

WORLD TRADE ORGANIZATION

G/TBT/N/NZL/14
28 February 2003

(03-1201)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>NEW ZEALAND</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Food Standards Australia New Zealand PO Box 10559 The Terrace Wellington 6036 NEW ZEALAND Fax: (+64) 4 473 9855 Email: info@foodstandards.govt.nz Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Foods/Processed Foods – ‘Sports Foods’
5.	Title, number of pages and language(s) of the notified document: P236 – Review of Sports Foods - Draft Assessment Report (DAR) (147 pages, in English)
6.	Description of content: The Draft Assessment Report for Proposal (P236) proposes to amend the <i>Australia New Zealand Food Standards Code</i> (the <i>Code</i>) to review the regulatory framework for ‘Sports Foods’ and develop consistent food regulations to apply to sports foods in Australia and New Zealand Sports foods in Australia and New Zealand are currently regulated by Standard 2.9.4 – Formulated Supplementary Sports Foods in the <i>Code</i> . Sports foods may also be regulated in New Zealand by the New Zealand Dietary Supplements Regulations 1985 (NZDSR). Many of these products are available in Australia by virtue of the trans-Tasman Mutual Recognition Arrangement (TTMRA). During the development of Volume 2 of the <i>Code</i> , Standard R10 in Volume 1 of the <i>Food Standards Code</i> (Volume 1) was transported into Volume 2 as Standard 2.9.4 without a full review of Australian and New Zealand regulations for sports foods. There is an interest in the review of the sports food standard since the current Standard 2.9.4 is more restrictive than the NZDSR. On a world scale, the Australian and New Zealand markets are comparatively small.
7.	Objective and rationale, including the nature of urgent problems where applicable:

<p>The proposal examines both compositional and information requirements in the context of the following objectives:</p> <ol style="list-style-type: none"> 1. Protect public health and safety in relation to the consumption of sports foods, by: ensuring that these products are safe when consumed by sports people, as intended by the manufacturers; and ensuring that these products are not otherwise misused by consumers generally or consumed by vulnerable subgroups of the population such as children. 2. Provide information to consumers to enable them to make informed choices about the consumption of sports foods and to prevent misleading conduct. 3. Develop consistent food regulations applying to sports foods between Australia and New Zealand to facilitate trade. <p>The DAR has been prepared to discuss potential solutions to the issues raised in the Initial Assessment Report and the comments made by submitters to that report. The DAR aims to encourage and facilitate further public comment on the regulatory framework proposed as a workable option for sports foods that meets FSANZ's objectives.</p>
<p>8. Relevant documents: <i>Australia New Zealand Food Standards Code</i></p>
<p>9. Proposed date of adoption: Recommendation to Government anticipated to be made by late 2003. Entry into force dependent on Government approval.</p> <p>Proposed date of entry into force: Entry into force dependent on Government approval, possibly late 2003 or early 2004.</p>
<p>10. Final date for comments: 10 June 2003</p>
<p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:</p> <p>also directly available on the Food Standards Australia New Zealand website at:</p> <p>http://www.foodstandards.gov.au/standardsdevelopment/proposals/</p>