Australia New Zealand Food Standards Code – Amendment No. 105 – 2009

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.

Citation

These variations may be collectively known as the *Australia New Zealand Food Standards Code* – Amendment No. 105 – 2009.

Commencement

These variations commence on 15 January 2009.

Note: These variations were published in the Commonwealth of Australia *Food Standards Gazette* No. FSC 47 on 15 January 2009.

SCHEDULE

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

[1.1] *inserting in clause 2 –*

galacto-oligosaccharides means a mixture of those substances produced from lactose by enzymatic action, comprised of between two and eight saccharide units, with one of these units being a terminal glucose and the remaining saccharide units being galactose, and disaccharides comprised of two units of galactose.

inulin-derived substances means mixtures of polymers of fructose with predominantly β (2→1) fructosyl-fructose linkages, with or without a terminal glucose molecule and includes inulin, but does not include those polymers of fructose produced from sucrose by enzymatic action.

[1.2] *inserting after clause 9 –*

9A Certain substances not nutritive substances

Inulin-derived substances are taken not to be nutritive substances.

[2] ***Standard 1.4.1*** *is varied by omitting from the* Table to clause 2*, under the heading* Cadmium, *the entry for* Peanuts, *substituting –*

Peanuts	0.5

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

ISSN 1446-9030

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

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

COLUMN 1	COLUMN 2
CLOTHIANIDIN	CLOTHIANIDIN

[3.2] *inserting in* Schedule 1 –

DIMETHENAMID-P SUM OF DIMETHENAMID-P AND ITS *(R)*-ISOMER	
COMMON BEAN (PODS AND/OR IMMATURE SEEDS)	*0.02
EDIBLE OFFAL (MAMMALIAN)	*0.01
EGGS	*0.01
MAIZE	*0.02
MEAT (MAMMALIAN)	*0.01
MILKS	*0.01
PEAS	*0.02
POPPY SEED	*0.01
POULTRY, EDIBLE OFFAL OF	*0.01
POULTRY MEAT	*0.01
PULSES	*0.02
PUMPKINS	*0.02
SWEET CORN (CORN-ON-THE-COB)	*0.02

SULFURYL FLUORIDE SULFURYL FLUORIDE	
CEREAL GRAINS	0.05
DRIED FRUITS	0.07
PEANUT	7
TREE NUTS	7

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

BIFENTHRIN BIFENTHRIN	
LETTUCE, HEAD	T2

CLOTHIANIDIN *COMMODITIES OF PLANT ORIGIN*: CLOTHIANIDIN *COMMODITIES OF ANIMAL ORIGIN*: SUM OF CLOTHIANIDIN, 2-CHLOROTHIAZOL-5-YLMETHYLGUANIDINE, 2-CHLOROTHIAZOL-5-YLMETHYLUREA, AND THE PYRUVATE DERIVATIVE OF N-(2-CHLOROTHIAZOL-5-YLMETHYL)-N'-METHYLGUANIDINE EXPRESSED AS CLOTHIANIDIN	
MEAT (MAMMALIAN) (IN THE FAT)	T*0.02

FLUORINE (INORGANIC SALTS) FLUORIDE ION	
FRUIT	7
VEGETABLES	7

GLYPHOSATE SUM OF GLYPHOSATE AND AMINOMETHYLPHOSPHONIC ACID (AMPA) METABOLITE, EXPRESSED AS GLYPHOSATE	
OILSEED [EXCEPT COTTON AND RAPE SEED]	*0.1

