

# FOOD STANDARDS AUSTRALIA NEW ZEALAND

## VARIATIONS TO THE AUSTRALIA NEW ZEALAND FOOD STANDARDS CODE

### (AMENDMENT NO. 67)

#### 1. Preamble

The variations set forth in the Schedule below are variations to the *Australia New Zealand 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.

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

#### 2. Citation

These variations may be collectively known as *Amendment No. 67* to the Code.

#### 3. Commencement

These variations commence on the date of gazettal.

Note: These variations were published in the Commonwealth of Australia Gazette No. FSC 9 on 31 July 2003.

### SCHEDULE

[1] *Standard 1.1.1 is varied by omitting from clause 2, in the definition of warning statement –*

required by to be expressed

*substituting –*

required to be expressed

[2] *Standard 1.1A.2 is varied by omitting from clause 1B –*

(1D)

*substituting –*

(1C)

[3] *Standard 1.1A.4 is varied by –*

[3.1] *omitting from subclause 1(1) –*

clause 3 and clause 4

*substituting –*

clause 2 and clause 3

[3.2] *omitting from subclause 1(2) –*

clause 5

*substituting –*

clause 4

[4] ***Standard 1.1A.5 is varied by –***

[4.1] *inserting after the heading for Division 2 – Australian Food Standards Code –*

## **2 Australian requirements**

[4.2] *omitting from subclause 2(1), paragraphs k and l, substituting –*

- (j) milk fat;
- (k) water.

[4.3] *inserting after the heading for Division 3 – New Zealand Food Regulations 1984 –*

## **3 New Zealand requirements**

[4.4] *omitting under Division 3 – New Zealand Food Regulations 1984, subclause numbers 7 to 12, substituting subclause numbers 1 to 6*

[5] ***Standard 1.2.1 is varied by –***

[5.1] *omitting from clause 1, in the definition of transportation outer –*

package

*substituting –*

container or wrapper

[5.2] *inserting in subclause 2(2), after paragraph (f) –*

- (g) subclause 4(3) of Standard 1.5.2;

[5.3] *omitting from subclause 2(2), paragraph letters (g) to (n), substituting paragraph letters (g) to (o)*

[5.4] *omitting paragraph 3(1)(f), substituting –*

- (f) food is in a transportation outer and the information prescribed in clauses 1, 2 and 3 of Standard 1.2.2 is clearly discernable through the transportation outer on the labels on the packages within.

[5.5] *omitting the editorial note after clause 4*

[6] **Standard 1.2.4** is varied by-

[6.1] *omitting from the Table to Clause 4 –*

starch	Where the source of the starch is wheat, rye, barley, oats or spelt then the specific name of the cereal must be declared. The name 'starch' may be used for any unmodified starch or any starch which has been modified by either physical means or enzymes
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*substituting –*

starch	Where the source of the starch is wheat, rye, barley, oats or spelt, or their hybridised strains, then the specific name of the cereal must be declared. The name 'starch' may be used for any unmodified starch or any starch which has been modified by either physical means or enzymes
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[6.2] *omitting from subclause 8(7) –*

as a flavouring

*substituting –*

as a flavouring or as an ingredient of a flavouring

[6.3] *omitting from subclause 8(7) –*

by their name or code number

*substituting –*

in accordance with subclause (2)

[7] **Standard 1.2.8** is varied by –

[7.1] *omitting from the Purpose –*

This Standard does not apply to infant formula products except where Standard 2.9.1 (Infant Formula Products) otherwise provides

*substituting –*

This Standard does not apply to infant formula products where either Standard 2.9.1 – Infant Formula Products or Standard 1.1A.1 – Transitional Standard for Infant Formula Products otherwise provides

[7.2] *omitting from the Editorial note following subclause 5(2) –*

‘Average’ or the abbreviation ‘Ave’

*substituting –*

‘Average’ or an abbreviation for average

[7.3] *omitting from paragraph 13(2)(a) –*

less than

*substituting –*

no more than

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

[8.1] *omitting from subclause 1(1), the definition of category of ingredients*

[8.2] *omitting from the editorial note after clause 1 –*

egg

*substituting –*

for example,

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

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

[8.4] *omitting from subclause 5(2) –*

must

*substituting –*

may

[9] **Standard 1.3.1** is varied by –

[9.1] *inserting in the Editorial note following clause 11 –*

The National Registration Authority has issued a maximum residue limit for longans of 500 mg/kg in the whole fruit (see item 4 of Schedule 1).
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[9.2] *omitting from Schedule 1, 0 General Provisions –*

