

AUSTRALIA NEW ZEALAND FOOD AUTHORITY

VARIATIONS TO THE *FOOD STANDARDS CODE*

(AMENDMENT NO. 59)

1. Preamble

The variations set forth in the Schedule below are variations to the *Food Standards Code* (hereinafter called 'the Code') which was published by the National Health and Medical Research Council in the *Commonwealth of Australia Gazette*, No. P 27, on 27 August 1987, and which has been varied from time to time.

The Schedule contains variations adopted by the Australia New Zealand Food Standards Council in March 2002.

These variations are published pursuant to section 32 of the *Australia New Zealand Food Authority Act 1991*.

2. Citation

These variations may be collectively known as *Amendment No. 59* to the Code.

3. Commencement

These variations commence on the date of gazettal.

4. Correction of Typographical Error (Australia only)

Amendment 58 published on 21 December 2001 contained the following typographical error -

- on page 10 (Item [3.7]) - the reference in the instruction should be to 'Table VI', not 'Table VII'.

Note: These variations were published in the Commonwealth of Australia Gazette No. FSC 1 on 9 May 2002.

SCHEDULE

[1] *Standard A18 of Volume 1 and Standard 1.5.2 of Volume 2 are varied by inserting in Column 1 of the Table to clause 2 -*

Food derived from glufosinate ammonium-tolerant corn line T25
Food derived from glyphosate-tolerant sugarbeet line 77
Oil and linters derived from bromoxynil-tolerant cotton transformation events 10211 and 10222
Oil derived from glufosinate-ammonium tolerant canola lines Topas 19/2 and T45 and glufosinate-ammonium tolerant and pollination controlled canola lines Ms1, Ms8, Rf1, Rf2 and Rf3

[2] **Standard 1.2.4** is varied by –

[2.1] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Brown HT -*

Butane -

[2.2] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Erythorbic acid -*

Erythritol 968

[2.3] *omitting from columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Guar gum -*

4-hexylresorcinol -

inserting

4-hexylresorcinol 586

[2.4] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Hydrochloric acid -*

Hydroxypropyl cellulose 463

[2.5] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Iron oxide -*

Isobutane -

[2.6] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Nitrous oxide -*

Octafluorocyclobutane -

[2.7] *inserting in columns 1 and 2 respectively of Schedule 2, Part 1, Food Additive Code Numbers (alphabetical order), immediately following the entry for Processed eucheuma seaweed -*

Propane -

[2.8] *omitting from columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately before the entry for Curcumin -*

4-hexylresorcinol -

inserting immediately following the entry for Magnesium gluconate -

4-hexylresorcinol 586

[2.9] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately before the entry for Curcumin -*

Butane -

[2.10] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately following the entry for Butane -*

Isobutane -

[2.11] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately following the entry for Neotame -*

Octafluorocyclobutane -

[2.12] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately following the entry for Octafluorocyclobutane -*

Propane -

[2.13] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately following the entry for Methyl cellulose -*

Hydroxypropyl cellulose 463

[2.14] *inserting in columns 1 and 2 respectively of Schedule 2, Part 2, Food Additive Code Numbers (numerical order), immediately following the entry for Xylitol -*

Erythritol 968

[3] **Standard 1.3.1** of Volume 2 is varied by -

[3.1] *omitting from clause 1, the definition technological function and inserting directly following the Editorial note to the definition of processed food –*

technological function means a function set out in Schedule 5, but does not include the addition of a food additive to a single ingredient food that is not required by this Code to be labelled where a single process is applied and the food is presented in a manner which suggests that the organoleptic qualities have been altered, other than through the process.

Editorial note:

When prawns are cooked, they generally turn red in colour. If a red food colour was also added to cooked prawns, consumers may be misled into believing that the red quality was attributable to the cooking process, and not the addition of a red food colour.

Food that has been smoked generally has a ‘smoky’ taste. If a smoke flavouring substance was also added to a smoked food, consumers may be misled into believing that the smoke taste was attributable to the smoking process, and not the addition of a smoke flavouring substance.

