Australia New Zealand Food Standards Code – Amendment No. 78 – 2005

Food Standards Australia New Zealand Act 1991

Preamble

The variations set forth in the Schedule below are variations to Standards in the *Australia New Zealand Food Standards Code* published by the National Health and Medical Research Council in the *Commonwealth of Australia Gazette*, No. P 27, on 27 August 1987, which have been varied from time to time.

These variations are published pursuant to section 23A of the *Food Standards Australia New Zealand Act 1991*.

Citation

These variations may be collectively known as the *Australia New Zealand Food Standards Code* – Amendment No. 78 – 2005.

Commencement

These variations commence on gazettal, with the exception of Items [23.2] and [25], which commence 12 months from Gazettal.

Note: These variations were published in the Commonwealth of Australia Food Standards Gazette No. FSC 20 on 26 May 2005.

SCHEDULE

[1] *The* ***Australia New Zealand Food Standards Code*** *is varied by –*

[1.1] *omitting the* Commentary*, substituting –*

COMMENTARY

THE AUSTRALIA NEW ZEALAND FOOD STANDARDS SYSTEM

The Australia New Zealand food standards system is a cooperative arrangement between Australia, New Zealand and the Australian States and mainland Territories to develop and implement uniform food standards.

The system for the development of joint Australia New Zealand food standards was first established under a treaty between Australia and New Zealand signed in December 1995. Within Australia, the system is based upon the initial 1991 Commonwealth, State and Territory Agreement in relation to the adoption of uniform food standards. This system continues in operation under the Food Regulation Agreement 2002, and is implemented by food legislation in each State and Territory and in New Zealand, and by the *Food Standards Australia New Zealand Act 1991* (FSANZ Act) of the Commonwealth of Australia.

The FSANZ Act establishes the mechanisms for the development and variation of joint food regulatory measures (a food standard or a code of practice) and creates Food Standards Australia New Zealand (the Authority) as the agency responsible for the development and maintenance of a joint *Australia New Zealand Food Standards Code* (the Code).

Although the Authority develops food standards, responsibility for enforcing and policing food standards rests with the States and Territories in Australia and the New Zealand government in New Zealand. Further, in relation to food imported into Australia, the Commonwealth, through the *Imported Food Control Act 1992*, enforces the Code. Within each jurisdiction there are one or more agencies responsible for food surveillance charged with the task of ensuring the requirements of the Code are met.

Australia New Zealand Food Standards Code

The Code is a collection of individual food standards. Standards on related matters are grouped together into Parts, which in turn are collected together into four Chapters. Chapter 1 deals with standards which apply to all foods, with the exception of Maximum Residue Limits (MRLs) and processing requirements for which New Zealand has its own regulations. Chapter 2 deals with standards affecting particular classes of foods. Food hygiene is not part of the joint food standards system and Chapter 3 deals with food hygiene issues specific to Australia. New Zealand has its own food hygiene arrangements. Chapter 4 contains standards dealing with the primary production of food in Australia. Again, New Zealand has its own arrangements for primary production of food.

Food standards have the force of law. It is an offence in New Zealand, and a criminal offence in Australia to supply food that does not comply with relevant food standards. Notwithstanding food standards, it is also an offence to sell food which is damaged, deteriorated or perished, which is adulterated, or which is unfit for human consumption. Because food standards are given legal effect by State, Territory and New Zealand laws, it is important to read this Food Standards Code in conjunction with the relevant food legislation.

This Code should also be read in conjunction with other applicable laws, such as the Australian *Trade Practices Act 1974*, the New Zealand and State and Territory Fair Trading Acts and the New Zealand, State and Territory Food Acts. The provisions in these Acts, particularly relating to conduct which is false, misleading or deceptive, apply to the supply of food in trade and commerce.

Food standards are developed or varied by the Authority, either by application from any agency, body, or person, or by a proposal of its own initiative. Notices are published in Australia and New Zealand seeking comment from the public on applications and proposals.

The Authority is required by the FSANZ Act to observe certain processes in the course of developing or reviewing food regulatory measures. However the Authority must have regard to the following overarching objectives, in priority order

- the protection of public health and safety; and
- the provision of adequate information relating to food to enable consumers to make informed choices; and
- the prevention of misleading or deceptive conduct.

The Authority must also have regard to the following:

- the need for standards to be based on risk analysis using the best available scientific evidence;
- the promotion of consistency between domestic and international food standards;
- the desirability of an efficient and internationally competitive food industry;
- the promotion of fair trading in food;
- any written policy guidelines formulated by the Council for the purposes of this paragraph and notified to the Authority.

Standards or variations to standards developed and approved by the Authority are subject to review by a council of Health Ministers known as the Australia and New Zealand Food Regulation Ministerial Council. The Council meets approximately twice a year, with some business conducted out-of-session through correspondence.

Standards approved by the Authority are published in the Commonwealth of Australia Gazette and the New Zealand Gazette and become legally binding. A commencement date for the standard is also specified. The standards published in the Gazettes are adopted by reference and without amendment into the food laws of the States and Territories and of New Zealand.

How to seek a variation to a food standard

If you wish to apply for the development of a new standard, or variation of an existing standard, an application form can be obtained by writing to the Standards Management Officer at either of the addresses shown below:

Food Standards Australia New Zealand
PO Box 7186
Canberra BC ACT 2610
AUSTRALIA

Food Standards Australia New Zealand
PO Box 10559 The Terrace
Wellington 6036
NEW ZEALAND

[1.2] *omitting wherever occurring all references to the New Zealand Food Regulations 1984.*

[2] ***Standard 1.1.1*** *is varied by –*

[2.1] *omitting from clause 2, the definition of* Code, *substituting –*

> **Code** means the *Australia New Zealand Food Standards Code* as defined in section 3 of the *Food Standards Australia New Zealand Act 1991*.

[2.2] *omitting from clause 2, paragraph (c) of the definition of* warning statement, *substituting –*

> (c) subclauses 14(1), 14(3) and 26(1) of Standard 2.9.1; and

[2.3] *omitting subclause 5(2), substituting –*

(2) In this Code, the Commentary and editorial notes are for information only and are not legally binding.

[3] ***Standard 1.2.1*** *is varied by omitting subclause 2(2), substituting –*

(2) Notwithstanding subclause (1), food for retail sale or for catering purposes must comply with any requirements specified in –

(a) subclauses 2(2), 3(2), 4(2) and 5(2) of Standard 1.2.3; and
(b) Standard 1.2.6; and
(c) subclauses 4(2) and 4(3) of Standard 1.2.8; and
(d) subclause 2(3) of Standard 1.2.10; and
(e) subclause 4(3) of Standard 1.5.2; and
(f) clause 6 of Standard 1.5.3; and
(g) subclause 4(3) and clauses 5, 6, and 10 of Standard 2.2.1; and
(h) clause 3 of Standard 2.2.3; and
(i) subclause 3(2) of Standard 2.6.3; and
(j) subclauses 3(3) and 3(4) of Standard 2.6.4; and
(k) subclauses 3(1), 3(2), 3(3) and 3(4) of Standard 2.9.4.

