

Food Standards (Proposal P1013 – Code Maintenance IX) Variation

The Board of Food Standards Australia New Zealand gives notice of the making of this variation under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on the dates specified in clause 3 of this variation.

Dated **27 June 2011**



Standards Management Officer
Delegate of the Board of Food Standards Australia New Zealand

1 Name

This instrument is the *Food Standards (Proposal P1013 – Code Maintenance IX) Variation*.

2 Variation to Standards in the *Australia New Zealand Food Standards Code*

The Schedule varies the Standards in the *Australia New Zealand Food Standards Code*.

3 Commencement

These variations commence on **11 July 2011**, with the exception of Item [53] which commences on **20 May 2012** and Item [54] which commences on **26 November 2012**.

SCHEDULE

[1] *The Australia New Zealand Food Standards Code is varied by omitting micro-organism wherever appearing in the Standards listed in the Table to this item, substituting microorganism –*

Table to Item [1]

Standard 1.6.1
Standard 2.4.2
Standard 3.2.2
Standard 3.2.3
Standard 4.2.1
Standard 4.2.3
Standard 4.2.4
Standard 4.5.1

[2] *The Editorial notes in the Standards of the Australia New Zealand Food Standards Code listed in Column 1 of the Table to this item are varied by omitting the Editorial notes listed in Column 2 –*

Table to Item 1

Column 1 Standard	Column 2 Editorial note
Standard 1.1.1	The Editorial note following the definition of fund raising events
Standard 1.2.11	The Editorial note following subclause 2(3)
Standard 1.3.1	The Editorial note following clause 3
Standard 1.3.1	The Editorial note following clause 11
Standard 2.2.1	The Editorial note within clause 1
Standard 2.5.4	The Editorial note following clause 3
Standard 2.7.4	The Editorial note following clause 2

[3] *Standard 1.1.1 of the Australia New Zealand Food Standards Code is varied by –*

[3.1] *omitting from the Editorial note preceding the Table of Provisions –*

Health Act 1911 (Western Australia)
Food Act (Northern Territory)

substituting –

Food Act 2004 (Northern Territory)
Food Act 2008 (Western Australia)

[3.2] *omitting subclause 1(1), substituting –*

(1) Unless expressly provided elsewhere in this Code, the provisions of this Code apply to food products –

- (a) sold or prepared for sale in Australia or New Zealand; and
- (b) imported into Australia or New Zealand.

[3.3] *omitting the definition of **Australian Approved Names List** in clause 2*

[3.4] *omitting final product from the definition of **component** in clause 2, substituting final food*

[3.5] *omitting the definition of **fund raising events** in clause 2, substituting –*

fund raising event means an event that raises funds solely for a community or charitable cause and not for personal financial gain.

[3.6] *inserting in alphabetical order in clause 2 –*

Good Manufacturing Practice (GMP), with respect to the addition of additives and processing aids to food, means –

- (a) the quantity of additive or processing aid added to food shall be limited to the lowest possible level necessary to accomplish its desired effect; and
- (b) the quantity of the additive or processing aid that becomes a component of food as a result of its use in the manufacture, processing or packaging of a food, and which is not intended to accomplish any physical or other technical effect in the finished food itself, is reduced to the extent reasonably possible; and
- (c) the additive or processing aid is prepared and handled in the same way as a food ingredient.

[3.7] *inserting following clause 15 –*

16 Citation of the United States Code of Federal Regulations (CFR)

(1) In this Code, a reference to the Code of Federal Regulations, or CFR, is a reference to the 2010 compilation of the United States Code of Federal Regulations.

(2) In this Code, the Code of Federal Regulations is cited in the following format –

[title number] CFR § [section number]

[3.8] *updating the Table of Provisions to reflect these amendments*

[4] **Standard 1.1.2** of the Australia New Zealand Food Standards Code is varied by –

[4.1] *omitting salt and/or spices from the definition of **cocoa** in clause 1, substituting salt or spices*

[4.2] *omitting the definition of **coffee** in clause 1, substituting –*

coffee means the product prepared by roasting or grinding, or both the roasting and grinding, of coffee beans.

