

# Australia New Zealand Food Law on Disc® Version 57

Published January 2009

## Contents

Version 57 of the FOODfind Food Law® on Disc (and Electronic) contains:

- Australia New Zealand Food Standards Code  
(Consolidation to Amendment 105 gazetted in Australia and New Zealand on 15 January 2009)
- ANZFS Code User Guides, including decisions of the Novel Food Reference Group and Advisory Committee on Novel Foods to January 2009
- New Zealand Regulations
  - New Zealand Food (Safety) Regulations 2002 (As amended in 2004)
  - New Zealand Dietary Supplements Regulations 1984
- New Zealand Food Standards:
  - New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002 (Consolidation including Amendment 20 – Gazetted 9 September 2008) – adopting up to and including Amendment 101 to the Food Standards Code.
  - New Zealand (Mandatory Fortification of Bread with Folic Acid) Food Standard 2007 – Effective 25 October 2009
  - New Zealand (Prescribed Foods) Food Standards 2007 (Gazette Notice 5348, Effective 30 August 2007)
  - Food (Importer general-requirements) Standard – 10 September 2008, Effective 16 October 2008
  - Food (Importer listing) Standard – 10 September 2008, Effective 16 October 2008
  - New Zealand (Maximum Residues of Agricultural Compounds) Food Standards 2008 (Issued 25<sup>th</sup> March 2005), including Amendment 1 – 6 July 2008 and Amendment 2 – 5 November 2008
  - New Zealand Food (Milk and Milk Processing) Standard 2007
  - New Zealand (Bee Product Warning Statements - Dietary Supplements) Food Standards 2002
  - Food (Uncooked Comminuted Fermented Meat) Standard 2008
  - Food (Tutin in Honey) Standard 2008 [New in Version 57](#)
  - **Draft New Zealand Food (Supplemented Food) Standard 2008 *for comment until 25 September 2008***
- Acts:
  - Model Food Act – Australia
  - Trade Practices Act – excerpt relating to Country of Origin labelling.
  - Food Act 1985 - New Zealand (Consolidation including Food Amendment Act 2002, 18 June 2002)
- Code of Conduct for the Provision of Information on Food Products 1995 – Australia (incorporating Code of Practice on Nutrient Claims in Food Labels and in Advertisements)

## Summary of Amendments included in Version 57

### Amendments to the Australia New Zealand Food Standards Code

**Note on commencement in New Zealand – Commencement dates listed above apply in Australia only. Each amendment must be specifically gazetted into New Zealand Law - New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002.** The latest published amendment – No. 20 gazetted 9 September 2008 – adopting up to and including Amendment 101 to the Food Standards Code. Amendments 102 & 103 are yet to be adopted in New Zealand at the time of publishing this version.

### Summary of Amendment 104

- Commonwealth of Australia Gazette FSC 46 – 4 December 2008  
<http://www.foodstandards.gov.au/standardsdevelopment/gazettenotices/amendment1044decembe4122.cfm>
- New Zealand Gazette Notice 9113 – 4 December 2008  
<http://online.gazette.govt.nz/MSOS118/On-Line/NZGazette.nsf/6cee7698a9bbc7cfcc256d510059ed0b/247d74ecae97e16ecc257516004792f6?OpenDocument>

**All Amendments commence on 4 December 2008**

Standard	Provision	FSANZ Reference	Details
1.3.3	17 – Table	A1003	Permitting Asparaginase from <i>Aspergillus niger</i> as a processing aid
1.5.2	2 – Table	A595	Permitting food derived from insect-protected corn line MON 89034

### Summary of Amendment 105

- Commonwealth of Australia Gazette FSC 47 – 15 January 2009  
<http://www.foodstandards.gov.au/standardsdevelopment/gazettenotices/amendment10515januar4166.cfm>
- New Zealand Gazette Notice – 15 January 2009  
(details unknown at time of publishing)

**All amendments commence 15 January 2009**

Standard	Provision	FSANZ Reference	Details
1.1.1	2	P306	Inserting definitions for galacto-oligosaccharides and inulin-derived substances
	9A	P306	New clause deeming inulin-derived substances to not to be nutritive substances
1.4.1	2 (Table)	A552	Increasing the maximum level for cadmium in peanuts to 5 mg/kg

1.4.2	Schedule 1	M1002	<ol style="list-style-type: none"> <li>1. Amending the residue definition for clothianidin</li> <li>2. Inserting new chemicals and MRLs for Dimethenamid-P and Sulfuryl-fluoride</li> <li>3. Amending the MRLs associated with Axoystrobin, Binfenazate, Bifenthrin, Chlorpyrifos, Closantel, Clothianidin, Cyanamide, Cyprodinil, Florfenicol, Fludioxinil, Fluorine (inorganic salts), Glyphosate, Isoxaben, Maldison, Methomyl, Metsulfuron-methyl, Phosphorous acid, Propiconazole, Prosulfocarb, Prothioconazole, Pyrasulfotole, Ractopamine, Thiamethoxam, Toltrazuril and Tolyfluanid.</li> </ol>
2.9.1	9A	P306	Permitting inulin-derived substances and galacto-oligosaccharides
	16(1)	P306	Labelling requirements for inulin-derived substances and galacto-oligosaccharides
	16(2)	P306	Labelling requirements for inulin-derived substances and galacto-oligosaccharides
	20	P306	Labelling requirements for inulin-derived substances and galacto-oligosaccharides
	Guidelines	P306	Amending the Nutrition Information Table
2.9.2	2	P306	Permitting inulin-derived substances and galacto-oligosaccharides
2.9.3	6	P306	Permitting inulin-derived substances and galacto-oligosaccharides

