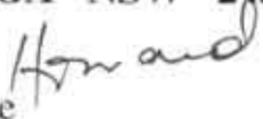


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Dear Dr Dengate 

Thank you for your letter of 25 May 2004, on behalf of the Food Intolerance Network, concerning the labelling of flavours and flavouring components on foods. The documents, to which you refer as leaked to the Today Tonight program, apparently detail the identity and quantity of flavouring substances used in compounding flavours for one food company. Food companies often regard the nature and quantities of flavouring components of their products as trade secrets and this is not usually a cause for concern.

The *Australia New Zealand Food Standards Code* (the Code) sets out the requirements for the declaration of food additives in Clause 8 to Standard 1.2.4 – Labelling of Ingredients. Clause 3 to Standard 1.2.4 provides an exemption to list every ingredient in flavourings. The rationale for this exemption is that many natural flavourings are complex mixtures of large numbers of substances and the declaration of these substances by specific chemical names would not provide meaningful information to consumers and would greatly complicate ingredient lists. This is however, not the complete picture for the regulation of flavourings.

There are circumstances where disclosure on the label of ingredients in flavourings is required by the Code to protect public health and safety and to inform consumers. Under Clause 4, Standard 1.2.3 – Mandatory Warning and Advisory Statements and Declarations, substances that may cause severe adverse reactions in sensitive individuals must be declared when present in a food; for example cereals containing gluten and their products, milk and milk products, peanuts and soybeans and their products. If these specified substances are present in flavourings in any amount, they must be declared on the food label. Added sulphites in concentrations of 10 mg/kg or more must always be declared on food labels. In addition, Standard 1.2.4 requires that monosodium glutamate (MSG) and certain related nucleic acids and nucleotides must always be declared by their names or additive code numbers in the ingredient list, even when added to food as flavourings.

Clause 6 of Standard 1.2.4 requires that, with the exception of alcoholic beverages, food additives performing a technological function in a final food must be declared, even for additives in compound ingredients such as flavourings, which are present at less than 5%.

The specific colours mentioned in your letter, i.e. carmoisine (INS 122), brilliant blue (INS 133) and tartrazine (INS 102) are approved colours and listed in Schedule 4 of Standard 1.3.1 – Food Additives. 'Food colour coffee' is not listed in the Code, but it could be a food or a food extract, rather than a food additive and therefore subject to different ingredient labelling requirements.

Preparations of flavours and colours have approval to contain certain food additives, in category 0.1 – Preparations of food additives of Schedule 1 in Standard 1.3.1. This list contains a number of antioxidants and preservatives. Tocopherols (INS 306, 307, 308 and 309) are permitted but propionic acid and propionates (INS 280, 281, 282 and 283) are not. Propionates could however, be permitted in a food for use in preparation of another food by virtue of Clause 8 to Standard 1.3.1, if the level in the final food is permitted for the relevant food category.

Heliotropine (heliotropin, piperonal or oil of sassafras) is an approved flavouring substance in the Code, as it is listed in the Flavour and Extract Manufacturers Association (FEMA) Generally Recognised as Safe (GRAS) list referenced in Clause 11 – Permitted flavouring substances of Standard 1.3.1. Therefore heliotropine can be used at levels determined by good manufacturing practice (GMP), that is the lowest level necessary to produce the desired function.

Coumarin is a natural chemical found in a number of foods (fruits, roots, bark, stalk, leaves and branches of a wide variety of plants). It is used in some countries as a natural flavouring agent in food and beverages. The Table to Clause 4 in Standard 1.4.1 – Contaminants and Natural Toxicants, limits the maximum levels of coumarin in alcoholic beverages to 10 mg/kg.

As detailed above, there are a number of provisions in the Code that are relevant for the labelling of flavourings. The current provisions require food manufacturers to declare the presence of a number of flavouring ingredients, in particular colours, if performing a colouring function in the final food. Food manufacturers must also be cognisant of Commonwealth, New Zealand, State and Territory fair trading laws requiring labels not to mislead the public.

The Code is consistent with the international regulation of flavourings by the Codex Alimentarius Commission (Codex). Food Standards Australia New Zealand is an active participant in the ongoing safety evaluation of flavouring substances due to our involvement in both the Joint FAO/WHO Expert Committee on Food Additives and the Codex Committee on Food Additives and Contaminants. FSANZ also contributes to Codex labelling outcomes.

Finally, in response to your letter, FSANZ proposes to address this general topic and to ensure flavouring manufacturers and food manufacturers are aware of their labelling obligations under the Code by inserting a section in an upcoming Food Standard News edition.

Yours sincerely



Graham Peachey
Chief Executive Officer
12 July 2004