[3.2] *omitting from subclause 6(2) -*

amount permitted

inserting

permitted level

[3.3] *omitting from subclause 6(2) and the Example following subclause 6(2) wherever occurring -*

fraction *or* fractions

inserting

quantity *or* quantities

[3.4] *omitting clause 8, inserting -*

8 Food for use in preparation of another food

Any food additive permitted in a food may be added to an ingredient intended for use in the preparation of that food provided that the level in the final food when prepared complies with the maximum permitted level in this Standard.

[3.5] *omitting clause 11, substituting -*

11 Permitted flavouring substances

Permitted flavouring substances, for the purposes of this Standard, are those flavouring substances which are either -

- (a) Listed in at least one of the following publications -
 - (i) *Food Technology, A Publication of the Institute of Food Technologists*, Generally Recognised as Safe (GRAS) lists of flavouring substances published by the Flavour and Extract Manufacturers' Association of the United States from 1960 to June 2000; or
 - (ii) *Flavouring Substances and Natural Sources of Flavourings*, 4th Edition, Volume 1, Chemically-defined flavouring substances, Council of Europe, 1992; or
 - (iii) *United States Code of Federal Regulations*, 1966, 21 CFR Part 172.515; or
- (b) a substance that is a single chemical entity obtained by physical, microbiological, enzymatic, synthetic or chemical processes, from material of vegetable or animal origin either in its raw state or after processing by traditional preparation process including drying, roasting, and fermentation.

[3.6] *omitting the Editorial note to clause 11, substituting -*

Editorial note:

The Flavour and Fragrance Association of Australia and New Zealand (FFAANZ) has prepared a consolidated list of permitted artificial flavouring substances in the three publications for ease of reference. This list is available from FFAANZ or from the Australia New Zealand Food Authority.

[3.7] *omitting the term* must not be present in *throughout* Schedule 1, *substituting* must not be added to.

[3.8] *inserting in* Schedule 1, *immediately before item* 0.1 Preparation of food additives –

For an explanation and examples of the different food additive classifications in Schedule 1, please refer to ANZFA user guide to Standard 1.3.1 - Food Additives.

The asterisk (*) in Schedule 1 indicates that additives in Schedules 2, 3 and 4 are permitted.

[3.9] *omitting from* Schedule 1, *items* 1.5, 1.6, 6.4, 7 and 20.2, *including* Max Level and Applications, *wherever occurring* –

481 Sodium lactylates

[3.10] *omitting from* Schedule 1, *items* 6.4, 7 and 20.2, *including* Max Level and Applications, *wherever occurring* –

482 Calcium lactylates

[3.11] *omitting from* Schedule 1 the *item heading* 8.2 Processed meat, poultry and game products in whole pieces or cuts*, *substituting* -

8.2 Processed meat, poultry and game products in whole cuts or pieces*

[3.12] *omitting from* Schedule 1 *approval for* nitrates *under* cured meat *in item* 8.2.

[3.13] *inserting in* Schedule 1 *under item heading* 8.4 Edible casings*, *before the entry for* Sulphur dioxide and sodium and potassium sulphites –

200 201 202 203 Sorbic acid and sodium, potassium and calcium sorbates 100 mg/kg

[3.14] *omitting from* Schedule 1, *item* 9.1 -

- 4-hexylresorcinol

inserting

586 4-hexylresorcinol

[3.15] *omitting from* Schedule 1, *item* 11.4 -

Polyvinylpyrrolidone

inserting

Polyvinylpyrrolidone

[3.16] *omitting from Schedule 1, items 12.3 and 14.2.1, wherever occurring –*

(including permitted synthetic flavourings) but

[3.17] *omitting from Schedule 1, item 12.5, heading dried yeast, including INS Number and Applications -*

Sodium lactylates

[3.18] *omitting from Schedule 1, item 13.2 -*

(excluding synthetic flavourings) but

[3.19] *omitting from Schedule 1, item 13.2, including INS Number and Max Level -*

Ethyl vanillin

[3.20] *omitting from Schedule 1, item 13.2, including INS Number and Max Level -*

Vanillin

[3.21] *omitting from Schedule 1, items 14.1.2.2, 14.1.3 and 20.2, wherever occurring -*

sucrose acetate isobutrate

inserting

sucrose acetate isobutyrate

[3.22] *omitting from Schedule 1, the headings -*

INS Number	Additive Name	Max Level	Applications
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inserting