[5] *Standard 1.2.1 of the Australia New Zealand Food Standards Code is varied by –*

[5.1] *omitting paragraph 2(1)(a), substituting –*

(a) the food is not in a package; or

[5.2] *omitting from paragraph 2(2)(a) –*

subclauses 1(1) or (2)

substituting –

subclause 1(2)

[5.3] *omitting subclause 3(1), substituting -*

- (1) Subject to subclause (2), food other than food –
 - (a) for retail sale; or
 - (b) for catering purposes; or
 - (c) supplied as an intra company transfer;

must bear a label containing the information prescribed in Standard 1.2.2, except where the food –

- (d) is not in a package; or
- (e) is in an inner package or packages contained in an outer package where the label on the outer package includes the information prescribed in Standard 1.2.2; or
- (f) is in a transportation outer and the information prescribed in Standard 1.2.2 is clearly discernable through the transportation outer on the labels on the packages within.

[5.4] *omitting paragraph 5(2)(c), substituting –*

- (c) an outer package where the –
 - (i) label on the outer package includes the information prescribed in Standard 1.2.2; and
 - (ii) food in the inner package is labelled in accordance with subclause (1); or
- (d) an outer package where the –
 - (i) information prescribed in clause 3 of Standard 1.2.2 is provided in documentation accompanying that food; and
 - (ii) label on the outer package includes the information prescribed in clauses 1 and 2 of Standard 1.2.2; and
 - (iii) food in the inner package is labelled in accordance with subclause (1).

[5.5] *omitting from subclause 6(4) –*

catering purposes,

substituting –

catering purposes

[5.6] *omitting and/or wherever appearing in Column 2 of the Table to clause 8, substituting or*

[6] **Standard 1.2.3** of the Australia New Zealand Food Standards Code is varied by –

[6.1] *omitting from the Editorial note following clause 2 –*

Standard 2.5.1. – ‘dried milks’

substituting –

Standard 2.5.1. ‘Dried milks’

[6.2] *inserting and warning after mandatory advisory in the Purpose.*

[6.3] *omitting from the heading to clause 3 –*

and declarations

[6.4] *omitting advisory statement from subclause 3(2), substituting warning statement*

[6.5] *omitting from the Table to clause 4 –*

Fish and fish products, except for isinglass derived from swim bladders and used as a clarifying agent in beer and wine.
Peanuts and soybeans, and their products
Tree nuts and sesame seeds and their products other than coconut from the fruit of the palm <i>Cocos nucifera</i>

substituting –

Fish and fish products, except for isinglass derived from swim bladders and used as a clarifying agent in beer and wine
Peanuts and peanut products
Soybeans and soybean products
Tree nuts and tree nut products other than coconut from the fruit of the palm <i>Cocos nucifera</i>
Sesame seeds and sesame seed products

[6.6] *updating the Table of Provisions to reflect these amendments*

[7] **Standard 1.2.4** of the Australia New Zealand Food Standards Code is varied by –

[7.1] *omitting clause 2, substituting –*

2 Requirement for statement of ingredients

The label on a package of food must include a statement of ingredients unless –

- (a) the food is labelled with the name of the food which would otherwise be those ingredients listed in the ingredient list; or
- (b) the food is water presented in packaged form as standardised in Standard 2.6.2; or
- (c) the food is an alcoholic beverage standardised in Standard 2.7.2 to Standard 2.7.5 of this Code; or
- (d) the food is contained in a small package.

[7.2] *omitting and/or from the entry for milk solids in the Table to clause 4, substituting or*

[7.3] *omitting and/or wherever appearing in clause 5, substituting or*

[7.4] *omitting clause 6, substituting –*

6 Declaration of compound ingredients

- (1) A compound ingredient must be declared in the statement of ingredients either –
 - (a) by declaring the compound ingredient by name in its appropriate place in the statement of ingredients, and listing its ingredients in brackets after the name of the compound ingredient, in descending order of ingoing weight in the compound ingredient, as specified in the Table to this clause; or
 - (b) by declaring all of the ingredients of the compound ingredient separately as if they were individual ingredients of the final food.
- (2) However, paragraph 6(1)(a) does not apply to food standardised in Standard 2.9.2.
- (3) The ingredients in an alcoholic beverage, standardised in Standards 2.7.2 to 2.7.5 of this Code, do not need to be declared in a statement of ingredients if the alcoholic beverage has been declared as an ingredient in the food.

