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Australia New Zealand Food Law on Disc® Version 74

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Contents

This Version of the FOOD*find* Food Law® on Disc (and Electronic) contains:

Australia New Zealand Food Standards Code	Consolidated to Amendments - <ul style="list-style-type: none"> • FSANZ No. 140 (18 April 2013) • APVMA No. 2 (12 March 2013) Includes Maximum Residues by Food, exclusive to FOOD <i>find</i> Food Law on Disc®
FSANZ User Guides for the ANZ Food Standards Code	Including Record of Views of the Advisory Committee on Novel Foods (March 2013) Check for updates here
New Zealand Food Standards	<ul style="list-style-type: none"> • New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002 (Amended 8 April 2013) • New Zealand (Mandatory Fortification of Bread with Folic Acid) Food Standard 2007 (Amended 23 February 2012) • New Zealand (Prescribed Foods) Food Standards 2007 (Amended 24 August 2009) • Imported Food Standards 2008 (10 September 2010) - <ul style="list-style-type: none"> ○ Food (Importer general-requirements) ○ Food (Importer listing) Standard • New Zealand (Maximum Residues of Agricultural Compounds) 2012 (13 August 2012) • New Zealand (Imported Milk and Milk Products) Standard 2009 (24 August 2009) • New Zealand (Bee Product Warning Statements - Dietary Supplements) Food Standards 2002 (18

	<p>November 2002)</p> <ul style="list-style-type: none"> • Food (Uncooked Comminuted Fermented Meat) Standard 2008 (3 June 2008) • Food (Tutin in Honey) Standard 2010 • New Zealand Food (Supplemented Food) Standard 2010 (16 February 2010)
New Zealand Regulations	<ul style="list-style-type: none"> • Food (Safety) Regulations 2002 (26 February 2004) • Dietary Supplements Regulations 1984 (1 February 2010)
Food Acts	<ul style="list-style-type: none"> • Model Food Act – Australia • Food Act 1985 - New Zealand (Amended 18 June 2002)
Australian Food and Grocery Council Codes	<ul style="list-style-type: none"> • Code of Practice for Food Labelling and Promotion (2011) • Code of Conduct for the Provision of Information on Food Products– Australia (1995) (incorporating Code of Practice on Nutrient Claims in Food Labels and in Advertisements)
The Australian Consumer Law	<ul style="list-style-type: none"> • Competition and Consumer Act 2010– excerpts relating to Misleading or Deceptive Practices, Unfair Practices, Country of Origin Representations and Mandatory Reporting. • ACCC Guidelines on - <ul style="list-style-type: none"> ○ Food and beverage industry - Country of origin guidelines to the Trade Practice Act ○ Food and beverage industry - Food descriptors guideline to the Trade Practices Act Food labelling guide – 2009 ○ Mandatory Reporting

Amendments included in this Version

Since August 2011 Amendments to the Food Standard Code are made by FSANZ by Gazettal in Australia and New Zealand, as in the past. However, the Australian Pesticides and Veterinary Medicines Authority may now also amend *Standard 1.4.2 – Maximum Residue Limits* only. The APVMA Amendments are published in [Standard 1.4.2 Maximum Residue Limits Amendment Instruments](#) published and applicable in Australia only.

Amendments to the Australia New Zealand Food Standards Code

FSANZ Amendment 139 – 21 February 2013			
Gazettes -			
<ul style="list-style-type: none"> • Australia: Food Standards Gazette – FSC81 • New Zealand: Gazette Notice 1061, Gazette 21 			
Standard affected -			
<ul style="list-style-type: none"> • 1.1A.6 – Transitional Standard for Special Purposes Foods (Including Amino Acid Modified Foods) • 1.2.1 – Application of Labelling and Other Information Requirements • 1.2.4 – Labelling of Ingredients • 1.3.1 – Food Additives • 1.3.3 – Processing Aids • 1.4.1 – Contaminants and Natural Toxicants • 1.5.1 – Novel Foods • 1.5.2 – Food Produced Using Gene Technology • 2.5.4 – Cheese • 2.6.2 – Non-Alcoholic Beverages and Brewed Soft Drinks • 2.9.5 – Food for Special Medical Purposes 			
Applications and Proposal-			
<ul style="list-style-type: none"> • A1043 – World Health Organization Limits for Packaged Water • A1070 – Packaging Size for Phytosterol-enriched Lower Fat Cheese • A1071 – Food derived from Herbicide-tolerant Canola Line MON88302 • P1023 – Tutin, Tocopherol & Food for Special Medical Purposes Standards Amendments 			
Summary			
<i>All amendments commence 21 February 2013, except as indicate</i>			
Standard	Provision	FSANZ Reference	Details
1.1A.6	2(3)	P242 ⁽¹⁾	Replacing paragraph 2(3) - altering the cessation of effect of Standard 1.1A.6.
1.2.4	Schedule 2, Part 1	P1023	Inserting editorial note at the end of Part 1.