MALDISON MALDISON	
VEGETABLES [EXCEPT AS OTHERWISE LISTED UNDER THIS CHEMICAL]	2

METHOMYL SUM OF METHOMYL AND METHYL HYDROXYTHIOACETIMIDATE ('METHOMYL OXIME'), EXPRESSED AS METHOMYL *SEE ALSO* THIODICARB	
BERGAMOT	T5
BURNET, SALAD	T5
CHERVIL	T5
CORIANDER (LEAVES, STEM, ROOTS)	T10
CORIANDER, SEED	T5
DILL, SEED	T5
FENNEL, SEED	T5
GALANGAL, GREATER	T*0.02
KAFFIR LIME LEAVES	T5
LEMON GRASS	T5
LEMON VERBENA (DRY LEAVES)	T5
MIZUNA	T5
ROSE AND DIANTHUS (EDIBLE FLOWERS)	T5
RUCOLA (ROCKET)	T5
TURMERIC, ROOT	T*0.02

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

RACTOPAMINE RACTOPAMINE	
CATTLE FAT	T*0.02
CATTLE KIDNEY	T0.1
CATTLE MEAT	T*0.02

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

AZOXYSTROBIN AZOXYSTROBIN	
MAIZE	T*0.01

BIFENAZATE SUM OF BIFENAZATE AND BIFENAZATE DIAZENE (DIAZENECARBOXYLIC ACID, 2-(4-METHOXY-[1,1'-BIPHENYL-3-YL] 1-METHYLETHYL ESTER), EXPRESSED AS BIFENAZATE	
PEAS	T0.5

BIFENTHRIN BIFENTHRIN	
LEAFY VEGETABLES [EXCEPT CHERVIL; MIZUNA; RUCOLA (ROCKET)]	T2

CLOSANTEL CLOSANTEL	
CATTLE FAT	T3
CATTLE KIDNEY	T3
CATTLE LIVER	T1
CATTLE MUSCLE	T1

CLOTHIANIDIN *COMMODITIES OF PLANT ORIGIN*: CLOTHIANIDIN *COMMODITIES OF ANIMAL ORIGIN*: SUM OF CLOTHIANIDIN, 2-CHLOROTHIAZOL-5-YLMETHYLGUANIDINE, 2-CHLOROTHIAZOL-5-YLMETHYLUREA, AND THE PYRUVATE DERIVATIVE OF N-(2-CHLOROTHIAZOL-5-YLMETHYL)-N'-METHYLGUANIDINE EXPRESSED AS CLOTHIANIDIN	
EGGS	*0.02
MEAT (MAMMALIAN)	*0.02
POULTRY, EDIBLE OFFAL OF	*0.02
POULTRY MEAT	*0.02

CYANAMIDE CYANAMIDE	
APPLE	*0.02
BLUEBERRIES	*0.05

CYPRODINIL CYPRODINIL	
CUCUMBER	T0.2
LETTUCE, HEAD	T10
PEPPERS, SWEET	T0.5

FLORFENICOL SUM OF FLORFENICOL AND ITS METABOLITES FLORFENICOL ALCOHOL, FLORFENICOL OXAMIC ACID, MONOCHLOROFLORFENICOL AND FLORFENICOL AMINE EXPRESSED AS FLORFENICOL AMINE	
FISH	T0.5

FLUDIOXONIL *COMMODITIES OF ANIMAL ORIGIN:* SUM OF FLUDIOXONIL AND OXIDISABLE METABOLITES, EXPRESSED AS FLUDIOXONIL *COMMODITIES OF PLANT ORIGIN:* FLUDIOXONIL	
CUCUMBER	T0.3
LETTUCE, HEAD	T10
PEPPERS, SWEET	T2

FLUORINE (INORGANIC SALTS) FLUORIDE ION	
DRIED FRUITS	5
GRAPES	7
PEANUT	30
TREE NUTS	30
WHEAT GERM	10

GLYPHOSATE SUM OF GLYPHOSATE AND AMINOMETHYLPHOSPHONIC ACID (AMPA) METABOLITE, EXPRESSED AS GLYPHOSATE	
LINSEED	T5
OILSEED [EXCEPT COTTON SEED; LINSEED; RAPE SEED]	T*0.1