Table to clause 6

Amount of compound ingredient in the food	Ingredients of the compound ingredient to be included in the statement of ingredients
5% or more	All ingredients
less than 5%	1. If applicable, any substance listed in the Table to clause 4 of Standard 1.2.3; and 2. all food additives in the compound ingredient that perform a technological function in the final food

Editorial note:

An example for clause 6 is the statement of ingredients for canned spaghetti, which could read –

‘tomatoes, water, spaghetti (wheat flour, egg, water), sugar, salt, flavours’

under option (a) or –

‘tomatoes, water, wheat flour, egg, sugar, salt, flavours’

under option (b).

[7.5] *omitting specific name from subclause 8(2), substituting prescribed name*

[7.6] *inserting the words as indicated in Schedule 2 of this Standard at the end of subclause 8(5)*

[7.7] *inserting following clause 9 –*

10 Process declaration for oil

If a food contains oil as an ingredient, and the specific source name of the oil is used on the label of the food, the label must include the statement prescribed in clause 3 of Standard 2.4.1.

[7.8] *inserting the following entries in Part 1 and Part 2 of Schedule 2 –*

Acetylated oxidised starch	1451
Sodium gluconate	576

[7.9] *omitting blackcurrent from Part 2 of Schedule 2, substituting blackcurrant*

[7.10] *updating the Table of Provisions to reflect these amendments*

[8] Standard 1.2.5 of the Australia New Zealand Food Standards Code is varied by –

[8.1] *omitting from the definition of **use-by date** in clause 1 health and safety, substituting health or safety*

[8.2] *omitting the first paragraph from the Editorial note following subclause 2(2)*

[8.3] *omitting clause 5 and the Examples under clause 5, substituting –*

5 Prescribed form of date

- (1) If the best-before date or use-by date of a food is not more than 3 months from the date it is applied, the date mark must consist at least of the day and month, expressed in that order.

(2) If the best-before date or use-by date of a food is more than 3 months from the date it is applied, the date mark must consist at least of the month and year, expressed in that order.

(3) The best-before date and use-by date must be expressed in numerical form, except for the month which may be expressed in letters. Where the month is expressed in letters, the month may precede the day.

(4) The day, month and year so expressed within the best-before or use-by date must be distinguishable.

Examples:

For paragraph 5(1) –

23 Dec or 23 12

23 12 2012 or 23 Dec 2012

For paragraph 5(2) –

Dec 2012 or 12 2012

23 12 2012 or 23 Dec 2012

For paragraph 5(3) –

23 Dec 2012 or Dec 23 2012

[8.4] *omitting clause 6, substituting –*

6 Statement of storage conditions

The label on a package of food must include a statement of any specific storage conditions required to ensure that the food will keep for the period indicated by the use-by date, or the best-before date.

[8.5] *omitting subclause 7(2), substituting –*

(2) Subclause (1) does not preclude the label on a package of food from including a packed-on date or a manufacturer's or packer's code in addition to the required use-by date or best-before date.

[9] **Standard 1.2.6 of the Australia New Zealand Food Standards Code is varied by –**

[9.1] *omitting the Purpose, substituting –*

Purpose

This Standard identifies when directions for use and directions for storage are required to be included on a label.

[9.2] *omitting clauses 1, 2 and 3, the Table to clause 3 and the Editorial note following the Table to clause 3, substituting –*

1 Directions for use and storage of food

(1) The label on a package of food must include directions for the use of the food or the storage of the food, or both, if the food is of such a nature as to require the directions for

health or safety reasons.

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

(3) If the food is of a kind listed in column 1 of the Table to this clause, the food must be labelled with, or accompanied by, the directions for use set out in column 2.

Table to clause 1

Column 1	Column 2
Food	Directions for use
Raw bamboo shoots	A statement that indicates that bamboo shoots should be fully cooked before being consumed.
Raw sweet cassava	A statement that indicates that sweet cassava should be peeled and fully cooked before being consumed.