Standard	Provision	FSANZ Reference	Details
	Schedule 2, Part 2	P1023	1. Re-inserting 306 - Tocopherols concentrate, mixed; and repealing the insertion on 21 February 2015. 2. Replacing the editorial note at the end of Part 2.
1.3.1	Schedule 1	P1023	Replacing all occurrences of "Tocopherols. concentrate mixed" with "Tocopherols concentrate, mixed.
1.3.3	11, Table	A1043	Amending the maximum permitted level for Styrene-divinylbenzene cross-linked copolymer to 0.02 (as styrene).
1.4.1	5(5)	P1023	Amending the cessation date for MRLs for tutin in honey to 31 March 2015
1.5.1	2A	P1023	Inserting clause 2A to clarify that the presence of a novel food in a food for special medical purposes does not constitute a history of human consumption in Australia or New Zealand.
1.5.2	Schedule	A1071	Inserting Item 1.4 - Food derived from herbicide-tolerant canola line MON88302
2.5.4	3(b)	A1070	Repealing the requirement that cheese fortified with tall oil phytosterol esters be limited to portion controlled packaging of 50 g.
2.6.2	2AA, 2AB	A1043	Inserting clauses 2AA and 2AB providing an alternative to the limits for chemicals in water to those provided in clause 2.
	2, 2AB	A1043	Commencing 21 February 2015 - repealing clauses 2 and 2AB.
2.9.5	Commencement	P242 ^②	Changing the commencement date for Standard 2.9.5 to the date of gazettal of Food Standards Proposal 1023 - Tutin, Tocopherols & Food for Special Medical Purposes Standards Amendments) Variation (21 February 2013)
	2A	P1023	Inserting clause 2A allowing foods that do not comply with Standard 2.9.5 to be sold until 28 June 2014.
	3(3)	P1023	Inserting paragraph 3(3) indicating that stock-in-trade provisions in Standard 1.1.1, subclause 1(2) do not apply to Standard 2.9.5
	Schedule 1	P1023	Correcting the entries for Carnitine, Choline, Inositol and Nucleotides

① Food Standards (Proposal P242 - Food for Special Medical Purposes - Consequential) Variation 2012 (No. 1)

② Standard 2.9.5 - Food for Special Medical Purposes Amendment 2012 (No. 1)

FSANZ Amendment 140 – 18 April 2013			
Gazettes -			
<ul style="list-style-type: none"> • Australia: Food Standards Gazette – FSC82 • New Zealand: Gazette Notice 2242, Gazette 44 			
Standard affected -			
<ul style="list-style-type: none"> • 1.5.2 – Food Produced Using Gene Technology 			
Application -			
<ul style="list-style-type: none"> • A1073 – Food derived from Herbicide-tolerant Soybean DAS-44406-6 			
Summary			
<i>All amendments commence 18 April 2013</i>			
Standard	Provision	FSANZ Reference	Details
1.5.2	Schedule	A1073	Inserting entry 7.13 - Food derived from herbicide-tolerant soybean line DAS 44406-6

APVMA Amendment APVMA2 – 12 March 2013			
Gazette -			
<ul style="list-style-type: none"> • Australia: APVMA5 			
Standard affected -			
1.4.2 – Maximum Residue Limits, Schedule 1			
Summary			
<i>All amendments commence 12 March 2013</i>			
Amending MRLs for Cloquintocet-mexyl, Cyhalothrin, Difenoconazole, Flubendiamide, Iprodione, Penflufen and Thiamethoxam			

Recommended Amendments to the Australia New Zealand Food Standards Code included in this Version

Green text with blue background in FOODfind – search for the Application or Proposal number or follow links to FSANZ reports for full details.

19 March 2013

- **A1069 – Irradiation of Tomatoes & Capsicums**: to provide permission to irradiate tomato (*Lycopersicon esculentum*) and capsicum (*Capsicum annuum*) as a quarantine measure.
- **A1074 – Minimum L-histidine in Infant Formula Products**: to amend minimum required levels of L-histidine in infant formula products

8 November 2012

- **Application A1039 – Low THC Hemp as a Food**: to approve the use of *Cannabis sativa* with low levels of tetrahydrocannabinol, in both seed and seed oil, as a food.

Draft Amendments released for comment for the Australia New Zealand Food Standards Code included in this Version (unless otherwise indicated)

Pink text with yellow background in FOODfind – search for the Application or Proposal number or follow links to FSANZ reports for full details.

17 December 2012

- **Application A1055 – Short-chain Fructo-oligosaccharides**: to permit the optional addition of short-chain fructo-oligosaccharides (scFOS) to infant formula, infant foods and supplementary foods for young children as an alternative to inulin-derived substances
- **Proposal P1019 – Carbon Monoxide as a Processing Aid for Fish**: to ensure that carbon monoxide is not permitted to be used as a processing aid for fish.

17 August 2012

- **Application A1039 – Low THC Hemp as a Food**: to approve the use of *Cannabis sativa* with low levels of tetrahydrocannabinol, in both seed and seed oil, as a food.