[4] ***Standard 1.2.3*** *is varied by –*

[4.1] *omitting from* Column 1 *of the* Table to clause 2, Bee Pollen, Kola beverages containing added caffeine *and* Propolis, *substituting –*

Bee pollen presented as a food, or a food containing bee pollen as an ingredient as defined in Standard 1.2.4
Kola beverages containing added caffeine, or food containing a kola beverage containing added caffeine as an ingredient as defined in Standard 1.2.4.
Propolis presented as a food, or food containing propolis as an ingredient as defined in Standard 1.2.4.

[4.2] *omitting subclause 4(2), substituting –*

(2) The presence of the substances listed in the Table to this clause must be –

(a) declared on the label on a package of the food; or
(b) where the food is not required to bear a label pursuant to clause 2 of Standard 1.2.1 –

(i) declared on or in connection with the display of the food; or
(ii) declared to the purchaser upon request.

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[5] ***Standard 1.2.4*** *is varied by omitting paragraph 2(b), substituting –*

(b) the food is an alcoholic beverage standardised in Standard 2.7.2 to Standard 2.7.5 of this Code; or

[6] ***Standard 1.2.6*** *is varied by omitting the* colon *from clause 3, substituting a* hyphen.

[7] ***Standard 1.2.8*** *is varied by –*

[7.1] *omitting paragraph 3(b), substituting –*

(b) an alcoholic beverage standardised in Standard 2.7.2 to Standard 2.7.5 of this Code; or

[7.2] *omitting paragraph 3(o), substituting –*

(o) a kit which is intended to be used to produce an alcoholic beverage standardised in Standard 2.7.2 to Standard 2.7.5 of this Code.

[7.3] *omitting paragraph 5(1)(a), substituting –*

(a) the number of servings of the food in the package expressed as either –

(i) the number of servings of the food, or
(ii) the number of servings of the food per kg, or other units as appropriate, for those packaged foods where the weight or volume of the food as packaged is variable; and

[7.4] *omitting subclause 17(1), substituting –*

(1) A claim to the effect that a food is low in salt or sodium content must not be made unless the food contains no more than 120 mg of sodium per 100 g of the food.

[8] ***Standard 1.2.10*** *is varied by –*

[8.1] *omitting paragraph 2(4)(g), substituting –*

(g) food standardised in Standard 1.1A.1 or Standard 2.9.1; or

[8.2] *omitting paragraph 2(4)(i), substituting –*

(i) alcoholic beverages standardised in Standard 2.7.2 to 2.7.5 of this Code.

[9] ***Standard 1.3.1*** *is varied by –*

[9.1] *omitting clause 4, substituting –*

4 Requirements for use of intense sweeteners

Save where otherwise expressly stated in Schedule 1 and notwithstanding any specific level specified in a Schedule to this Standard, intense sweeteners may only be added to food as a flavour enhancer or in an amount necessary to replace, either wholly or partially, the sweetness normally provided by sugars.

[9.2] *omitting from paragraph 11(a)(i),* December 2001; or, *substituting –*

May 2003; or

[9.3] *omitting from the* General Provisions *of* Schedule 1 –

Colours in Schedule 4 may be present to a maximum level of 290 mg/kg in foods other than beverages and 70 mg/L in beverages except where expressly prohibited in this schedule

substituting –

Colours in Schedule 4 may be present in processed foods to a maximum level of 290 mg/kg in foods other than beverages and 70 mg/L in beverages except where expressly prohibited in this schedule

[9.4] *inserting in* Schedule 1, *under item 13.4 –*

950	Acesulphame potassium	500	mg/kg
956	Alitame	40	mg/kg
962	Aspartame-acesulphame salt	1100	mg/kg

[9.5] *omitting from* Schedule 1, *under item 14.1.3, sub-item* Electrolyte, *substituting –*

electrolyte

[9.6] *inserting in* Schedule 1, *under item 14.1.3 sub-item* Electrolyte drink and electrolyte drink base –

950	Acesulphame potassium	150	mg/kg

[9.7] *omitting the headings to* Schedule 4, *alphabetical and numeric listings, substituting –*

Colours permitted to a maximum level of 290 mg/kg in processed foods and to a maximum level of 70 mg/L in beverages other than beverages specified in Schedule 1

[10] ***Standard 1.3.3*** *is varied by –*

[10.1] *omitting from the* Table to clause 11, *under the heading* Substance, Phosphorus acid, *substituting –*

Phosphorous acid

[10.2] *inserting in the* Table to clause 12 –

Iodine	Fruits, vegetables and eggs	GMP

[10.3] *inserting after the* Table to clause 12 –

Editorial note:

FSANZ will prepare a proposal to review the extent of the use of Iodine as a processing aid three years from the date of the inclusion of Iodine as a processing aid in the Table to clause 12.

[10.4] *inserting in the* Table to clause 14 –

1-Hydroxyethylidene-1,1-diphosphonic acid	Metal sequestrant for use with anti-microbial agents for meat, fruit and vegetables	GMP
Octanoic acid	Anti-microbial agent for meat, fruit and vegetables	GMP

[11] ***Standard 1.3.4*** *is varied by –*

[11.1] *omitting paragraph 2(a), substituting –*

(a) Food and Nutrition Paper 52 Compendium of Food Additive Specifications Volumes 1 and 2, including addenda 1 to 12, published by the Food and Agriculture Organisation of the United Nations in Rome (1992); or

[11.2] *omitting paragraph 2(b), substituting –*

(b) the fifth edition of the Food Chemicals Codex published by the National Academy of Sciences and the National Research Council of the United States of America in Washington, D.C. (2004); or

[11.3] *omitting paragraph 3(i), substituting –*

(i) Code of Federal Regulations of the United States of America, 1 April, 2004; or

[11.4] *omitting from the* Schedule, *under the heading* Specification for quaternary amine cellulose ion exchange resin, *paragraph (c), substituting –*

(c) When subjected to the extraction regime listed in the CFR Title 21 part 173.25(c)(4), but using dilute hydrochloric acid at pH2 in place of 5% acetic acid, the ion exchange resins shall result in no more than 25 ppm of organic extractives.

[11.5] *inserting in the* Schedule –

Specification for docosahexaenoic acid (DHA) - rich oil derived from marine micro-algae (*Ulkenia* sp.)

