

## Lawyer warns on folic acid mandate

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THERE will be little legal protection for consumers when Australian flour mills start adding government-mandated levels of folic acid to bread flour, an academic has warned.

Food lawyer and Deakin University academic Joe Lederman yesterday said the law should not prevent consumers from being able to sue the Government if the policy were to cause later health problems.

Professor Lederman criticised moves to fortify bread with folic acid to reduce the incidence of birth defects as a “scatter gun” approach that may put public health at risk in the future.

From September, flour millers in Australia and New Zealand will have to ensure minimum levels of folic acid in a bid to reduce defects in the brain and spinal cord of embryos, such as spina bifida.

But Professor Lederman said the policy was being put in place despite some cautionary evidence that high levels of folic acid may cause or mask serious illness.

“I think we are rushing this one through and there hasn’t been a proper assessment made,” Professor Lederman told *The Australian*.

“The health risks raised in contra scientific studies are disconcerting because excessive folate will be consumed by children, the elderly and men, all of whom have to consume folic acid but aren’t the targeted beneficiaries,” he said.

Professor Lederman said the legal position of consumers to take action over health disorders caused by fortified foods was uncertain.

“Australian consumers face a number of hurdles before a court would grant them

compensation, including attributing liability, statutory limits on damages and the difficulties in launching class actions,” he said.

Folic acid has been shown to be highly effective in reducing birth defects, and has been able to be voluntarily added to food for years. However, mandatory minimum and maximum levels were introduced for bread according to a 2007 law, with flour millers given until this year to abide by it.

Professor Lederman said the move to fortify bread with folic acid was being driven mainly by a desire to improve the intake of folate among indigenous women.

While moves to encourage pregnant women, and those seeking to become pregnant, to increase their folate intake had helped reduce the incidence of spinal and brain birth defects by 30 per cent among non-indigenous Australians, there had been no improvement among indigenous Australians.

But Professor Lederman said fortifying bread for everyone should not be the answer.

“We need better targeted campaigns to provide our indigenous population with the same standard of health and educational services that will ensure better diet with adequate folate, rather than just encouraging indigenous women to rely on consuming more white bread with folic acid, instead of promoting green vegetables and the folate supplements advised by most doctors,” he said.