[9.3] *updating the Table of Provisions to reflect these amendments*

[10] **Standard 1.2.8** of the Australia New Zealand Food Standards Code is varied by –

[10.1] *omitting acids after bonds from the definition of **polyunsaturated fatty acids** in clause 1*

[10.2] *omitting acids after bonds from the definition of **saturated fatty acids** in clause 1*

[10.3] *omitting acids after configuration from the definition of **trans fatty acids** in clause 1*

[10.4] *omitting clause 3, substituting –*

3 Nutrition information requirements and exemptions

Subject to clause 4, the label on a package of food must include a nutrition information panel except where the food is –

- (a) deleted
- (b) an alcoholic beverage standardised in Standard 2.7.2 to Standard 2.7.5 of this Code; or
- (c) a herb, a spice, a herbal infusion; or
- (d) vinegar and related products as standardised in Standard 2.10.1; or
- (e) salt and salt products as standardised in Standard 2.10.2; or
- (f) tea, decaffeinated tea, decaffeinated instant or soluble tea, instant or soluble tea, coffee, decaffeinated coffee, decaffeinated instant or soluble coffee, instant or soluble coffee, as defined in Standard 1.1.2; or
- (g) an additive for the purposes of Standard 1.3.1; or
- (h) a processing aid as defined in Standard 1.3.3; or
- (i) fruit, vegetables, meat, poultry, and fish that comprise a single ingredient or category of ingredients; or
- (j) in a small package; or
- (k) gelatine as defined in Standard 1.1.2; or
- (l) water, or mineral water or spring water as defined in Standard 2.6.2; or
- (m) prepared filled rolls, sandwiches, bagels and similar products; or
- (n) jam setting compound; or
- (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; or
- (p) a beverage containing no less than 0.5% alcohol by volume that is not standardised in Standard 2.7.2 to Standard 2.7.5 of this Code; or

(q) kava as standardised in Standard 2.6.3.

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

(7) The information prescribed in subclause (4) and subclause (5), where required to be included in a nutritional information panel, must be set out in the following format –

NUTRITION INFORMATION		
Servings per package: (insert number of servings)		
Serving size: g (or mL or other units as appropriate)		
	Quantity per Serving	Quantity per 100 g (or 100 mL)
Energy	kJ (Cal)	kJ (Cal)
Protein, total	g	g
– *	g	g
Fat, total	g	g
– saturated	g	g
– **	g	g
– trans	g	g
– **	g	g
– polyunsaturated	g	g
– **	g	g
– monounsaturated	g	g
– **	g	g
Cholesterol	mg	mg
Carbohydrate	g	g
– sugars	g	g
– **	g	g
– **	g	g
– **	g	g
Dietary fibre, total	g	g
– **	g	g
Sodium	mg (mmol)	mg (mmol)
(insert any other nutrient or biologically active substance to be declared)	g, mg, µg (or other units as appropriate)	g, mg, µg (or other units as appropriate)

*a sub-group nutrient **a sub-sub-group nutrient

[10.6] *omitting clause 10, substituting –*

10 Food intended to be drained before consumption

The label on a package of food with directions indicating that the food should be drained before consumption, must include the particulars set out in each column of the panel expressed as a proportion of the drained food, and must clearly indicate that the particulars set out in each column of the panel relate to the drained food.

[10.7] *omitting clause 11, substituting –*

11 Food intended to be prepared or consumed with other food

The label on a package of food intended to be prepared or consumed with at least one other food, may include an additional column at the right hand side of the panel, specifying, in the same manner as set out the panel –

- (a) a description of the additional food or foods; and

- (b) the quantity of the additional food or foods; and
- (c) the average energy content of the combined foods; and
- (d) the average quantities of nutrients contained in the combined foods; and

- (e) the average quantities of biologically active substances contained in the combined foods.

[10.8] *omitting subclause 13(5), substituting –*

(5) Where a nutrition claim is made in accordance with subclause (3) or subclause (4), the declarations in the nutrition information panel must indicate the type of omega 3 fatty acids, namely –

- (a) alpha-linolenic acid; or
- (b) docosahexaenoic acid; or
- (c) eicosapentaenoic acid; or
- (d) a combination of the above.

