

# Hon Dr Ayesha Verrall

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## **LEGISLATIVE STATEMENT Food (Continuation of Dietary Supplements Regulations) Amendment Bill**

This legislative statement supports the second reading of the Food (Continuation of Dietary Supplements Regulations) Amendment Bill. The Bill proposes to extend the expiry date of the Dietary Supplements Regulations 1985 (the Regulations) by 5 years. The Bill will achieve this by amending the 2 sections of the Food Act 2014 that set an expiry date for the Regulations. The expiry date in both sections will be amended from 1 March 2021 to 1 March 2026.

These changes are necessary to maintain consumer access to New Zealand dietary supplements until a fit-for-purpose regulatory regime is expected to fully commence, while also ensuring the safety and suitability of such dietary supplements.

The Primary Production Committee recommends the Bill be passed without amendment.

### **Technical details**

This Bill only has five clauses, two of which are operative clauses that will amend the relevant sections of the Food Act 2014. As mentioned, the two clauses will simply extend the Regulations' expiry date from 1 March 2021 until 1 March 2026. This Bill will make no other changes to the Food Act 2014.

The Bill will come into force on the day after the date on which it receives Royal assent. There will be no delayed commencement, nor any transitional period. To prevent expiry of the Regulations, the amendments must be made before 1 March 2021.

### **Background**

Dietary supplements encompass a growing range of health and wellness products taken in a range of edible dose forms, such as vitamin and mineral supplements, capsules of omega-3 fish oils, and glucosamine tablets. The Regulations govern the composition and labelling of dietary supplements, including some specific risk-mitigating measures, such as maximum daily doses for specific vitamins and minerals, and prohibiting misleading statements and therapeutic claims.

Without the proposed amendments, the Regulations will expire on 1 March 2021. As a result, dietary supplements will then be regulated by the general laws applying to food. These general laws do not address the specific health risks associated with dietary supplements. One likely impact would be an increase in the risk of unsafe and unsuitable dietary supplements being sold. Also, a large proportion of dietary supplements sold at present would be likely to be deemed non-compliant with the general laws and would not be allowed to be sold. Those impacts would adversely affect businesses and consumers.

The amendments are therefore necessary to maintain existing safety measures for dietary supplements until a fit-for-purpose regulatory regime is in force.