ISOXABEN ISOXABEN	
BARLEY	*0.01
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
TRITICALE	*0.01
WHEAT	*0.01

MALDISON MALDISON	
SHALLOT	T5
SPRING ONION	T5

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

VEGETABLES [EXCEPT BEANS (DRY); CAULIFLOWER; CHARD (SILVERBEET); EGG PLANT; GARDEN PEA; KALE; KOHLRABI; LENTIL (DRY); PEPPERS, SWEET; ROOT AND TUBER VEGETABLES; SHALLOT; SPRING ONION; TOMATO; TURNIP, GARDEN]	2
PHOSPHOROUS ACID PHOSPHOROUS ACID	
FLOWERHEAD BRASSICAS	T50
PROPICONAZOLE PROPICONAZOLE	
SPINACH	T0.1
PROSULFOCARB PROSULFOCARB	
EDIBLE OFFAL (MAMMALIAN)	*0.02
EGGS	*0.02
MEAT (MAMMALIAN)	*0.02
MILKS	*0.02
POULTRY, EDIBLE OFFAL OF	*0.02
POULTRY MEAT	*0.02
THIAMETHOXAM *COMMODITIES OF PLANT ORIGIN*: THIAMETHOXAM *COMMODITIES OF ANIMAL ORIGIN*: SUM OF THIAMETHOXAM AND N-(2-CHLORO-THIAZOL-5-YLMETHYL)-N'-METHYL-N'-NITRO-GUANIDINE, EXPRESSED AS THIAMETHOXAM	
SUGAR CANE	T*0.02
TOLTRAZURIL SUM OF TOLTRAZURIL, ITS SULFOXIDE AND SULFONE, EXPRESSED AS TOLTRAZURIL	
CATTLE FAT	1
CATTLE KIDNEY	1
CATTLE LIVER	2
CATTLE MUSCLE	0.25
TOLYLFLUANID TOLYLFLUANID	
CUCUMBER	T2

[3.5] *omitting from* Schedule 1, *under the entries for the following chemicals, the Maximum Residue Limit for the food, substituting –*

CHLORPYRIFOS CHLORPYRIFOS	
PARSLEY	0.05
CLOTHIANIDIN *COMMODITIES OF PLANT ORIGIN*: CLOTHIANIDIN *COMMODITIES OF ANIMAL ORIGIN*: SUM OF CLOTHIANIDIN, 2-CHLOROTHIAZOL-5-YLMETHYLGUANIDINE, 2-CHLOROTHIAZOL-5-YLMETHYLUREA, AND THE PYRUVATE DERIVATIVE OF N-(2-CHLOROTHIAZOL-5-YLMETHYL)-N'-METHYLGUANIDINE EXPRESSED AS CLOTHIANIDIN	
APPLE	0.5
BANANA	*0.02
COTTON SEED	*0.02
EDIBLE OFFAL (MAMMALIAN)	*0.02
MILKS	*0.01
NECTARINE	2
PEACH	2
PEAR	0.5
FLUDIOXONIL *COMMODITIES OF ANIMAL ORIGIN:* SUM OF FLUDIOXONIL AND OXIDISABLE METABOLITES, EXPRESSED AS FLUDIOXONIL *COMMODITIES OF PLANT ORIGIN:* FLUDIOXONIL	
SORGHUM	*0.01
METSULFURON-METHYL METSULFURON-METHYL	
LINSEED	*0.02
PROSULFOCARB PROSULFOCARB	
BARLEY	*0.01
WHEAT	*0.01
PROTHIOCONAZOLE *COMMODITIES OF PLANT ORIGIN*: SUM OF PROTHIOCONAZOLE AND PROTHIOCONAZOLE DESTHIO (2-(1-CHLOROCYCLOPROPYL)-1-(2-CHLOROPHENYL)-3-(1*H*-1,2,4-TRIAZOL-1-YL)-PROPAN-2-OL), EXPRESSED AS PROTHIOCONAZOLE *COMMODITIES OF ANIMAL ORIGIN:* SUM OF PROTHIOCONAZOLE, PROTHIOCONAZOLE DESTHIO (2-(1-CHLOROCYCLOPROPYL)-1-(2-CHLOROPHENYL)-3-(1*H*-1,2,4-TRIAZOL-1-YL)-PROPAN-2-OL), PROTHIOCONAZOLE-3-HYDROXY-DESTHIO (2-(1-CHLOROCYCLOPROPYL)-1-(2-CHLORO-3-HYDROXYPHENYL)-3-(1*H*-1,2,4-TRIAZOL-1-YL)-PROPAN-2-OL) AND PROTHIOCONAZOLE-4-HYDROXY-DESTHIO (2-(1-CHLOROCYCLOPROPYL)-1-(2-CHLORO-4-HYDROXYPHENYL)-3-(1*H*-1,2,4-TRIAZOL-1-YL)-PROPAN-2-OL), EXPRESSED AS PROTHIOCONAZOLE	
EDIBLE OFFAL (MAMMALIAN)	*0.05