[10.9] *updating the Table of Provisions to reflect these amendments*

[11] **Standard 1.2.9** of the Australia New Zealand Food Standards Code is varied by –

[11.1] *omitting 3mm from subclause 3(a), substituting 3 mm*

[11.2] *omitting 1.5mm from subclause 3(b), substituting 1.5 mm*

[11.3] *omitting the Editorial note following clause 3, substituting –*

Editorial note:

1. ‘Warning statement is defined in Standard 1.1.1 – Preliminary Provisions – Application, Interpretation and General Prohibitions.
2. ‘Small package’ is defined in Standard 1.2.1 – Application of Labelling and Other Information Requirements.

[12] **Standard 1.2.10** of the Australia New Zealand Food Standards Code is varied by –

[12.1] *omitting fund raising events from paragraph 2(4)(e), substituting a fund raising event*

[12.2] *omitting the second paragraph from the Editorial note following subclause 2(4)*

[12.3] *omitting subclause 7(2), substituting –*

(2) If the percentage declared is 5% or greater, it may be rounded to the nearest whole per cent. If the percentage declared is below 5%, it may be rounded to the nearest 0.5 per cent.

[13] **Standard 1.2.11** of the Australia New Zealand Food Standards Code is varied by –

[13.1] *omitting subclauses 1(4) and 1(5)*

[13.2] *omitting local and/or imported foods as the case may be wherever appearing in Column 2 of the Table to subclause 2(2), substituting local foods or imported foods or both*

[14] **Standard 1.3.1** of the Australia New Zealand Food Standards Code is varied by –

[14.1] *omitting clause 3, substituting –*

3 Permitted use of additives

(1) The additives listed by name or number in Schedules 1, 2, 3 and 4 may be added to a food or class of food to perform technological functions provided that –

- (a) the use complies with any restrictions on use listed in Schedule 1; and
- (b) the proportion of the additive is no more than the maximum level necessary to achieve one or more technological functions under the conditions of Good Manufacturing Practice (GMP).

(2) The additives in Schedule 2 may be present in processed foods as a result of use in accordance with GMP, except where expressly prohibited in Schedule 1.

(3) The colours in Schedule 3 may be present in processed foods as a result of use in accordance with GMP except where expressly prohibited in Schedule 1.

(4) The colours in Schedule 4 may be present in processed foods to a combined maximum level of 290 mg/kg in foods, and 70 mg/L in beverages, except where expressly prohibited in Schedule 1.

[14.2] *omitting from subclause 6(2) –*

calculated by:

substituting –

calculated by –

[14.3] *omitting from clause 7 –*

Other than by direct addition, a food

substituting –

A food

[14.4] *omitting clause 11, substituting –*

11 Permitted flavouring substances

Permitted flavouring substances, for the purposes of this Standard, are –

- (a) Flavouring substances which are listed in at least one of the following publications –
 - (i) Generally Recognised as Safe (GRAS) lists of flavouring substances published by the Flavour and Extract Manufacturers' Association of the United States from 1960 to 2011 (edition 25); or
 - (ii) Chemically-defined flavouring substances, Council of Europe, November 2000; or
 - (iii) 21 CFR § 172.515; or
- (b) Flavouring substances obtained by physical, microbiological, enzymatic, 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; or
- (c) Flavouring substances obtained by synthetic means which are identical to any of the flavouring substances described in subparagraph (b).

[14.5] *omitting from Schedule 1 under item 0 GENERAL PROVISIONS –*

Additives in Schedule 2 may be present in processed foods as a result of use in accordance with GMP except where expressly prohibited in this schedule.

Colours in Schedule 3 may be present in processed foods as a result of use in accordance with GMP except where expressly prohibited in this schedule.

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

For an explanation and examples of the different food additive classifications in Schedule 1, please refer to the 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.