Full chemical name for DHA	All cis-4,7,10,13,16,19-docosahexaenoic acid (22:6n-3 DHA)
Appearance	Fluid to waxy oil
Colour	Colourless to pale yellow
Odour	Characteristic bland to fish-like
DHA (%)	min. 32
Docosapentaenoic acid 22:5n-6 (%)	min. 8
Saturated fat (%)	max. 45
Trans fatty acids (%)	max. 2
Peroxide value (meq/kg)	max. 10
Moisture and volatiles (%)	max. 0.1
Non-saponifiables (%)	max. 2
Acid value (mg KOH/g)	max. 0.5
Lead (ppm)	max. 0.2
Arsenic (ppm)	max. 0.2
Mercury (ppm)	max. 0.2
Hexane (ppm)	max. 10

[12] ***Standard 1.4.1*** *is varied by omitting the second paragraph of the* Purpose, *substituting –*

A ML has been established only where it serves an effective risk management function and only for those foods which provide a significant contribution to the total dietary exposure. Food not listed in this Standard may contain low levels of contaminants or natural toxicants. However, MLs have not been assigned to these foods because they present a low public health risk. The general provisions of the Food Acts relating to the availability of safe foods apply to all foods.

[13] ***Standard 1.4.2*** *is varied by –*

[13.1] *omitting from* Schedule 1 *all entries for the following chemical –*

Metasulfuron-methyl

[13.2] *omitting from* Schedule 1 *the residue definition for the chemical appearing in* Column 1 *of the Table to this sub-item, substituting the residue definition appearing in* Column 2 –

COLUMN 1	COLUMN 2
PYRIDATE	SUM OF PYRIDATE AND METABOLITES CONTAINING 6 CHLORO-4-HYDROXYL-3-PHENYL PYRIDAZINE, EXPRESSED AS PYRIDATE
SETHOXYDIM	SUM OF SETHOXYDIM AND METABOLITES CONTAINING THE 5-(2-ETHYLTHIOPROPYL)CYCLOHEXENE-3-ONE AND 5-HYDROXYCYCLOHEXENE-3-ONE MOIETIES AND THEIR SULFOXIDES AND SULFONES, EXPRESSED AS SETHOXYDIM
THIOMETON	SUM OF THIOMETON, ITS SULFOXIDE AND SULFONE, EXPRESSED AS THIOMETON

[13.3] *omitting from* Schedule 1 *the chemical and chemical residue definition appearing in* Column 1 *of the Table to this sub-item, substituting the chemical and chemical residue definition in appearing in* Column 2 –

COLUMN 1	COLUMN 2
QUINZALOFOP-ETHYL SUM OF QUIZALOFOP-ETHYL AND QUIZALOFOP ACID ID AND OTHER ESTERS, EXPRESSED AS QUIXZALOFOP-ETHYL	**QUIZALOFOP-ETHYL** SUM OF QUIZALOFOP-ETHYL AND QUIZALOFOP ACID AND OTHER ESTERS, EXPRESSED AS QUIZALOFOP-ETHYL

[13.4] *omitting from Schedule 1, wherever occurring, the commodity name in* Column 1 *of the table to this sub-item, substituting the commodity name in* Column 2 –

COLUMN 1	COLUMN 2
BEANS, EXCEPT BROAD BEAN AND SOYA BEAN	BEANS [EXCEPT BROAD BEAN AND SOYA BEAN]
BLACKCURRANTS	CURRANT, BLACK
BRASSICA (COLE OR CABBAGE) VEGETABLES	BRASSICA (COLE OR CABBAGE) VEGETABLES, HEAD CABBAGES, FLOWERHEAD BRASSICAS
FRUITING VEGETABLES, OTHER THAN CUCURBITS [EXCEPT SWEET CORN, CORN-ON-THE-COB]	FRUITING VEGETABLES , OTHER THAN CUCURBITS [EXCEPT SWEET CORN, (CORN-ON-THE-COB)]
GALANGAL	GALANGAL, GREATER
PEPPERS	PEPPERS, SWEET
PEPPERS, SWEET (CAPSICUMS)	PEPPERS, SWEET
PEPPERS (CAPSICUMS)	PEPPERS, SWEET
TROPICAL AND SUB-TROPICAL FRUITS – INEDIBLE PEEL	ASSORTED TROPICAL AND SUB-TROPICAL FRUITS – INEDIBLE PEEL

[13.5] *inserting in* Schedule 1 –

EPOXICONAZOLE EPOXICONAZOLE	
AVOCADO	0.5
BANANA	1
EDIBLE OFFAL (MAMMALIAN)	*0.01
MEAT (MAMMALIAN)	*0.01
MILKS	*0.001

PYRACLOFOS PYRACLOFOS	
SHEEP FAT	T*0.1
SHEEP KIDNEY	T*0.1
SHEEP LIVER	T*0.1
SHEEP MEAT	T*0.1

[13.6] *omitting from* Schedule 1 *the foods and associated MRLs for each of the following chemicals –*

CHLORPYRIFOS CHLORPYRIFOS	
OILSEED [EXCEPT COTTON SEED]	T*0.05
OILSEED [EXCEPT PEANUT]	T*0.05
FENVALERATE FENVALERATE, SUM OF ISOMERS	
CATTLE MEAT (IN THE FAT),	0.2
GOAT MEAT (IN THE FAT)	0.5
MILKS (IN THE FAT)	0.2
SHEEP MEAT (IN THE FAT)	0.5
GLYPHOSATE SUM OF GLYPHOSATE AND AMINOMETHYLPHOSPHONIC ACID (AMPA) METABOLITE, EXPRESSED AS GLYPHOSATE	
ADZUKI BEANS	T10
PULSES [EXCEPT ADZUKI BEAN (DRY), COWPEA (DRY), MUNG BEAN (DRY), SOYA BEAN (DRY)	5
SETHOXYDIM SUM OF SETHOXYDIM AND METABOLITES CONTAINING THE 5-(2-ETHYLTHIOPROPYL)CYCLOHEXENE-3-ONE AND 5-HYDROXYCYCLOHEXENE-3-ONE MOIETIES AND THEIR SULFOXIDES AND SULFONES, EXPRESSED AS SETHOXYDIM	
HERBS	T0.1
SPINOSAD SUM OF SPINOSYN A AND SPINOSYN D	
ASSORTED TROPICAL AND SUB-TROPICAL FRUITS – INEDIBLE PEEL	T0.5
MIZUNA	T5
PEAS	T0.2
POTATO	T*0.01
RADISH	*0.05
ZERANOL ZERANOL	
CATTLE, EDIBLE	0.02

[13.7] *inserting in alphabetical order in* Schedule 1, *the foods and associated MRLs for each of the following chemicals –*

