

FOOD STANDARDS AUSTRALIA NEW ZEALAND

VARIATIONS TO THE AUSTRALIA NEW ZEALAND FOOD STANDARDS CODE

(AMENDMENT NO. 72)

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. 72* 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 14 on 20 May 2004.

SCHEDULE

[1] *Standard 1.1.1* is varied by omitting subclauses (4),(5) and (6), substituting –

(4) Subject to subclause (5) and prior to 20 December 2004, subclause (1) does not apply to food products with a shelf life of more than 12 months –

- (a) manufactured and packaged prior to 20 December 2002; and
- (b) which complied with all applicable food standards in the case of Australia and all applicable food standards or New Zealand *Food Regulations (1984)* in the case of New Zealand, as of the date of manufacture or packaging of the food product.

(5) Subclause (1) does not apply to wine with a shelf life of more than 12 months –

- (a) bottled before 20 December 2002; and
- (b) that complies with all food standards in the case of Australia and all food standards or New Zealand *Food Regulations (1984)* in the case of New Zealand, that would have applied on the date of bottling; and
- (c) which is labelled with a 2002 vintage date or earlier.

Editorial note:

'Wine' includes sparkling wine and fortified wine.

(6) For the purposes of a Standard in this Code for which a corresponding transitional Standard in Part 1.1A applies, the reference to ‘commencement of the variation’ in subclause 2 is a reference to the date when that corresponding Standard in Part 1.1A ceases to have effect.

(7) Prior to 20 December 2003, Part 1.2, other than Standards 1.2.3, those parts of Standard 1.2.5 that refer to ‘use-by dates’, and 1.2.6, does not apply to food labelled on the premises for retail sale from which it is sold.

[2] **Standard 1.1.2** is varied by –

[2.1] *inserting in clause 1 –*

sweet cassava means those varieties of cassava roots grown from *Manihot esculenta* Crantz of the *Euphorbiaceae* family that contain less than 50 mg per kg of hydrogen cyanide (fresh weight basis)

[2.2] *inserting after clause 1 –*

Editorial note:

Sweet cassava may also be known by other common names including manioc, mandioca, tapioca, aipim and yucca.

[3] **Standard 1.2.1** is varied by omitting paragraphs 2(2)(a) to 2(2)(o) substituting –

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

[4] **Standard 1.2.6** is varied by –

[4.1] *omitting clause 2, substituting –*

2 Circumstances where food must be labelled with, or accompanied by directions

(1) The label on a package of food must include directions for the use or storage of the food, where the food is of a nature as to warrant such directions for reasons of health or safety; or

(2) Where the food is unpackaged, the food must be either labelled with or accompanied by directions for the use or storage of the food, where the food is of a nature as to warrant such directions for reasons of health or safety.

[4.2] *inserting after clause 2 –*

3 Circumstances applying to specific foods

Notwithstanding the provisions of clause 2, any food listed in Column 1 of the Table to this clause must be labelled with or accompanied by the directions for use or storage specified in Column 2:

Table to clause 3

Column 1	Column 2
Food	Directions required to be supplied
Bamboo Shoots (raw)	A statement indicating that bamboo shoots should be fully cooked prior to being consumed
Sweet Cassava (raw)	A statement indicating that sweet cassava should be peeled and fully cooked before being consumed

[4.3] *omitting the Editorial note, substituting –*

<p>Editorial note:</p> <p>Clause 2 of this Standard operates in addition to clause 6 of Standard 1.2.5 which requires the label on a packet of food to include a statement of the conditions of storage where this is necessary to ensure the food will keep for the specified period indicated by the use-by date or best-before date.</p> <p>Food Product Standards in Chapter 2 of this Code may contain directions for use and/or storage specific to that individual commodity.</p> <p>The Table to clause 3 is for those foods where there is potential for the food to cause an acute public safety risk if the food is not prepared properly, and where there is insufficient knowledge in the general community of preparation techniques sufficient to enable safe use of the food.</p> <p>It is not intended that the following be captured: canned bamboo shoots; cassava flour/tapioca flour; tapioca pearls; tapioca pudding; cassava chips (including chips that are made from tapioca or cassava flour) or any other fully processed product that contains cassava, cassava flour, tapioca flour, tapioca pearls or bamboo shoots.</p>

[5] *Standard 1.2.8 is varied by –*

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

- (o) a kit which is intended to be used to produce an alcoholic beverage standardised in Part 2.7 of this Code; or
- (p) kava as standardised in Standard 2.6.3.