## Links to FSANZ Reports of issues included in Amendments 104 & 105

### A552 – Cadmium in Peanuts

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa552cadmi3374.cfm>

- Standard 1.4.1 – Contaminants and Residues
  - Clause 2 (Table) – amending the level of cadmium permitted in peanuts to 0.5 mg/kg

### A595 - Food derived from insect-protected corn MON 89034

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa595foodd3492.cfm>

### A1003 – Asparaginase from *Aspergillus niger* as a Processing Aid (Enzyme)

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa1004phos3860.cfm>

### M1002 - Maximum Residue Limits (January, February, March 2008)

<http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalm1002maximum3937.cfm>

### P306 - Addition of Inulin / FOS & GOS to Food

<http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalp306addition3639.cfm>

## Recommended Amendments to the Australia New Zealand Food Standards Code

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#### A577- Addition of Calcium to 'Sugar-free' Chewing Gum

Referred to ANZFRMC 17 December 2008 – Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa588volun3872.cfm>

- Inserting new Standard 2.10.3 – Chewing Gum

#### A594 - Lutein as a nutritive substance in infant formula

Referred to ANZFRMC 16 July 2008 (Review Requested) - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa594lutei3490.cfm>

- Standard 2.9.1 – Infant Formula Products
  - Table to Clause 7 – insert:

Lutein	Lutein from <i>Tagetes erecta L.</i>	2 µg	9 µg for infant formula
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**A614 - Food derived from glyphosate-tolerant cotton line ghb614**

Referred to ANZFRMC 17 December 2008 – Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa614foodd3782.cfm>

**A615 - Food Derived From Insect-Protected Cotton Line COT67B**

Referred to ANZFRMC 17 December 2008 – Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa615foodd3783.cfm>

**A1001 - Food derived from Insect-protected Corn Line MIR162**

Referred to ANZFRMC 17 December 2008 (First Review Report) – Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa1001food3769.cfm>

**P293 – Nutrition, Health and Related Claims –Final Assessment Report**

Referred to ANZFRMC 11 April 2008 - Review Requested by ANZFRMC 6 June 2008 Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalp293nutritionhealthandrelatedclaims/index.cfm>

- Standard 1.1.1, clause 2 - Replacing the definition of ‘claim’
- Standard 1.1A.2:
  - omitting clause (1C)
  - commencing 2 years after gazettal – omitting Standard 1.1A.2
- Standard 1.2.7 – inserting new Standard 1.2.7 – Nutrition, Health and Related Claims.
- Standard 1.2.8:
  - Clause 1 – omitting the definition of nutrition claim and the associated editorial note
  - Replacing clause 4
  - Replacing clause 7
  - Replacing clause 8
  - Replacing Divisions 3 and 4
  - Standard 1.3.2:
    - Replacing the Purpose
    - Omitting clause 1
    - Renumbering existing clause 2 to clause 1
    - Renumbering existing clause 3 to clause 3, including the Table
    - Omitting clauses 4 – 9
- Standard 2.9.3:
  - Clause 7, inserting new sub-clause (4).

**P1002 – Hydrocyanic Acid in Ready-to-Eat Cassava Chips**

Referred to ANZFRMC 15 September 2008 (Approval Report) - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalp1002hydrocy3848.cfm>

- Standard 1.4.1 – Contaminants and Residues
  - Subclause 5(1) – inserting a definition for ready to eat cassava chips.
  - Subclause 5(4) – removing stock in trade provisions relating to Table to Clause 5
  - Clause 5 (Table) – inserting limit of 10 mg/kg for hydrocyanic acid for ready to eat cassava chips.

## **Draft Amendments released for comment for the Australia New Zealand Food Standards Code**

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### **A490- Exemption of allergen declaration for Isinglass**

Comment period 1 October 2007 – 12 November 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa490exemp3017.cfm>

- Standard 1.2.3 – Mandatory Warning and Advisory Statements and Declaration
  - Table to clause 4 – insert exemption for isinglass in the entry for fish and fish products

### **A588- Voluntary addition of fluoride to packaged water**

Comment period 12 December 2007 – 6 February 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa577addit3376.cfm>

### **A597 - Lutein as a nutritive substance in formulated supplementary foods for young children**

Comment period 21 December 2007 – 22 February 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa597lutei3491.cfm>

- Standard 2.9.3 – Formulated Meal Replacements and Formulated Supplementary Foods
  - Clause 6A – insert new clause permitting the addition of lutein from *Tagetes erecta L.* to be added to Formulated Supplementary Foods for Young Children if the naturally occurring amounts of lutein is no more than 1000 µg per serving and allowing claims about lutein if there is 30 µg or more of lutein per serve.

### **A1004 – Phosphatase A2 as a processing aid**

Comment period 28 October 2008 – 9 December 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa1004phos3860.cfm>

### **A1011 – Cellulase from *Penicillium funiculosum* as a processing aid**

Comment period 28 October 2008 – 9 December 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/applications/applicationa1011cell3975.cfm>

### **P279 – Review of Schedule 1 and Related Clauses, Standard 1.3.1 – Food Additives**

**Proposal abandoned 17 December 2008 – all proposed amendments have been removed from FOODfind Version 57**

### **P290 – Food Safety Programs for Catering Operations to the General Public**

Comment period 12 December 2007 – 6 February 2008 - Link to FSANZ Reports:

<http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalp290foodsafes2451.cfm>

## **Draft New Zealand Food (Supplemented Food) Standard**

Comment period 1 August 2008 – 25 September 2008. Link to NZFSA Reports:

<http://www.nzfsa.govt.nz/policy-law/consultation/supplemented-food/index.htm>