AVILAMYCIN	
INHIBITORY SUBSTANCE, IDENTIFIED AS AVILAMYCIN	
PIG, EDIBLE OFFAL OF	T*0.05
PIG MEAT	T*0.05
AZOXYSTROBIN	
AZOXYSTROBIN	
COTTON SEED	T*0.01
BIFENTHRIN	
BIFENTHRIN	
BRASSICA (COLE OR CABBAGE) VEGETABLES, HEAD CABBAGES, FLOWERHEAD BRASSICAS	T1
COMMON BEAN (PODS AND/OR IMMATURE SEEDS)	T0.5
LETTUCE, HEAD	T2
BUPROFEZIN	
BUPROFEZIN	
OLIVES	T0.5
OLIVE OIL, CRUDE	T2
PERSIMMON, JAPANESE	T1
CAPTAN	
CAPTAN	
PITAYA (DRAGON FRUIT)	T20
CARBARYL	
CARBARYL	
GALANGAL, RHIZOMES (FRESH)	T5
TURMERIC, ROOT (FRESH)	T5
CARFENTRAZONE-ETHYL	
CARFENTRAZONE-ETHYL	
COTTON SEED	T*0.05
CHLORPYRIFOS	
CHLORPYRIFOS	
OILSEED [EXCEPT COTTON SEED AND PEANUT]	T*0.05
PITAYA (DRAGON FRUIT)	T*0.05
CYHALOTHRIN	
CYHALOTHRIN, SUM OF ISOMERS	
CHARD	T0.5

DIAFENTHIURON	
SUM OF DIAFENTHIURON; N-[2,6-BIS(1-METHYLETHYL)- 4-PHENOXYPHENYL]-N'-(1,1-DIMETHYLETHYL)UREA; AND N-[2,6-BIS(1-METHYLETHYL)-4-PHENOXYPHENYL]- N'-(1,1-DIMETHYLETHYL)CARBODIIMIDE, EXPRESSED AS DIAFENTHIURON	
EGGS	*0.02
POULTRY, EDIBLE OFFAL OF	*0.02
POULTRY MEAT (IN THE FAT)	*0.02
DIMETHOATE	
SUM OF DIMETHOATE AND OMETHOATE, EXPRESSED AS DIMETHOATE *SEE ALSO* OMETHOATE	
MANGO	1
DIPHENYLAMINE	
DIPHENYLAMINE	
EDIBLE OFFAL (MAMMALIAN) [EXCEPT LIVER]	*0.01
EGGS	0.05
LIVER OF CATTLE, GOATS, PIGS AND SHEEP	0.05
MEAT (MAMMALIAN) (IN THE FAT)	*0.01
MILKS (IN THE FAT)	*0.01
POULTRY, EDIBLE OFFAL OF	*0.01
POULTRY MEAT (IN THE FAT)	*0.01
FENVALERATE	
FENVALERATE, SUM OF ISOMERS	
EGGS	0.02
MEAT (MAMMALIAN) (IN THE FAT)	1
MILKS	0.2
POULTRY, EDIBLE OFFAL OF	*0.02
POULTRY MEAT (IN THE FAT)	0.05
FIPRONIL	
SUM OF FIPRONIL, THE SULPHENYL METABOLITE (5-AMINO-1-[2,6-DICHLORO-4-(TRIFLUOROMETHYL)PHENYL]-4-[(TRIFLUOROMETHYL) SULPHENYL]-1H-PYRAZOLE-3-CARBONITRILE), THE SULPHONYL METABOLITE (5-AMINO-1-[2,6-DICHLORO-4-(TRIFLUOROMETHYL)PHENYL]-4-[(TRIFLUOROMETHYL)SULPHONYL]-1H-PYRAZOLE-3-CARBONITRILE), AND THE TRIFLUOROMETHYL METABOLITE (5-AMINO-4-TRIFLUOROMETHYL-1-[2,6-DICHLORO-4-(TRIFLUOROMETHYL)PHENYL]-1H-PYRAZOLE-3-CARBONITRILE)	
SWEDE	0.1
TURNIP, GARDEN	0.1

FLUDIOXONIL FLUDIOXONIL	
COTTON SEED	T*0.05
GLYPHOSATE SUM OF GLYPHOSATE AND AMINOMETHYLPHOSPHONIC ACID (AMPA) METABOLITE, EXPRESSED AS GLYPHOSATE	
ADZUKI BEAN (DRY)	10
SOYA BEAN (DRY)	10
IMIDACLOPRID SUM OF IMIDACLOPRID AND METABOLITES CONTAINING THE 6-CHLOROPYRIDINYMETHYLENEMOIETY, EXPRESSED AS IMIDACLOPRID	
LETTUCE, HEAD	T5
LETTUCE, LEAF	T5
METSULFURON-METHYL METSULFURON-METHYL	
CHICK-PEA (DRY)	T*0.05
PERMETHRIN PERMETHRIN, SUM OF ISOMERS	
KAFFIR LIME LEAVES	T10
LEMON GRASS	T10
LEMON VERBENA	T5
SETHOXYDIM SUM OF SETHOXYDIM AND METABOLITES CONTAINING THE 5-(2-ETHYLTHIOPROPYL)CYCLOHEXENE-3-ONE AND 5-HYDROXYCYCLOHEXENE-3-ONE MOIETIES AND THEIR SULFOXIDES AND SULFONES, EXPRESSED AS SETHOXYDIM	
HERBS [EXCEPT THYME]	*0.1
THYME	0.5

SPINOSAD SUM OF SPINOSYN A AND SPINOSYN D	
ASSORTED TROPICAL AND SUB TROPICAL FRUITS – INEDIBLE PEEL [EXCEPT BANANA AND KIWIFRUIT]	T0.5
BANANA	0.2
CUCUMBER	0.2
KIWIFRUIT	0.3
JAPANESE GREENS	5
PEAS (PODS AND SUCCULENT, IMMATURE SEEDS)	0.5
ROOT AND TUBER VEGETABLES	0.02
SOYA BEAN	T0.05
TRICLABENDAZOLE TRICLABENDAZOLE	
FAT (MAMMALIAN)	1
TRIFLOXYSTROBIN SUM OF TRIFLOXYSTROBIN AND ITS ACID METABOLITE ((E,E)-METHOXYIMINO-[2-[1-(3-TRIFLUOROMETHYLPHENYL)-ETHYLIDENEAMINOOXYMETHYL]PHENYL] ACETIC ACID), EXPRESSED AS TRIFLOXYSTROBIN EQUIVALENTS	
STRAWBERRY	T2
ZERANOL ZERANOL	
CATTLE, EDIBLE OFFAL OF	0.02

[13.8] *omitting from* Schedule 1, *under the entries for the following chemicals, the maximum residue limit for the food, substituting –*

CHLORPYRIFOS CHLORPYRIFOS	
PERSIMMON, JAPANESE	0.5
CYPRODINIL CYPRODINIL	
STONE FRUITS	*0.01
DIPHENYLAMINE DIPHENYLAMINE	
APPLE	10
FENVALERATE FENVALERATE, SUM OF ISOMERS	
EDIBLE OFFAL (MAMMALIAN)	0.05