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

EGGS	*0.01
MEAT (MAMMALIAN) (IN THE FAT)	*0.01
MILKS	*0.004
POULTRY, EDIBLE OFFAL OF	*0.05
POULTRY MEAT (IN THE FAT)	*0.05
WHEAT	*0.05

PYRASULFOTOLE SUM OF PYRASULFOTOLE AND (5-HYDROXY-3-METHYL-1*H*-PYRAZOL-4-YL)[2-MESYL-4-(TRIFLUOROMETHYL)PHENYL]METHANONE, EXPRESSED AS PYRASULFOTOLE	
CEREAL BRAN, UNPROCESSED	0.03
CEREAL GRAINS	*0.02
EDIBLE OFFAL (MAMMALIAN)	0.5
EGGS	*0.01
MEAT (MAMMALIAN)	*0.01
MILKS	*0.01
POULTRY, EDIBLE OFFAL OF	*0.01
POULTRY MEAT	*0.01

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

[4.1] *inserting after clause 9 –*

9A Permitted inulin-derived substances and galacto-oligosaccharides

(1) Infant formula product may contain no more than –

(a) 110 mg per 100 kJ of inulin-derived substances; or
(b) 290 mg per 100 kJ of galacto-oligosaccharides; or
(c) 290 mg per 100 kJ of combined inulin-derived substances and galacto-oligosaccharides, where the inulin-derived substances is no more than 110 mg per 100 kJ.

(2) For subclause (1) the maximum permitted amount only applies when the substances are added. In that case the maximum permitted amount then applies to the sum of the naturally occurring and the added substances.

[4.2] *omitting paragraph 16(1)(c), substituting –*

(c) the average amount of each vitamin, mineral and any other nutritive substance permitted by this Standard expressed in weight per 100 mL; and
(d) when added, the average amount of –

(i) a combination of inulin-derived substances and galacto-oligosaccharides; or
(ii) inulin-derived substances; or
(iii) galacto-oligosaccharides

expressed in weight per 100 mL.

[4.3] *omitting paragraph 16(2)(d), substituting –*

(d) a declaration –

(i) of the weight of one scoop in the case of powdered infant formula; and

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

(ii) of the proportion of powder or concentrate required to reconstitute the formula according to directions; and

(e) when added, the average amount of –

(i) a combination of inulin-derived substances and galacto-oligosaccharides; or
(ii) inulin-derived substances; or
(iii) galacto-oligosaccharides

expressed in weight per 100 mL.

[4.4] *omitting clause 20, substituting* –

(1) The label on a package of infant formula product must not contain –

(a) a picture of an infant; or
(b) a picture that idealises the use of infant formula product; or
(c) the word 'humanised' or 'maternalised' or any word or words having the same or similar effect; or
(d) words claiming that the formula is suitable for all infants; or
(e) information relating to the nutritional content of human milk; or
(f) subject to clause 28, a reference to the presence of any nutrient or nutritive substance, except for a reference to a nutrient or nutritive substance in –

(i) clause 30 – claims relating to lactose free formula or low lactose formula; or
(ii) Standard 1.2.4 – Labelling of Ingredients; or
(iii) clause 16 – declaration of nutrition information; or

(g) subject to Division 3, a representation that the food is suitable for a particular condition, disease or disorder.

