



# Cabinet

## Minute of Decision

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### Adopting the Amended Infant Formula Standard in New Zealand

**Portfolio**                      **Food Safety**

On 5 August 2024, Cabinet:

- 1        **noted** that up-to-date food standards are essential for trade and maintaining New Zealand's international reputation;
- 2        **noted** that:
  - 2.1        on 25 July 2024, trans-Tasman Food Ministers agreed to adopt an amended infant formula standard within the joint Australia New Zealand food regulation system;
  - 2.2        the amended infant formula standard has benefits for New Zealand infant formula businesses by better reflecting market developments and closer alignment with international regulations;
- 3        **noted** that infant formula manufacturers support the majority of the amendments in the amended infant formula standard;
- 4        **noted** that some manufacturers have significant concerns about prohibitions on label statements related to ingredients and protein fractions and the impact that may have on their competitive position in third-country markets;
- 5        **noted** that New Zealand was unable to secure a review of, or modification to, the amended infant formula standard at the Food Ministers' Meeting on 25 July 2024;
- 6        **noted** that New Zealand did not agree to adopt the amended infant formula standard at the Food Ministers' Meeting on 25 July 2024;
- 7        **noted** that the Minister for Food Safety must advise the Chair of the Food Ministers' Meeting if New Zealand wishes to opt out of the amended infant formula standard by 5pm, 5 August 2024, as required by Australia's Food Standards Australia New Zealand Act 1991;
- 8        6(a) [REDACTED]
- 9        **noted** the potentially significant negative economic impacts on New Zealand's infant formula export market, should New Zealand adopt the amended infant formula standard;

- 10 **noted** that if New Zealand does not adopt the amended infant formula standard, a separate New Zealand standard will need to be developed;
- 11 **agreed** to opt out of the amended infant formula standard and advise the Chair of the Food Ministers' Meeting;
- 12 **agreed** to continue discussions with Australian Ministers to consider options that would enable New Zealand to adopt the infant formula standard in the future, while still protecting New Zealand's best interests.

Rachel Hayward  
Secretary of the Cabinet

Proactive Release