FLUMETHRIN FLUMETHRIN, SUM OF ISOMERS	
CATTLE, EDIBLE OFFAL OF	0.05
CATTLE MEAT (IN THE FAT)	0.2
MILKS	0.05
GLYPHOSATE SUM OF GLYPHOSATE AND AMINOMETHYLPHOSPHONIC ACID (AMPA) METABOLITE, EXPRESSED AS GLYPHOSATE	
COTTON SEED	10

METHOMYL SUM OF METHOMYL AND METHYL HYDROXYTHIOACETIMIDATE ('METHOMYL OXIME'), EXPRESSED AS METHOMYL *SEE ALSO* THIODICARB	
AVOCADO	*0.1
METHYL BROMIDE METHYL BROMIDE	
VEGETABLES [EXCEPT CUCUMBER AND PEPPERS, SWEET]	T*0.05
PROPACHLOR PROPACHLOR	
BRASSICA (COLE OR CABBAGE) VEGETABLES, HEAD CABBAGES, FLOWERHEAD BRASSICAS	0.6
PYMETROZINE PYMETROZINE	
BRASSICA (COLE OR CABBAGE) VEGETABLES, HEAD CABBAGES, FLOWERHEAD BRASSICAS	*0.02
SETHOXYDIM SUM OF SETHOXYDIM AND METABOLITES CONTAINING THE 5-(2-ETHYLTHIOPROPYL)CYCLOHEXENE-3-ONE AND 5-HYDROXYCYCLOHEXENE-3-ONE MOIETIES AND THEIR SULFOXIDES AND SULFONES, EXPRESSED AS SETHOXYDIM	
BERGAMOT	*0.1
BRASSICA (COLE OR CABBAGE) VEGETABLES, HEAD CABBAGES, FLOWERHEAD BRASSICAS	0.2
BURNET, SALAD	*0.1
CHERVIL	*0.1
CORIANDER (LEAVES, STEM, ROOTS)	*0.1
CORIANDER, SEED	*0.1
DILL, SEED	*0.1
FENNEL, SEED	*0.1
KAFFIR LIME LEAVES	*0.1
LEMON GRASS	*0.1
LEMON VERBENA (FRESH WEIGHT)	*0.1
MIZUNA	*0.1
ROSE AND DIANTHUS (EDIBLE FLOWERS)	*0.1
RUCOLA (ROCKET)	*0.1
TURMERIC, ROOT	1
SPINOSAD SUM OF SPINOSYN A AND SPINOSYN D	
BEANS [EXCEPT BROAD BEAN AND SOYA BEAN]	0.5
BERGAMOT	5
BERRIES AND OTHER SMALL FRUITS [EXCEPT GRAPES]	0.7
BURNET, SALAD	5
CHERVIL	5
CORIANDER (LEAVES, STEM, ROOTS)	5
CORIANDER, SEED	5
DILL, SEED	5
EGG PLANT	0.2
FENNEL, SEED	5
GALANGAL, GREATER	0.02
HERBS	5
KAFFIR LIME LEAVES	5
LEMON GRASS	5
LEMON VERBENA (DRY LEAVES)	5
POME FRUITS	0.5
PULSES	T0.05
RUCOLA (ROCKET)	5
STONE FRUITS	0.7
TURMERIC, ROOT	0.02
TEBUFENOZIDE TEBUFENOZIDE	
PERSIMMON, JAPANESE	0.1
TRICLABENDAZOLE TRICLABENDAZOLE	
KIDNEY (MAMMALIAN)	1
LIVER (MAMMALIAN)	2

[13.9] *omitting from* Schedule 2, *under the entries for the following chemical, the Extraneous Residue Limit for the food, substituting –*

ALDRIN AND DIELDRIN SUM OF HHDN AND HEOD	
MILKS (IN THE FAT)	E0.15

[14] ***Standard 1.5.1*** *is varied by –*

[14.1] *inserting in column 1 of the* Table to clause 2 –

Docosahexaenoic acid (DHA) – rich oil derived from marine micro-algae (*Ulkenia* sp.)

[14.2] *omitting the conditions of use in* column 2 *of the* Table to clause 2 *for the following entries –*

Docosahexaenoic acid (DHA) – rich dried marine micro-algae (*Schizochytrium* sp.)
Docosahexaenoic acid (DHA) – rich oil derived from marine micro-algae (*Schizochytrium* sp.)

[14.3] *omitting the* Editorial note *after the* Table to clause 2, *substituting* –

Editorial note:

Novel Foods must meet the requirements of Standard 1.3.4 - Identity and Purity.

The Table to Clause 2 contains conditions relating to novel foods. Nothing contained in this Code permits the mixing of phytosterol esters and tall oil phytosterols.

[15] ***Standard 1.5.2*** *is varied by –*

[15.1] *omitting from the* Table of Provisions –

3 Exemption to general prohibition on sale and use

substituting –

3 Deleted

[15.2] *omitting subparagraph 1(b) of the definition of* line, *substituting –*

(b) any plant, descended from the plant referred to in paragraph (a), that is the result of conventional breeding of that plant with –

(i) any other plant that does not contain a transformation event or events; or
(ii) any other plant that contains a transformation event or events, whether expressed as a line or event, that is listed in Column 1 of the Table to clause 2 of this Standard;

but shall not be taken to mean any plant derived solely as a result of conventional breeding.

[15.3] *omitting clause 3 substituting –*

3 Deleted

[16] ***Standard 1.6.1*** *is varied by omitting from clause 1 the definition of* food.

[17] ***Standard 1.6.2*** *is varied by omitting from the* Editorial note *to clause 2 –*

Paragraph 2(1)(b) is to be reviewed within 12 months from its date of gazettal.

[18] ***Standard 2.7.4*** *is varied by –*

[18.1] *omitting the* Purpose, *substituting –*

Purpose

This Standard sets general definitions for wine and wine product and provides permissions for the addition of certain foods during the production of wine.

The Australian *Wine and Brandy Corporation Act 1980* and the Regulations made under the Act should also be consulted. The Act and the Regulations contain provisions which, for example, regulate:

– the use of geographical indications for wine, sparkling wine and fortified wine;

– limited derogations from the requirements in this Standard for wine, sparkling wine and fortified wine for export;

– blending rules for wine, sparkling wine and fortified wine; and

– the compositional and other requirements for wine, sparkling wine and fortified wine imported into Australia from countries with which Australia has a wine trading agreement prescribed by the Act.

For wines produced in New Zealand, the *Wine Act 2003*, and the Regulations, Specifications and Notices made under that Act, should also be consulted. These contain provisions that regulate the making, supply and export of wine in New Zealand.

[18.2] *omitting from the* Editorial note *to the* Purpose, appellations, *substituting –*

geographical indications

[18.3] *omitting the first paragraph of the* Editorial note *to clause 2, substituting –*

For the production of wine in New Zealand clause 2 of this Standard applies, and should be read in conjunction with the New Zealand *Wine Act 2003*. For the production of wine in Australia, clause 2 of this Standard should be read in conjunction with clause 3 of Standard 4.5.1.