[5.2] *inserting in the Table to subclause 18(1) –*

Polydextrose	Section 2000.11 of the AOAC, 17th Edition, 1 st Revision (2002)
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[6] *Standard 1.3.3 is varied by –*

[6.1] *omitting from the Table to clause 14 the Substance –*

Oak chips

substituting –

Oak

[7] *Standard 1.4.2 is varied by –*

[7.1] *omitting from Schedule 1 under the entry for the following chemical the chemical residue definition, substituting –*

PIRIMICARB SUM OF PIRIMICARB, DIMETHYL-PIRIMICARB AND N-FORMYL-(METHYLAMINO) ANALOGUE (DIMETHYLFORMAMIDIO-PIRIMICARB), EXPRESSED AS PIRIMICARB

[7.2] *inserting in Schedule 1 –*

BROMOCHLOROMETHANE BROMOCHLOROMETHANE	
CATTLE, EDIBLE OFFAL OF	T*0.02
CATTLE FAT	T*0.02
CATTLE MEAT	T*0.02
TEPRALOXYDIM SUM OF TEPRALOXYDIM AND METABOLITES CONVERTED TO 3-(TETRAHYDRO-PYRAN-4-YL) GLUTARIC AND 3-HYDROXY-3-(TETRAHYDRO- PYRAN-4-YL)-GLUTARIC ACID, EXPRESSED AS TEPRALOXYDIM	
EDIBLE OFFAL (MAMMALIAN)	*0.1
EGGS	*0.1
MEAT (MAMMALIAN)	*0.1
MILKS	*0.02
POULTRY, EDIBLE OFFAL OF	*0.1
POULTRY MEAT	*0.1
PULSES	*0.1
RAPE SEED	*0.1

TRINEXAPAC-ETHYL 4-(CYCLOPROPYL- α -HYDROXY-METHYLENE)- 3,5-DIOXO-CYCLOHEXANECARBOXYLIC ACID	
SUGAR CANE	T*0.05

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

CHLORPYRIFOS CHLORPYRIFOS	
OILSEED	T0.01
DIAFENTHURION DIAFENTHURION	
SOYA BEAN (DRY)	T0.1
DITHIOCARBAMATES DITHIOCARBAMATES	
BULB VEGETABLES	4
ETHOFUMESATE ETHOFUMESATE	
GARLIC	*0.1
ONION, BULB	*0.1
GLYPHOSATE GLYPHOSATE	
BROAD BEAN (DRY)	2
CHICK-PEA (DRY)	T5
FIELD PEA (DRY)	5
PULSES [EXCEPT ADZUKI BEANS, BROAD BEANS (DRY), CHICKPEAS, COWPEAS, FIELD PEA (DRY) AND SOYA BEAN]	*0.1
IMIDACLOPRID IMIDACLOPRID	
MIZUNA	T5

LINURON LINURON	
VEGETABLES	*0.05
OXYFLUORFEN OXYFLUORFEN	
GARLIC	*0.05
ONION, BULB	*0.05
PERMETHRIN PERMETHRIN	
MILKS (IN THE FAT)	0.05
PROCYMIDONE PROCYMIDONE	
MEAT OF CATTLE, PIGS AND SHEEP (IN THE FAT)	*0.01
TERBUTRYN TERBUTRYN	
BEANS EXCEPT BROAD BEAN AND SOYA BEAN	*0.1
MEAT (MAMMALIAN) (IN THE FAT)	0.1
MILKS (IN THE FAT)	0.1
POTATO	*0.1
POULTRY MEAT (IN THE FAT)	0.1

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

CHLORPYRIFOS CHLORPYRIFOS	
OILSEED [EXCEPT PEANUT]	T0.01
PEANUT	T*0.01
PISTACHIO NUT	T*0.05
CHLORTHAL-DIMETHYL CHLORTHAL-DIMETHYL	
PARSLEY	T2
CYHALOTHRIN CYHALOTHRIN	
RADISH	*0.01

