

Food Standards Australia New Zealand  
PO Box 7186  
Canberra BC ACT 2610  
AUSTRALIA

5 December 2012

Dear Mr McCutcheon

Thank you for the opportunity to make a submission to FSANZ in relation to cost recovery arrangements for applications relating to health claims.

AusBiotech is Australia's industry organisation, working on behalf of members for more than 25 years to provide representation and services to promote the global growth of Australian biotechnology. AusFoodtech is a program of AusBiotech, directed at serving organisations and individuals with interests in functional foods and nutraceuticals that was launched in 2009. AusBiotech's interest in the functional food and nutraceuticals sector began in 2008 during the winding down of the National Centre of Excellence in Functional Foods (NCEFF). AusFoodtech seeks to continue the work carried out by the NCEFF to build industry-research links and encourage pre-competitive research in Australia.

After consulting with the industry membership of AusBiotech, it is our view that the FSANZ review of cost recovery arrangements for applications conducted in June 2012, and this current review for application relating to health claims, lack a significant lack of rigour in terms of the calculation of hourly charges, cost category levels, refunds and instalments and impact analysis in both consultation papers. Further to this, our membership feel that this regulatory proposal is likely to impose significant cost to industry and that the potential impact is not of a minor or machinery nature, and thus AusBiotech will be following this matter up on behalf of our membership with Darrell Porter, Deputy Executive Director of Office of Best Practice Regulation at the Commonwealth Department of Finance and Deregulation.

AusBiotech further notes that the Department of Finance and Deregulation is currently conducting a whole-of-government review of the Australian Government's Cost Recovery Guidelines. AusBiotech recommends that FSANZ postpone any cost recovery arrangements for applications and applications relating to health claim altogether until the whole-of-government review has been completed and any new recommendations on cost recovery from the Australian Government are clarified.

Should you have any queries in relation to these comments, please contact me on (03) 9828 1404 or [alavelle@ausbiotech.org](mailto:alavelle@ausbiotech.org).

Yours sincerely



**Dr Anna Lavelle**  
Chief Executive Officer  
AusBiotech Ltd