[19] ***Standard 2.7.5*** *is varied by inserting a* full stop *at the end of subparagraph 4(2)(b).*

[20] ***Standard 2.9.1*** *is varied by –*

[20.1] *omitting from the* Table of Provisions –

24 Vitamins and minerals

substituting –

24 Vitamins, minerals and electrolytes

[20.2] *omitting the heading to clause 24, subclause 24(1) and the* Table to subclause 24(1), *substituting –*

24 Vitamins, minerals and electrolytes

(1) Infant formula and follow-on formula must contain the vitamins, minerals and electrolytes specified in column 1 of the Table to this subclause provided that, in relation to each vitamin, mineral or electrolyte –

(a) the added vitamin, mineral or electrolyte is in a permitted form as listed in Schedule 1; and
(b) the infant formula or follow-on formula contains no less than the amount specified in column 2 of the Table; and
(c) the infant formula or follow-on formula contains no more than the amount specified in column 3 of the Table, if any.

Table to subclause 24(1)

Column 1	**Column 2**	**Column 3**
Nutrient	**Minimum amount per 100 kJ**	**Maximum amount per 100 kJ**
Vitamins		
Vitamin A	14 μg	43 μg
Vitamin D	0.25 μg	0.63 μg
Vitamin C	1.7 mg	
Thiamin	10 μg	
Riboflavin	14 μg	
Preformed Niacin	130 μg	
Vitamin B_6	9 μg	36 μg
Folate	2 μg	
Pantothenic acid	70 μg	
Vitamin B_{12}	0.025 μg	
Biotin	0.36 μg	
Vitamin E	0.11 mg	1.1 mg
Vitamin K	1 μg	
Minerals		
Chloride	12 mg	35 mg
Calcium	12 mg	
Phosphorus	6 mg	25 mg
Magnesium	1.2 mg	4.0 mg
Iron	0.2 mg	0.5 mg

Iodine	1.2 μg	10 μg
Copper	14 μg	43 μg
Zinc	0.12 mg	0.43 mg
Manganese	0.24 μg	24.0 μg
Selenium	0.25 μg	1.19 μg
Electrolytes		
Sodium	5 mg	15 mg
Potassium	20 mg	50 mg

[20.3] *omitting the* Editorial note *following subclause 24(4), substituting –*

Editorial note:

This Standard contains guidelines setting out the recommended levels of vitamins, minerals and electrolytes that as a matter of good practice should not be exceeded.

[20.4] *omitting the* Editorial note *to clause 33, substituting –*

Editorial note:

The provisions of clause 24 of this Standard also apply in respect of the vitamins, minerals and electrolytes permitted in an infant formula product for specific dietary use based upon protein substitutes.

[20.5] *omitting the heading to* Schedule 1, *substituting –*

Permitted forms of vitamins, minerals and electrolytes in infant formula products

[20.6] *omitting the column heading from* Column 1 of Schedule 1, *substituting –*

Vitamins, Minerals and Electrolytes

[21] ***Chapter 3*** *is varied by omitting, wherever occurring (except in* Editorial notes*),* colons, *substituting* dashes.

[22] ***Standard 3.1.1*** *is varied by inserting in clause 1 –*

Vehicles used to transport food includes shopping trolleys.

[23] ***Standard 3.2.1*** *–*

[23.1] *omitting subclause 2(1), substituting –*

(1) This Standard applies to food businesses in Australia in accordance with Standard 3.1.1 and subclause (2).

[23.2] *omitting subclause 2(2), substituting -*

(2) Unless expressly provided elsewhere in this Code, this Standard applies to all food and primary food production businesses that are determined by the appropriate enforcement agency under the Act to be within a priority classification of food business from the commencement date for that priority classification of food business.

[24] ***Standard 3.2.2*** *is varied by –*

[24.1] *omitting subclause 19(2), substituting –*

(2) A food business must maintain all fixtures, fittings and equipment, having regard to its use, and those parts of vehicles that are used to transport food, and other items provided by the business to purchasers to transport food, to a standard of cleanliness where there is no accumulation of –

(a) food waste;
(b) dirt;
(c) grease; or
(d) other visible matter.

[24.2] *omitting subclause 21(1), substituting –*

(1) A food business must maintain all fixtures, fittings and equipment, having regard to its use, and those parts of vehicles that are used to transport food, and other items provided by the business to purchasers to transport food, in a good state of repair and working order having regard to their use.

[25] ***The Australia New Zealand Food Standards Code*** *is varied by inserting after Standard 3.3.1 –*

STANDARD 4.2.1

PRIMARY PRODUCTION AND PROCESSING STANDARD FOR SEAFOOD (AUSTRALIA ONLY)

Purpose and commentary

This Standard sets out food safety and suitability requirements for seafood generally from pre-harvesting production of the seafood up to, but not including manufacturing operations. Chapter 3 of this Code applies to seafood manufacturing and retail sale activities.

Under this Standard, a seafood business must identify potential seafood safety hazards and implement controls that are commensurate with the risk.

Additionally, this Standard requires primary producers and processors of certain bivalve molluscs to implement a food safety management system. This particular requirement also extends to manufacturing activities relating to bivalve molluscs.

For primary producers and processors of bivalve molluscs, the food safety management system incorporates conditions on the areas from which the product may be harvested or harvested for depuration or relaying, along with conditions on the water used for wet storage.

Table of Provisions

Clauses

Division 1 – Preliminary

1 Application

(1) This Standard applies to seafood businesses and seafood handlers in Australia but not in New Zealand.

(2) Unless the contrary intention appears in this Standard, Chapter 3 of this Code applies to seafood manufacturing and retail sale activities.

Editorial note:

This Standard applies to primary production and processing activities as defined in clause 2. The definition of 'processing of seafood' includes activities such as the killing, gutting, filleting, brining and shucking of seafood and the depuration of shellfish. However, other than the food safety management system requirements for bivalve molluscs, this Standard does not apply to manufacturing activities.

Manufacturing of seafood is defined in clause 2 as the canning, smoking or crumbing of the seafood or the addition of other foods to the seafood and other like activities.

Under the *Imported Food Control Act 1992*, Standards in this Code apply to imported food. However, this Standard does not fall within the scope of the 'Agreement Between the Government of Australia and the Government of New Zealand Concerning a Joint Food Standards System'. Accordingly, this Standard does not apply to food businesses in New Zealand. Furthermore, the Trans-Tasman Mutual Recognition Arrangement and the Australian and New Zealand legislation giving effect to that Arrangement apply to imported food.

This Standard does not apply to persons who harvest or catch seafood for recreational, cultural or traditional purposes, provided the activity does not come within the definition of a 'seafood business' – that is, the seafood harvested or taken is not intended for sale.