[14.6] *omitting from Schedule 1 item 1.1.3 Liquid milk to which phytosterols, phytostanols or their esters have been added, substituting –*

1.1.3 Liquid milk to which phytosterols, phytostanols or their esters have been added

401	Sodium alginate	2000	mg/kg
407	Carrageenan	2000	mg/kg
412	Guar gum	2000	mg/kg
471	Mono- and diglycerides of fatty acids	2000	mg/kg
460	Microcrystalline cellulose	5000	mg/kg

[14.7] *omitting from Schedule 1 from the heading for item 1.4.1 Cream, reduced cream and light cream) –*

light cream)

substituting –

light cream

[14.8] *omitting from Schedule 1 from the heading for item 1.4.2 Cream products (flavoured, whipped, thickened, sour cream etc.) –*

sour cream etc.

substituting –

sour cream etc

[14.9] *omitting from Schedule 1 from the heading for item 4.1.3 Peeled and/or cut fruits and vegetables –*

Peeled and/or cut fruits and vegetables

substituting –

Fruits and vegetables that are peeled, cut, or both peeled and cut

[14.10] *omitting from Schedule 1 under item 6.4 Flour products (including noodles and pasta)*, the entries –*

234	Nisin	250	mg/kg	Flour products that are cooked on hot plates only e.g. crumpets, pikelets, flapjacks, etc.
243	Ethyl lauroyl arginate	200	mg/kg	cooked pasta and noodles only

substituting –

234	Nisin	250	mg/kg	Flour products that are cooked on hot plates only e.g. crumpets, pikelets, and flapjacks.
243	Ethyl lauroyl arginate	200	mg/kg	Cooked pasta and noodles only

[14.11] *omitting from Schedule 1 wherever appearing in item 10.4 Dried and/or heat coagulated egg products, the words and/or, substituting or*

[14.12] *omitting from Schedule 1 from the heading for item 14.2 Alcoholic beverages (including no and low alcohol) –*

(including no and low alcohol)

substituting –

(including alcoholic beverages that have had the alcohol reduced or removed)

[14.13] *omitting from Schedule 1 the heading under item 20.2 Food other than beverages* -*

soup bases (made up as directed)

substituting –

soup bases (the max permitted levels apply to soup made up as directed)

[14.14] *inserting the following entries in each of the listings in Schedule 2 –*

1451	Acetylated oxidised starch
576	Sodium gluconate

[14.15] *omitting wherever appearing in Schedule 4 –*

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

substituting –

Colours permitted to a combined maximum level of 290 mg/kg in processed foods, and a combined maximum level of 70 mg/L in beverages, except where expressly prohibited in Schedule 1

[14.16] *omitting wherever appearing in Schedule 5 under the Definition column –*
taste and/or odour

substituting –

taste or odour

[15] *Standard 1.3.2 of the Australia New Zealand Food Standards Code is varied by –*

[15.1] *omitting and/or wherever appearing in the definition of **claimable food** in clause 1, substituting or*

[15.2] *omitting a mixture of from the definition of **claimable food** in clause 1, substituting two or more of the following*

[15.3] *omitting Thiamine wherever appearing in the Table to clause 3, substituting Thiamin*

[15.4] *omitting from the Table to clause 3 –*

Edible oils and spreads				
Edible oil spreads and margarine: – containing no more than 28% total saturated fatty acids and trans fatty acids	10 g	Vitamin A Vitamin D Vitamin E	110 µg (15%) 1.0 µg (10%) 3.5 mg (35%)	125 µg 1.6 µg
Sunflower oil and safflower oil – other edible oils – containing no more than 28% total saturated fatty acids and trans fatty acids	10 g	Vitamin E	7.0 mg (70%) 3.0 mg (30%)	
Fruit juice, vegetable juice, fruit drink and fruit cordial				
Fruit juice, reconstituted fruit juice, concentrated fruit juice: – Blackcurrant – Guava – Other fruit juice – Mango – Pawpaw – Other fruit juice	200 mL	Calcium Folate Vitamin C Carotene forms of Vitamin A	200 mg (25%) 100 µg (50%) 500 mg (12.5 times) 400 mg (10 times) 120 mg (3 times) 800 µg (1.1 times) 300 µg (40%) 200 µg (25%)	
Tomato juice, concentrated tomato juice	200 mL	Vitamin C Carotene forms of Vitamin A Folate Calcium	60 mg (1.5 times) 200 µg (25%) 100 µg (50%) 200 mg (25%)	