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

*substituting -*

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

[9.3] *inserting in Schedule 1, in item 0.1, under the heading flavourings, in the column Qualifications in relation to Benzyl alcohol and Isopropyl Alcohol -*

In the final food

[9.4] *omitting from Schedule 1, in item 1.6, in the column Additive Name -*

Sulphur dioxide and sodium and potassium sulphates

*substituting -*

Sulphur dioxide and sodium and potassium sulphites

[9.5] *omitting from Schedule 1, in item 9.1, in the column Qualifications -*

fillets only

[9.6] *omitting from Schedule 1, in item 13.2, for the additive Ascorbyl palmitate in the column Max permitted level -*

1000 mg/kg

*substituting -*

100 mg/kg

[9.7] *omitting from Schedule 1, in item 13.2, the additive -*

Potassium carbonate

*substituting -*

Potassium carbonates

[9.8] *omitting from Schedule 1, in item 14.3, the heading -*

Mixed alcoholic drinks not elsewhere classified

*substituting -*

Alcoholic beverages not included in item 14.2

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

[10.1] *omitting from the Table to clause 11, the Substance -*

Sodium fluosilicate (Sodium silicofluoride)

*substituting –*

Sodium fluorosilicate (Sodium silicofluoride)

[10.2] *inserting in the Table to clause 17, for the enzyme  $\alpha$ -Amylase EC [3.2.1.1] the Source –*

*Bacillus stearothermophilus*

[10.3] *inserting in the Editorial note following the Table to clause 17 –*

<i>Humicola lanuginosa</i> is also known as <i>Thermomyces lanuginosus</i> .
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[11] **Standard 1.3.4** is varied by omitting from the Specification for tall oil phytosterols derived from tall oils –

Loss on drying (water (%))

*substituting –*

Loss on drying (water (%))

[12] **Standard 1.4.2** is varied by inserting for the following chemical and food, the maximum residue limit –

<b>FIPRONIL</b>	
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)	
CHERVIL	T0.1

[13] **Standard 1.4.4** is varied by omitting from the Table of Provisions –

Schedule 1 - Prohibited plants and fungi

Schedule 2 - Restricted plants and fungi

*substituting –*

- Schedule 1 Prohibited plants and fungi  
 Schedule 2 Restricted plants and fungi

[14] *Standard 1.5.1 is varied by inserting in the Table to clause 2 –*

Trehalose	
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[15] *Standard 1.5.2 is varied by inserting into Column 1 of the Table to clause 2, immediately after the last occurring entry –*

Food derived from insect-protected and glufosinate-ammonium tolerant corn line 1507
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[16] *Standard 1.6.1 is varied by –*

[16.1] *omitting from the Schedule –*

Powdered infant formula

*substituting –*

Powdered infant formula products

[16.2] *omitting from the Schedule, the column numbering, substituting –*

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
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[17] *Standard 2.2.1 is varied by inserting in the Table of Provisions –*

11 Bovine meat and meat products must be derived from animals free from bovine spongiform encephalopathy

[18] *Standard 2.6.2 is varied by –*

[18.1] *omitting from clause 1, from the definition of fruit drink –*

- (i) mineralised water.

*substituting –*

- (i) mineralised water; and
- (j) sugars.

[18.2] *omitting clause 5, substituting –*

**5 Non alcoholic beverages not to be labelled/presented as alcoholic beverages**

Non alcoholic beverages must not be labelled or otherwise presented for sale in a form which expressly or by implication suggests that the product is an alcoholic beverage.

[18.3] *inserting in subclause 6(2) after electrolyte where first occurring –*

drink

[19] *Standard 2.6.4 is varied by inserting into paragraph 3(1)(b), after the substances listed in column 1 of the Table to subclause 2(2) –*

, where present,

[20] *Standard 2.7.2 is varied by omitting from the editorial note –*

Standards 1.3.1 (Food Additives) and 1.3.3 (Processing Aids)

*substituting –*

Standard 1.3.1 – Food Additives and Standard 1.3.3 – Processing Aids

[21] *Standard 2.7.3 is varied by omitting from the editorial note –*

Standards 1.3.1 (Food Additives) and 1.3.3 (Processing Aids)

*substituting –*

Standard 1.3.1 – Food Additives and Standard 1.3.3 – Processing Aids

[22] *Standard 2.7.4 is varied by –*

[22.1] *omitting from the Purpose –*

This Standard, however, requires wine produced in Australia to comply with the provisions of P4 of the Australian *Food Standards Code*.

[22.2] *inserting following clause 2 –*

**Editorial note:**

For the production of wine in New Zealand clause 2 of this Standard applies. However, for the production of wine in Australia, clause 2 of this Standard should be read in conjunction with clause 3 of Standard 4.1.1.