Clause 3 of this Standard does not affect the operation of Standard 3.2.1.

2 Interpretation

(1) Unless the contrary intention appears, the definitions in Chapter 3 of this Code apply for the purposes of this Standard.

(2) In this Standard –

control means a measure that prevents, eliminates or reduces to an acceptable level, a food safety hazard.

depuration means a process using a controlled environment to reduce the level of certain pathogenic organisms that may be present in live shellfish and crustaceans.

harvesting means the capture or taking of seafood and includes the capture or taking of seafood from an enclosure or pond used in aquaculture.

inputs includes any feed, chemicals or other substances used in, or in connection with, the primary production of seafood.

live seafood premises means a premises used for the primary production of live seafood, and includes sea cages.

manufacturing of seafood means the canning, smoking or crumbing of seafood or the addition of other food to seafood and other like activities.

primary production of seafood means the –

(a) growing, cultivation, picking, harvesting, collection or catching of seafood; or
(b) growing on of seafood; or
(c) transportation or delivery of seafood; or
(d) holding of live seafood;

and includes processing of seafood.

processing of seafood includes –

(a) the killing, dismembering, filleting or cutting into portions, gill or gutting, or skinning of seafood; and
(b) the depuration of shellfish and crustaceans; and
(c) the shucking or peeling of seafood; and
(d) the cooking, including steaming or boiling, of crustaceans; and
(e) the brining of seafood; and
(f) the packing, treating, washing, freezing, refrigeration or storing of seafood; and
(g) other similar activities.

Editorial note:

The definitions of 'primary production of seafood' and 'processing of seafood' operate for the purposes of this Standard and do not affect the definition of those terms in State and Territory Food Acts. The definitions in this Standard do not affect the legislative or administrative arrangements in the States and Territories concerning the administration and implementation of legislative schemes.

seafood means all aquatic vertebrates and aquatic invertebrates intended for human consumption, but excludes amphibians, mammals, reptiles, and aquatic plants.

seafood business means a business, enterprise or activity that involves the primary production of seafood intended for sale.

seafood handler means a person who engages in or supervises the primary production of seafood, for a seafood business.

seafood premises means any premises including land, vehicles, parts of structures, tents, stalls and other temporary structures, vessels, pontoons, and any other place declared by the relevant authority to be a premises under the Food Act, kept or used for the primary production of seafood (exclusively or otherwise), regardless of whether the premises are owned by the proprietor, including premises used principally as a private dwelling.

temperature control means maintaining seafood at a temperature of –

(a) 5°C, or below if this is necessary to minimise the growth of infectious or toxigenic micro-organisms in the food so that the microbiological safety of the food will not be adversely affected for the time the food is at that temperature; or

(b) another temperature – if the food business demonstrates that maintenance of the food at this temperature for the period of time for which it will be so maintained, will not adversely affect the microbiological safety of the food.

Division 2 – Seafood safety requirements

3 General seafood safety management

A seafood business must systematically examine all of its primary production and processing operations to identify potential seafood safety hazards and implement controls that are commensurate with the food safety risk.

Editorial note:

The 'controls' referred to in this clause should include –

a. Measures to control hazards from air, soil, water, bait and feedstuffs, fertilizers (including natural fertilizers), pesticides, veterinary drugs and any other agent used in primary production of seafood; and

b. Controls to protect food sources from faecal and other contamination.

4 Contamination and handling

(1) A seafood business must take all necessary steps to prevent the likelihood of seafood being or becoming contaminated.

(2) A seafood business must take all reasonable measures to ensure that seafood handlers handle seafood or surfaces likely to come into contact with seafood in a way that is not likely to compromise the safety or suitability of seafood.

5 Inputs and harvesting areas

(1) A seafood business must take all reasonable measures to ensure inputs do not adversely affect the safety or suitability of the seafood.

(2) A seafood business must not harvest seafood in an area if it is known, or ought reasonably be known at the time, that the seafood, if harvested in the area, may not be safe or suitable when sold for human consumption.

6 Seafood storage

(1) A seafood business must, when storing seafood, other than live seafood, store the seafood under temperature control and have a means of monitoring the temperature of the seafood.

(2) A seafood business must, when storing live seafood, store the seafood in such a way that the conditions under which it is stored will not adversely affect the safety or suitability of the seafood.

7 Seafood transportation

(1) A seafood business must, when transporting seafood, other than live seafood, transport the seafood under temperature control and have a means of monitoring the temperature of the seafood.

(2) A seafood business must when transporting live seafood, transport the seafood under conditions that will not adversely affect the safety or suitability of the seafood.

Editorial note:

For clauses 6 and 7 –

The term 'temperature control' is defined in clause 2 of this Standard.

8 Seafood packaging

A seafood business must, when packaging seafood –

(a) only use packaging material that is fit for its intended use; and
(b) only use packaging material that is not likely to cause contamination of the seafood; and
(c) take all reasonable measures to ensure that the seafood does not become contaminated.

9 Seafood for disposal

(1) A seafood business must ensure that seafood for disposal is held and kept separate until it is –

(a) destroyed or otherwise used or disposed of so that it cannot be used for human consumption; or
(b) returned to its supplier; or
(c) processed in a way that ensures its safety or suitability; or
(d) ascertained to be safe and suitable for sale.

(2) A seafood business must clearly identify any seafood that is held and kept separate in accordance with subclause (1) as returned seafood, recalled seafood, or seafood that is or may not be safe and suitable.

Editorial note:

'Seafood for disposal' has the same meaning as 'food for disposal' as defined in Standard 3.2.2, clause 11 – that is – the seafood is subject to a recall, or has been returned, or is not safe or suitable, or is reasonably suspected of not being safe or suitable.

10 Seafood receipt

(1) A seafood business must take all reasonable measures to ensure it only accepts seafood that is protected from the likelihood of contamination.

(2) A seafood business must, when receiving seafood, other than live seafood, take all reasonable measures to ensure it only accepts seafood that is under temperature control.

(3) A seafood business must, when receiving live seafood, take all reasonable measures to ensure that it receives seafood that has been transported in such a way that has not or will not adversely affect the safety or suitability of the seafood.

11 Seafood tracing

A seafood business must maintain sufficient written records to identify the immediate supplier and immediate recipient of seafood for the purposes of ensuring the safety of the seafood.

12 Skills and knowledge

A seafood business must ensure that seafood handlers have –

(a) skills in food safety and food hygiene; and
(b) knowledge of food safety and food hygiene matters;

commensurate with their work and the food safety risks.

13 Health and hygiene requirements

(1) A seafood handler must exercise personal hygiene and health practices that are commensurate with the food safety risks and that do not adversely affect the safety or suitability of the seafood.