DIAZINON DIAZINON	
SHALLOT	T0.5
SPRING ONION	T0.5
DIMETHOMORPH DIMETHOMORPH	
SPRING ONION	T0.5
DITHIOCARBAMATES DITHIOCARBAMATES	
BULB VEGETABLES [EXCEPT SPRING ONION]	4
SPRING ONION	T10

ETHOFUMESATE ETHOFUMESATE	
BULB VEGETABLES	*0.1
GLYPHOSATE GLYPHOSATE	
PULSES [EXCEPT ADZUKI BEAN (DRY), COWPEA (DRY), MUNG BEAN (DRY), SOYA BEAN (DRY)]	5
HALOFUGINONE HALOFUGINONE	
CATTLE KIDNEY	T*0.01
CATTLE LIVER	T*0.01
CATTLE MEAT	T*0.01
IMIDACLOPRID IMIDACLOPRID	
BRASSICA LEAFY VEGETABLES	5
COMMON BEAN (PODS AND/OR IMMATURE SEEDS)	T1
JAPANESE GREENS	5
INDOXACARB INDOXACARB	
ADZUKI BEAN (DRY)	T0.2
LINURON LINURON	
LEEK	T0.2
VEGETABLES [EXCEPT LEEK]	*0.05
METHOMYL METHOMYL	
BETROOT	T1
METOLACHLOR METOLACHLOR	
CHARD (SILVER BEET)	T*0.01
SPINACH	T*0.01

OXYFLUORFEN OXYFLUORFEN	
BULB VEGETABLES	*0.05
PERMETHRIN PERMETHRIN	
MILKS	0.05
PEAS	1
RHUBARB	T5
PROCYMIDONE PROCYMIDONE	
LENTIL (DRY)	T0.5
MEAT (MAMMALIAN) (IN THE FAT)	0.2
PYRIMETHANIL PYRIMETHANIL	
EDIBLE OFFAL (MAMMALIAN)	*0.05
MEAT (MAMMALIAN)	*0.05
MILKS	*0.01
TEBUCONAZOLE TEBUCONAZOLE	
LETTUCE, HEAD	T0.02
LETTUCE, LEAF	T0.02
TEBUFENOZIDE TEBUFENOZIDE	
PISTACHIO NUT	T0.05
TERBUTRYN TERBUTRYN	
MEAT (MAMMALIAN)	0.1
MILKS	0.1
POULTRY MEAT	0.1

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

DIAFENTHIURON DIAFENTHIURON	
COTTON SEED	0.2
GLYPHOSATE GLYPHOSATE	
ADZUKI BEAN (DRY)	10
COWPEA (DRY)	10
MUNG BEANS (DRY)	10
SOYA BEAN (DRY)	10
IOXYNIL IOXYNIL	
LEEK	T1

MESOSULFURON-METHYL MESOSULFURON-METHYL	
EDIBLE OFFAL (MAMMALIAN)	*0.01
EGGS	*0.01
MEAT (MAMMALIAN)	*0.01
MILKS	*0.01
POULTRY, EDIBLE OFFAL OF	*0.01
POULTRY MEAT	*0.01
WHEAT	*0.02
PERMETHRIN PERMETHRIN	
MEAT (MAMMALIAN) (IN THE FAT)	0.3

PROCYMIDONE PROCYMIDONE	
EDIBLE OFFAL (MAMMALIAN)	0.05
MILKS	0.02
POULTRY MEAT (IN THE FAT)	0.1
TEBUCONAZOLE TEBUCONAZOLE	
SUGAR CANE	0.1

TEBUFENOZIDE TEBUFENOZIDE	
LITCHI	2
LONGAN	2
TERBUTRYN TERBUTRYN	
EDIBLE OFFAL (MAMMALIAN)	3

[8] *Standard 1.4.4 is varied by –*

[8.1] *inserting in Column 1 and Column 2 respectively of Schedule 1 immediately before the entry for Melia azedarach –*

*Manihot esculenta Crantz (other than Sweet
Cassava) Cassava*

[8.2] *inserting as the second paragraph in the Editorial note at the end of Schedule 1 –*

Sweet cassava is defined in Standard 1.1.2 and the requirements for it are contained in clause 2 of 1.2.1 and clause 3 of Standard 1.2.6

[9] *Standard 2.6.3 is varied by –*

[9.1] *inserting in clause 1, the definition –*

cold water extraction means the aqueous suspension of kava using cold water only and excludes the use of any organic solvent.