(2) Subject to clause 28, the label on a package of infant formula product must not contain a reference to inulin-derived substances or galacto-oligosaccharides except for a reference to either substances in –

(a) a statement of ingredients; or
(b) the nutrition information statement.

[4.5] *omitting the* Nutrition Information *table in the* Guidelines for Infant Formula Products, *substituting* –

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

NUTRITION INFORMATION

	Average amount per 100 mL made up formula *1	**Average amount per 100 g of powder (or per 100 mL for liquid concentrate) *2**
Energy	kJ	kJ
Protein	g	g
Fat	g	g
Carbohydrate	g	g
Vitamin A	µg	µg
Vitamin B_6	µg	µg
Vitamin B_{12}	µg	µg
Vitamin C	mg	mg
Vitamin D	µg	µg
Vitamin E	µg	µg
Vitamin K	µg	µg
Biotin	µg	µg
Niacin	mg	mg
Folate	µg	µg
Pantothenic acid	µg	µg
Riboflavin	µg	µg
Thiamin	µg	µg
Calcium	mg	mg
Copper	µg	µg
Iodine	µg	µg
Iron	mg	mg
Magnesium	mg	mg
Manganese	µg	µg
Phosphorus	mg	mg
Selenium	µg	µg
Zinc	mg	mg
Chloride	mg	mg
Potassium	mg	mg
Sodium	mg	mg
(insert any other nutritive substance or inulin-derived substances and galacto-oligosaccharides to be declared)	g, mg, µg	g, mg, µg

***1** – Delete the words 'made up formula' in the case of formulas sold in 'ready to drink' form.
***2** – Delete this column in the case of formulas sold in 'ready to drink' form.

[4.6] *deleting the* Note *at the end of the* Nutrition Information *table in the* Guidelines for Infant Formula Products

[5] ***Standard 2.9.2*** *is varied by –*

[5.1] *omitting paragraph 2(2)(b) substituting –*

(b) lactic acid producing cultures; and

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076

(c) either singularly or in combination, no more than 0.8 g/ 100 g of inulin-derived substances and galacto-oligosaccharides, as consumed.

(3) For paragraph 2(2)(c) the maximum permitted amount only applies when the substances are added. In that case the maximum permitted amount then applies to the sum of the naturally occurring and the added substances.

[5.2] *omitting subclause 2(3) and the heading to the* Table to paragraph 2(3)(c)*, substituting –*

(4) Food for infants must not contain –

(a) more than 50 mg/100 g of total iron in cereal-based food on a moisture free basis; or
(b) honey, unless it has been treated to inactivate *Clostridium botulinum* spores; or
(c) more than the total quantity of sodium set out in column 2 of the Table to this paragraph for each particular type of food for infants; or
(d) added salt, in the case of ready-to-eat fruit-based foods, fruit drink and vegetable juice.

Table to paragraph 2(4)(c)

[5.3] *omitting subclause 2(4)* and the Editorial note, *substituting –*

(5) Food for infants intended for infants under the age of 6 months must be formulated and manufactured to a consistency that minimises the risk of choking.

Editorial note:

The intent of subclause (5) is to ensure that the food, except in the case of rusks, should have a texture that is soft and free of lumps.

[6] ***Standard 2.9.3*** *is varied by inserting in clause 6 –*

(4) Formulated supplementary foods for young children may contain singularly or in combination, no more than 1.6 g of inulin-derived substances and galacto-oligosaccharides per serving.

(5) For subclause 6(4) the maximum permitted amount only applies when the substances are added. In that case the maximum permitted amount then applies to the sum of the naturally-occurring and the added substances.

Rectified 12/02/2009 Federal Register of Legislative Instruments F2009L00076