(2) A seafood handler who –

(a) has a symptom that indicates the handler may be suffering from a food-borne disease; or
(b) knows he or she is suffering from a food-borne disease; or
(c) is a carrier of a food-borne disease;

must not engage in any handling of seafood where there is a reasonable likelihood of seafood contamination as a result of the disease.

(3) A seafood business must take all reasonable measures to ensure that seafood handlers exercise personal hygiene and health practices that are commensurate with the food safety risks and that do not adversely affect the safety or suitability of the seafood.

14 Seafood premises and equipment

(1) A seafood business must ensure that seafood premises, including live seafood premises, and equipment used in the primary production of seafood are –

(a) so far as is reasonably necessary, kept clean; and
(b) designed, constructed, maintained and operated;

such that the safety or suitability of the seafood will not be adversely affected.

(2) For the purposes of subclause (1), a seafood business must comply with –

(a) Division 5 of Standard 3.2.2 and Standard 3.2.3 of this Code; or
(b) a set of requirements recognised by the Authority.

Editorial note:

Where the cleaning of equipment such as fishing nets and oyster racks would not affect the safety or suitability of the seafood, the cleaning of this equipment will not be necessary to meet the requirements in paragraph 14(1)(a).

Division 3 – Specific requirements for bivalve molluscs

15 Interpretation

In this Division –

approved means approved by the Authority.

area means an area where bivalve molluscs are grown or harvested.

ASQAP Manual means the Australian Shellfish Quality Assurance Program Operations Manual – Version 3 of 2002.

Authority means the State, Territory or Commonwealth government agency or agencies having the legal authority to implement and enforce this Division.

batch means a quantity of bivalve molluscs which is harvested, depurated or handled from the same lease number and with the same harvest date.

bivalve molluscs include cockles, clams, mussels, oysters, pipis and scallops intended for human consumption, but excludes scallops and pearl oysters, where the only part of the product consumed is the adductor muscle, and spat.

growing on means the process where juvenile bivalve molluscs are translocated to a classified area for a sufficient period to enable their development prior to sale.

relaying means the transfer of bivalve molluscs from one area to another for the reduction of contaminants in the bivalve molluscs.

spat means juvenile bivalve molluscs taken for the sole purpose of growing on.

Editorial note:

If spat are harvested for human consumption then the product falls within the definition of 'bivalve mollusc'. In that case, the requirements in this Division for bivalve molluscs apply to the product.

wet storage means the temporary storage of bivalve molluscs from an area in containers or tanks containing natural or artificial seawater for purposes other than depuration.

16 Food safety management systems for bivalve molluscs

(1) A seafood business that engages in the primary production or processing of, or manufacturing activities concerning, bivalve molluscs must implement a documented food safety management system that effectively controls the hazards.

Editorial note:

'Hazard' is defined in Standard 3.1.1 as a biological, chemical or physical agent in, or condition of, food that has the potential to cause an adverse health effect in humans.

Under subclause 1(2) of this Standard, the requirement for a food safety management system in subclause 16(1) does not apply to retail sale activities concerning bivalve molluscs.

(2) A seafood business is taken to comply with subclause (1) if it implements –

(a) a food safety program set out in Standard 3.2.1; or
(b) a food safety management system set out in the Commonwealth Export Control (Processed Food) Orders; or
(c) the Codex Alimentarius Hazard Analysis and Critical Control Point System (HACCP) for food safety management set out in Annex C to CAC/RCP 1-1969, revision 4 (2003); or
(d) any other Hazard Analysis and Critical Control Point (HACCP) based food safety management system recognised by the Authority.

(3) For the purposes of subclause (1), a seafood business must comply with –

(a) the conditions of the ASQAP Manual specified in the Schedule to this Standard; or
(b) conditions recognised by the Authority.

Editorial note:

The ASQAP Manual is the National guideline for managing risks in the harvesting, relaying, depuration and wet storage of shellfish.

Subclause 16(3) does not require producers or processors of bivalve molluscs to classify or close harvesting areas. Under the ASQAP Manual the classification of these areas is the responsibility of the State Shellfish Control Agency (SSCA).

The Australian Shellfish Quality Assurance Advisory Committee (ASQAAC) maintains the ASQAP Manual.

'HACCP' has a technical meaning commonly understood by the food production and manufacturing industry.

17 Co-mingling of bivalve molluscs

A seafood business must ensure that each batch of bivalve molluscs harvested must be separated in a manner that prevents co-mingling of batches.

SCHEDULE

ASQAP MANUAL CONDITIONS

Column 1 Activities	Column 2 Conditions
Activity 1 Harvesting	The area - (a) has been classified by the Authority as – (i) approved; or (ii) conditionally approved; or (iii) approved as remote; or (iv) offshore; and (b) is subject to a Marine Bio-toxin Management Plan; and (c) has an open status; or (d) is undergoing classification and is approved by the Authority subject to conditions, if any, specified by the Authority.

Activity 2 Harvesting for depuration or relaying	The area – (a) has been classified by the Authority as – (i) approved; or (ii) conditionally approved; or (iii) approved as remote; or (iv) restricted; or (v) conditionally restricted; and (b) is subject to a Marine Bio-toxin Management Plan; and (c) has an open status for the purposes of depuration or relaying; or (d) is undergoing classification and is approved by the Authority, subject to conditions, if any, specified by the Authority.
Activity 3 Post harvest temporary wet storage	The water used must be – (a) sourced from an area that satisfies the conditions for Activity 1 (other than Condition (d)); or (b) of a quality that will not adversely affect the safety and suitability of the bivalve molluscs; and (c) effectively disinfected or maintained during the course of the wet storage in such a way that it continues to satisfy the conditions for Activity 1 (other than Condition (d)).

[26] ***Standard 4.5.1*** *is varied by –*

[26.1] *inserting in the* Table to clause 3 –

Grape skin extract

[26.2] *omitting from the* Table to clause 3 *and inserting in the* Table to clause 4 –

Calcium carbonate Potassium carbonate Potassium hydrogen carbonate

[26.3] *inserting in the* Table to clause 4 –

Dimethylpolysiloxane

[26.4] *omitting subclause 5(7), substituting –*

(7) Wine, sparkling wine and fortified wine may contain water in proportion not exceeding 30 mL/L where the water is necessary for the incorporation of any substance specified in clause 3 or clause 4, or where the water is incidental to the winemaking process.

[26.5] *inserting after subclause 5(7) –*

(8) Where this clause does not otherwise specify a maximum permitted level for -

(a) a food additive listed in the Table to clause 3; or
(b) a processing aid listed in the Table to clause 4;

of this Standard, then the use of the food additive or processing aid must be consistent with conditions of Good Manufacturing Practice (GMP).

[26.6] *omitting subclause 6(1), substituting –*

(1) In addition to the substances permitted by clauses 3 and 4 of this Standard, sparkling wine may also contain –

(a) grape spirit; and
(b) brandy; and
(c) sugars.