[9.2] *omitting from clause 1, the definition of kava, substituting –*

kava means –

- (a) a beverage obtained by cold water extraction; or
- (b) the dried or fresh form;

of the peeled root and/or peeled rootstock, but excluding any root peelings and any of the aerial parts, of plants of the species *Piper methysticum*.

[9.3] *omitting paragraph 3(1)(c).*

[9.4] *omitting subclause 3(2), substituting –*

(2) Where kava is other than in a package –

- (a) the name and business address in Australia or New Zealand of the supplier of the food; and
- (b) the statements under subclause 3(1);

must be displayed on or in connection with the display of the food.

[9.5] *omitting the Editorial note following subclause 3(2).*

[10] *Standard 2.9.1 is varied by –*

[10.1] *omitting from clauses 22 and 32, all references to cysteine, substituting –*
cyst(e)ine

[10.2] *inserting in clauses 22 and 32, at the end of the clause –*

Editorial note:

A reference to cyst(e)ine covers both dimer and monomer forms – that is, cystine and cysteine.

[10.3] *inserting in Schedule 1, Column 2, as a permitted form for Selenium –*
sodium selenate

[11] *Standard 4.1.1 is varied by –*

[11.1] *omitting from the heading of the Standard –*

Standard 4.1.1

substituting –

Standard 4.5.1

[11.2] *omitting from clause 1, the definition of wine, substituting –*

wine means the product of the complete or partial fermentation of fresh grapes, or a mixture of that product and products derived solely from grapes.

[11.3] *omitting from subclause 3(2), the definition of prepared cultures substituting –*

prepared cultures means cultures of micro-organisms such as yeasts or bacteria permitted for food use (including yeast ghosts) used in wine manufacture with or without the addition of any one or more of thiamine hydrochloride, niacin, pyridoxine, pantothenic acid, biotin and inositol.

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

Carbon dioxide Gum Arabic

[11.5] *omitting Uncharred oak from the Table to clause 3 and inserting in the Table to clause 4 –*

Oak

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

Argon

[11.7] *omitting clause 5, substituting –*

5 Composition

- (1) Wine and sparkling wine must contain no less than 80 mL/L of ethanol at 20°C.
- (2) Notwithstanding subclause (1), wine must not contain added ethanol.
- (3) Fortified wine must contain no less than 150 mL/L and no more than 220 mL/L of ethanol at 20°C.
- (4) Wine, sparkling wine and fortified wine must not contain methanol –
 - (a) in proportion exceeding 2 g/L of ethanol content at 20°C in the case of white wine and white sparkling wine; and
 - (b) in the case of other products, in proportion exceeding 3 g/L of ethanol content at 20°C.
- (5) Wine, sparkling wine and fortified wine must contain no more than –
 - (a) 250 mg/L in total of sulphur dioxide in the case of products containing less than 35 g/L of sugars, or 300 mg/L in total of sulphur dioxide in the case of other products; and
 - (b) 200 mg/L of sorbic acid or potassium sorbate expressed as sorbic acid; and
 - (c) 100 mg/L of polyvinyl polypyrrolidone; and
 - (d) 1 g/L of soluble chlorides expressed as sodium chloride; and
 - (e) 2 g/L of soluble sulphates expressed as potassium sulphate; and
 - (f) 400 mg/L of soluble phosphates expressed as phosphorus; and
 - (g) 1.5 g/L of volatile acidity excluding sulphur dioxide, expressed as acetic acid; and
 - (h) 0.1 mg/L of cyanides and complex cyanides expressed as hydrocyanic acid; and
 - (i) 200 mg/L of dimethyl dicarbonate.
- (6) If potassium ferrocyanide has been used as a processing aid in the manufacture of a wine, sparkling wine or fortified wine, the final product must have residual iron present.
- (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.