INS Number	Additive Name	Max Permitted Level	Qualifications
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[3.23] *inserting in Schedule 2, Alphabetical Listing, the following Additive name, immediately following the entry for Bleached starch -*

- Butane (for pressurised food containers only)

[3.24] *inserting in Schedule 2, Alphabetical Listing, the following INS number and Additive name, immediately following the entry for Calcium lactate -*

482 Calcium lactylates

[3.25] *inserting in Schedule 2, Alphabetical Listing, the following INS number and Additive name, immediately following the entry for Erythorbic acid -*

968 Erythritol

[3.26] *omitting from* Schedule 2, Alphabetical Listing, *immediately following the entry for* Ferrous gluconate -

Flavourings (including permitted synthetic flavourings) but excluding quinine and caffeine

inserting

Flavourings, excluding quinine and caffeine

[3.27] *inserting in* Schedule 2, Alphabetical Listing, *the following INS number and Additive name, immediately following the entry for* Hydrochloric acid -

463 Hydroxypropyl cellulose

[3.28] *inserting in* Schedule 2, Alphabetical Listing, *the following Additive name, immediately following the entry for* Hydroxypropyl starch -

- Isobutane (for pressurised food containers only)

[3.29] *inserting in* Schedule 2, Alphabetical Listing, *the following Additive name, immediately following the entry for* Nitrous oxide -

- Octafluorocyclobutane (for pressurised food containers only)

[3.30] *inserting in* Schedule 2, Alphabetical Listing, *the following Additive name immediately following the entry for* Processed eucheuma seaweed -

- Propane (for pressurised food containers only)

[3.31] *inserting in* Schedule 2, Alphabetical Listing, *the following INS number and Additive name, immediately following the entry for* Sodium lactate -

481 Sodium lactylates

[3.32] *inserting in* Schedule 2, Numeric Listing, *the following Additive name, preceding the entry for* Flavourings (including permitted synthetic flavourings) but excluding quinine and caffeine -

- Butane (for pressurised food containers only)

[3.33] *inserting in* Schedule 2, Numeric Listing, *the following Additive name, immediately following the entry for* Flavourings (including permitted synthetic flavourings) but excluding quinine and caffeine -

- Isobutane (for pressurised food containers only)

[3.34] *inserting in* Schedule 2, Numeric Listing, *the following Additive name, immediately following the entry for* Neotame -

- Octafluorocyclobutane (for pressurised food containers only)

[3.35] *inserting in* Schedule 2, Numeric Listing, *the following Additive name, immediately following the entry for* Octafluorocyclobutane -

- Propane (for pressurised food containers only)

[3.36] *omitting from* Schedule 2, Numeric Listing, *immediately before the entry for* 170 Calcium carbonates -

- Flavourings (including permitted synthetic flavourings) but excluding quinine and caffeine

inserting

- Flavourings, excluding quinine and caffeine

[3.37] *inserting in* Schedule 2, Numeric Listing, *the following INS Number and Additive name, immediately following the entry for* Methyl cellulose -

463 Hydroxypropyl cellulose

[3.38] *inserting in* Schedule 2, Numeric Listing, *the following INS Number and Additive name, immediately following the entry for* Propylene glycol esters of fatty acids -

481 Sodium lactylates

[3.39] *inserting in* Schedule 2, Numeric Listing, *the following INS Number and Additive name, immediately following the entry for* Sodium lactylates -

482 Calcium lactylates

[3.40] *inserting in* Schedule 2, Numeric Listing, *the following INS Number and Additive name, immediately following the entry for* Xylitol -

968 Erythritol

[4] **Standard 1.3.3** is varied by *omitting from* the Table to clause 17 -

Chymosin EC [3.4.23.4]	<i>Aspergillus niger var awamori</i> <i>Escherichia coli</i> K-12 strain GE81 <i>Kluyveromyces lactis</i> CHY 1
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inserting -

Chymosin EC [3.4.23.4]	<i>Aspergillus niger</i> <i>Escherichia coli</i> K-12 strain GE81 <i>Kluyveromyces lactis</i>
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