Vegetable juice	200 mL	Vitamin C Carotene forms of Vitamin A Folate Calcium	60 mg (1.5 times) 200 µg (25%) 100 µg (50%) 200 mg (25%)	
Fruit and/or vegetable drinks containing at least 250 mL/L of the juice, puree of comminution of the fruit and/or vegetable; fruit and/or vegetable drink concentrate which contains in a reference quantity at least 250 mL/L of the juice, puree or comminution of the fruit and/or vegetable	200 mL	Folate Vitamin C Carotene forms of vitamin A Calcium	refer to clause 8 refer to clause 8 refer to clause 8 200 mg (25%)	

substituting –

Edible oils and spreads				
Edible oil spreads and margarine	10 g	Vitamin A Vitamin D	110 µg (15%) 1.0 µg (10%)	125 µg 1.6 µg
Edible oil spreads and margarine containing no more than 28% total saturated fatty acids and trans fatty acids	10 g	Vitamin E	3.5 mg (35%)	
Sunflower oil and safflower oil	10 g	Vitamin E	7.0 mg (70%)	
Edible oils (except sunflower and safflower oil) containing no more than 28% total saturated fatty acids and trans fatty acids	10 g	Vitamin E	3.0 mg (30%)	
Fruit juice, vegetable juice, fruit drink, vegetable drink and fruit cordial				

All fruit juice and concentrated fruit juice	200 mL	Calcium Folate Vitamin C Carotene forms of Vitamin A	200 mg (25%) 100 µg (50%) 120 mg (3 times) 200 µg (25%)
Blackcurrant juice, concentrated blackcurrant juice	200 mL	Vitamin C	500 mg (12.5 times)
Guava juice, concentrated guava juice	200 mL	Vitamin C	400 mg (10 times)
Mango juice	200 mL	Carotene forms of Vitamin A	800 µg (1.1 times)
Pawpaw juice, concentrated pawpaw juice	200 mL	Carotene forms of Vitamin A	300 µg (40%)
Tomato juice, concentrated tomato juice	200 mL	Vitamin C Carotene forms of Vitamin A Folate Calcium	60 mg (1.5 times) 200 µg (25%) 100 µg (50%) 200 mg (25%)
Vegetable juice	200 mL	Vitamin C Carotene forms of Vitamin A Folate Calcium	60 mg (1.5 times) 200 µg (25%) 100 µg (50%) 200 mg (25%)
Fruit drinks, vegetable drinks and fruit and vegetable drinks containing at least 250 mL/L of the juice, puree or comminution of the fruit or vegetable or both; fruit drink, vegetable drink or fruit and vegetable drink concentrate which contains in a reference quantity at least 250 mL/L of the juice, puree or comminution of the fruit or vegetable, or both	200 mL	Folate Vitamin C Carotene forms of vitamin A Calcium	refer to clause 8 refer to clause 8 refer to clause 8 200 mg (25%)

[15.5] *inserting the following Editorial note following the Table to clause 3 –*

Editorial note:

The *New Zealand (Mandatory Fortification of Bread with Folic Acid) Food Standard 2007* applies to bread sold in New Zealand. This Standard does not apply to bread sold or prepared for sale in, or imported into Australia.

[16] *Standard 1.3.3 of the Australia New Zealand Food Standards Code is varied by –*

[16.1] *omitting the definition of GMP in clause 1*

[16.2] *omitting paragraph (b) from the definition of processing aid in clause 1, substituting –*

- (b) the proportion of the processing aid is no more than the maximum level necessary to achieve one or more technological functions under conditions of Good Manufacturing Practice (GMP).

[16.3] *omitting final food from clause 11, substituting water*

[16.4] *omitting Food from the heading to the Table to clause 14, substituting Function*

[16.5] *omitting from the Table to clause 14 –*

Lactoperoxidase from bovine milk EC 1.11.1.7	Reduce and/or inhibit bacterial population on meat surfaces	GMP
---	---	-----

substituting –

Lactoperoxidase from bovine milk EC 1.11.1.7	Reduce the bacterial population or inhibit bacterial growth on meat surfaces	GMP
---	--	-----

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

Colours permitted in Schedules 2, 3 and 4 of Standard 1.3.1	Applied to the outer surface of meat as a brand for the purposes of inspection or identification	GMP
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[17] *Standard 1.3.4 of the Australia New Zealand Food Standards Code is varied by –*

[17.1] *omitting the Purpose, substituting –*

Purpose

This Standard ensures that food additives, processing aids, novel food substances, vitamins and minerals and nutritive substances added to food in accordance with this Code meet appropriate specifications for identity and purity. In general, these specifications are those used by the international community.

