



7 ways to 'game' the new Food Standards Code

With the new Food Standards Code coming into force on 1 March, lawyers have been busy telling food companies how to get around the rules.

The main method is to remove numbers and chemical-sounding names, and replace them with the same chemicals listed as innocent-sounding ingredients, or avoid listing them at all through various tricks.

Here are the top 7 ways being used:

1. Use 'natural' additives

Even when they are chemically identical they can be shown as ingredients, not as the additives that 80% of consumers want to avoid.

Example: The Food Standards Code regulates just four propionate mould inhibitors 280-283, but if they are added as 'cultured dextrose', 'cultured wheat' or 'cultured' *anything* then they don't need to be declared as additives, just as innocuous ingredients, even though they are chemically identical. As a bonus, you can claim 'no added preservatives'. These propionate bread preservatives are even added to certified organic foods.

2. Get your problem additives reclassified as 'processing aids'

The advantage of processing aids is that they perform a 'technological purpose' in processing, but not in the final food, so they are specifically excluded from appearing in the Ingredients Panel.

Examples of 'generally permitted processing aids': bone phosphate (vegetarians need not know about this), fatty acid polyalkylene glycol ester (what?), furcellaran (a fancy name for carrageenan which some want to avoid), perlite (usually found in potting mixes), polyethylene glycols, polyglycerol esters of fatty acids, and polyglycerol esters of interesterified ricinoleic acid (there are people who won't even rub these things on their skin, but they don't know they might be in their food), and so on.

3. Decide which additives don't have a 'technological purpose' then hide them using the 5% labelling loophole

Example: some frozen potato chips are coated with 4.5% canola oil that contains a synthetic antioxidant butylated hydroxyanisole BHA 320, listed as a possible problem chemical in the National Healthy School Canteens Guidelines. If the manufacturer decides that 320 no longer has a technological purpose then it isn't listed in Australia, although it will be in the UK and EU.

4. Use 'flavour' as a vehicle to hide ingredients like preservatives and colours

Ingredients in flavours are secret, so there is no need to declare them.

Example: In a food industry leak, one "blackberry flavour" contained artificial colours carmoisine 122 and brilliant blue 133, and a "custard flavour" contained tartrazine 102, in quantities designed to colour not just the compounded flavour but the food product as well. Several

flavours contained preservative propionic acid 280. None of these additives were declared or required to be declared.

5. Use 'compound ingredient' lists to bring insignificant ingredients near the top and push the undesirable ingredients to the bottom.

Example: a burger rice wheel might be 82% puffed rice plus 10% of a compound seasoning with two forms of MSG and an MSG booster, which many seek to avoid, then a bit more oil and substances to make the flavour stick to the rice, but it takes careful reading of a complex list to spot the additives.

6. Play off Australian Consumer Law with the Food Standards Code

Example: under consumer law, a chicken company was able to claim that their chickens were GM (Genetically Modified) free even though they had been fed on GM food because none of the modified DNA was in the chicken meat. The presence of any genetic modification in ingredients or processing does not need to be declared under the Food Standards Code.

7. If all else fails, rely on consumers not reading the ingredients list and splurge on the front of pack.

Example: a best-selling green wrap is not so much 'spinach and herb' as two artificial colours 102 tartrazine (which would have to have a warning label in Europe) and 133 brilliant blue, plus two preservatives 282 calcium propionate and 200 sorbic acid, and only 1% spinach and herb.

Consumers are clearly being deliberately misled by 'gaming' of the words in the Food Standards Code by the billion dollar food industry.

The protection of public health and safety, which is the first objective in the Food Standards Code, is losing. Regulators are also failing to ensure that there is adequate information to enable consumers to make informed food choices and failing to prevent conduct which would mislead or deceive most consumers.

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