12 December 2007

- **P290 – Food Safety Programs for Catering Operations to the General Public**
(on hold pending advice from the Ministerial Forum)

Documents released for comment by FSANZ - No proposed amendments at this time.

- **P1017 – Criteria for *Listeria monocytogenes* – Microbiological Limits for Foods**: to update Standard 1.6.1 with regards to criteria for *Listeria monocytogenes* limits in ready-to-eat foods; aligning with international (Codex) standards, Food Safety and Primary Production and Processing Standards and associated FSANZ guidance material.
Comments close 16 November 2012
- **Proposal P1014 – Primary Production & Processing Standard for Minor Meat Species & Wild Game**: to develop an Australia only primary production and processing standard for meat and meat products from minor species and wild game to provide a nationally consistent approach to the management of meat safety. **Call for comments until 4 June 2012.**
- **Proposal P1015 – Primary Production & Processing Standard for Horticulture**: To examine options for primary production and processing requirements for the raw horticultural produce sector. **Call for comments until 21 May 2012.**

Applications and Proposals under consideration by FSANZ, which have not yet reached draft amendment stage:

12 April 2013

- **A1083 – Maximum Residue Limits for Blueberries & Raspberries**: to amend maximum residue limits (MRLs) listed in Schedule 1 of Standard 1.4.2 to include Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries.

19 March 2013

- **A1081 – Food derived from Herbicide-tolerant Soybean Event SYHT0H2**: to seek permission for food derived from herbicide-tolerant soybean, genetically modified to provide tolerance to the herbicide glufosinate-ammonium and tolerance to herbicides that inhibit p-hydroxyphenylpyruvate dioxygenase (HPPD)
- **P1026 – Lupin as an Allergen**: to consider options to regulate food containing lupin as a food allergen.

7 March 2013

- **A1079 – Exemption from Prescriptive Requirements for Hand Washing**: to include electrolysed water as an option for hand washing in the Code.
- **A1080 – Food derived from Herbicide-tolerant Cotton Line MON88701**: to seek permission for food derived from cotton genetically modified to provide resistance to dicamba and glufosinate

21 January 2013

- [M1009](#) - Proposal M1009 - Maximum Residue Limits

17 December 2012

- [P1024 – Revision of the Regulation of Nutritive Substances and Novel Foods](#): to develop an alternative framework for the regulation of nutritive substances (currently defined in Standard 1.1.1) and novel foods (currently regulated in Standard 1.5.1) in the Code. Discussion Paper [[word 537 kb](#) | [pdf 1062 kb](#)]
- [P1025 – Code Revision](#): to revise the *Australia New Zealand Food Standards Code* to improve legal efficacy and for related purposes.

16 November 2012

- [Application A1077 – Fungal Chitosan as a Processing Aid](#): To permit the use of fungal chitosan from *Aspergillus niger* as a processing aid and a fining agent in the manufacture of wine, beer, cider, spirits and food-grade ethanol.

26 September 2012

- [Infant Formula Products](#): this review will investigate and develop a detailed record of issues relating to the current requirements for infant formula products in the Code. The information gathered by FSANZ, including that obtained through consultation with stakeholders, will inform the preparation of a proposal to revise the relevant standards for infant formula products. Comments close on 7 November 2012

27 July 2012

- [Application A1075 – Quillaja Extract as a Food Additive \(Emulsifier\)](#): to include Quillaja extract as a food additive (foaming agent) in semi-frozen carbonated and non-carbonated beverages.

18 June 2012

- [Consultation paper \(pdf 602 kb\)](#) | [\(word 1 mb\)](#) - submissions on the outcomes of a review of its cost recovery arrangements close 16 July 2012.

26 March 2012

- [Proposal P1014 – Primary Production & Processing Standard for Minor Meat Species & Wild Game](#): to develop an Australia only primary production and processing standard for meat and meat products from minor species and wild game to provide a nationally consistent approach to the management of meat safety. **Call for comments until 4 June 2012.**
- [Proposal P1015 – Primary Production & Processing Standard for Horticulture](#): To examine options for primary production and processing requirements for the raw horticultural produce sector. **Call for comments until 21 May 2012.**

- **Proposed Future Regulation of Nutritive Substances and Novel Foods in the Australia New Zealand Food Standards Code** [[word_537 kb](#) | [pdf 1062 kb](#)] **Call for comments until 21 May 2012.**

16 February 2012

- **[Proposal P1016](#) – Hydrocyanic Acid in Apricot Kernels & Other Foods:** to consider an amendment to the Code for hydrocyanic acid in raw apricot kernels, foods derived from them and potentially other foods.
- **[Proposal P1017](#) – Criteria for *Listeria monocytogenes*– Microbiological Limits for Foods:** to update Standard 1.6.1 with regards to criteria for *Listeria monocytogenes* limits in ready-to-eat foods; aligning with international (Codex) standards, Food Safety and Primary Production and Processing Standards and associated FSANZ guidance material.

16 January 2012

- **[Proposal P1015](#) – Primary Production & Processing Standard for Horticulture:** to examine options for primary production and processing requirements for the raw horticultural produce sector.