Additive permissions and permitted processing aids for the products referred to in this Standard are contained in Standard 1.3.1 – Food Additives and Standard 1.3.3 – Processing Aids.

Specific labelling requirements for alcoholic beverages are contained in Standard 2.7.1

[23] *Standard 2.7.5 is varied by omitting from the editorial note –*

Standards 1.3.1 Food Additives and 1.3.3 Processing Aids



*substituting –*

Standard 1.3.1 – Food Additives and Standard 1.3.3 – Processing Aids

[24] *Standard 2.9.1 is varied by omitting from subclause 32(4) –*

base

*substituting –*

based

[25] *Standard 2.9.4 is varied by –*

[25.1] *inserting in the Table of Provisions –*

Schedule Additional permitted forms and intake amounts for vitamins and minerals  
in Formulated Supplementary Sports Foods and Formulated Meal  
Replacements

[25.2] *omitting the title of the Schedule, substituting –*

## **SCHEDULE**

### **Additional permitted forms and intake amounts for vitamins and minerals in Formulated Supplementary Sports Foods and in Formulated Meal Replacements**

[26] *Standard 3.1.1 is varied by –*

[26.1] *omitting from clause 1 –*

In this Chapter the definitions of the following terms apply:

*substituting –*

In this Chapter the definitions of the following terms apply –

[26.2] *omitting from clause 1, in the definition of sell, the semicolon at the end of subclause (o), substituting a comma*

[27] *Standard 3.2.1 is varied by omitting from subclause 2(1) –*

Standard 3.1.1 (Interpretation and Application)

*substituting –*

Standard 3.1.1 – Interpretation and Application

[28] *Standard 3.2.2 is varied by –*

[28.1] *omitting from clause 2 –*

Standard 3.1.1 (Interpretation and Application)

*substituting –*

Standard 3.1.1 – Interpretation and Application

[28.2] *omitting from subclause 4(4), references to –*

Clause

*substituting –*

clause

[29] **Standard 3.2.3 is varied by –**

[29.1] *omitting from the Purpose –*

Standard 3.2.2 (Food Safety Practices and General Requirements)

*substituting –*

Standard 3.2.2 – Food Safety Practices and General Requirements

[29.2] *omitting from clause 1, in the definition of adequate supply of water, the semi-colon at the end of the definition, substituting a full stop*

[29.3] *omitting from clause 1, in the definition of potable water, the semi-colon at the end of the definition, substituting a full stop*

[29.4] *omitting from subclause 2(1) –*

Standard 3.1.1 (Interpretation and Application)

*substituting –*

Standard 3.1.1 – Interpretation and Application

[30] **Standard 4.1.1 is varied by –**

[30.1] *omitting the Table to clause 3, substituting –*

**Table to clause 3**

<b>Additive</b>
Ascorbic acid
Calcium carbonate
Citric acid
Dimethyl dicarbonate
Erythorbic acid

Grape juice including concentrated grape juice
Lactic acid
Malic acid
Metatartaric acid
Mistelle
Potassium carbonate
Potassium hydrogen carbonate
Potassium sulphites
Potassium sorbate
Sorbic acid
Sulphur dioxide
Tannins
Tartaric acid
Uncharred oak

[30.2] *omitting the Table to clause 4, substituting –*

**Table to clause 4**

Processing aid
Activated carbon
Agar
Alginates, calcium and potassium salts
Ammonium phosphates
Bentonite
Calcium tartrate
Carbon dioxide
Cellulose
Copper sulphate
Cultures of micro-organisms
Diatomaceous earth
Egg white
Enzymes
Gelatine
Hydrogen peroxide
Ion exchange resins
Isinglass
Lysozyme
Milk and milk products
Nitrogen
Oxygen
Perlite
Phytates
Polyvinyl polypyrrolidone
Potassium ferrocyanide
Potassium hydrogen tartrate
Silicon dioxide
Thiamin chloride*
Thiamin hydrochloride*

\*Thiamin chloride and thiamin hydrochloride may only be added to wine, sparkling wine and fortified wine to facilitate the growth of micro-organisms

[30.3] *omitting paragraph 5(4)(h), substituting –*

- (h) 0.1 mg/L of cyanides and complex cyanides expressed as hydrocyanic acid; and
- (i) 200 mg/L of dimethyl dicarbonate.

[30.4] *omitting paragraph 6(1)(a), substituting –*

(a) grape spirit; and

[30.5] *omitting paragraph 6(1)(b), substituting –*

(a) brandy; and

[30.6] *omitting subclauses 7(1) and 7(2)*

[30.7] *omitting subclause 7(3), substituting –*

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