[17.2] *omitting clauses 1, 2 and 3, substituting –*

1 Application

This Standard applies only to the following substances which are added to food in accordance with this Code, or sold for use in food –

- (a) food additives;
- (b) processing aids;
- (c) vitamins and minerals;
- (d) novel food substances; and
- (e) nutritive substances.

2 Substances with specifications in primary sources

A substance must comply with a relevant monograph published in one of the following –

- (a) the Schedule to this Standard; or

- (b) Combined Compendium of Food Additive Specifications, FAO JECFA Monograph 1 (2005) as superseded by specifications published in FAO JECFA Monographs 3 (2006) and FAO JECFA Monographs 4 (2007) and FAO JECFA Monographs 5 (2008) and FAO JECFA Monographs 7 (2009) and FAO JECFA Monographs 10 (2010), Food and Agriculture Organisation of the United Nations. Rome; or
- (c) *Food Chemicals Codex* (7th Edition) published by United States Pharmacopoeia (2010).

3 Substances with specifications in secondary sources

If there is no monograph applying to a substance under clause 2, the substance must comply with a relevant monograph published in one of the following –

- (a) the *British Pharmacopoeia 2010*, TSO, Norwich (2010); or
- (b) the United States Pharmacopoeia, 34th Revision and The National Formulary, 29th Edition (2010); or
- (c) the Pharmaceutical Codex, 12th Edition, Council of the Pharmaceutical Society of Great Britain. The Pharmaceutical Press, London (1994); or
- (d) Martindale; The Complete Drug Reference. The Pharmaceutical Press London (2009); or
- (e) the European Pharmacopoeia 6th Edition, Council of Europe, Strasbourg (2007); or
- (f) the International Pharmacopoeia 4th Edition, World Health Organization, Geneva (2006 and 2008 supplement); or
- (g) the Merck Index, 14th Edition, (2006); or
- (h) the Code of Federal Regulations; or
- (i) the *Specifications and Standards for Food Additives*, 7th Edition (2000), Ministry of Health and Welfare (Japan); or
- (j) the *International Oenological Codex* (2010 supplementary edition), Organisation Internationale de la Vigne et du Vin (OIV).

[17.3] *omitting paragraph 4(c), substituting –*

- (c) 1 mg/kg of cadmium;
- (d) 1 mg/kg of mercury.

[17.4] *omitting from paragraph (c) under the Specification for carboxymethyl cellulose ion exchange resin in the Schedule –*

CFR Title 21 part 173.25(c)(4)

substituting –

21 CFR § 173.25(c)(4)

[17.5] *omitting from paragraph (c) under the Specification for quaternary amine cellulose ion exchange resin in the Schedule –*

CFR Title 21 part 173.25(c)(4)

substituting –

21 CFR § 173.25(c)(4)

[17.6] *omitting from paragraph (c) under the Specification for diethyl aminoethyl cellulose ion exchange resin in the Schedule –*

CFR Title 21 part 173.25(c)(4)

substituting –

21 CFR § 173.25(c)(4)

[17.7] *omitting from paragraph (c) under the Specification for agarose ion exchange resin in the Schedule –*

CFR Title 21 part 173.25(c)(4)

substituting –

21 CFR § 173.25(c)(4)

[17.8] *omitting from the Schedule the entries for–*

Specification for docosahexaenoic acid (DHA) – rich dried marine micro-algae (*Schizochytrium* sp.)

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

Specification for docosahexaenoic acid (DHA) – rich oil derived from the algae *Cryptocodinium cohnii*

Specification for oil derived from the fungus *Mortierella alpina* rich in arachidonic acid (ARA)

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

substituting –

Specification for dried marine micro-algae (*Schizochytrium* sp.) rich in docosahexaenoic acid (DHA)

Full chemical name for DHA	4,7,10,13,16,19-docosahexaenoic acid (22:6n-3 DHA)
Solids (%)	min. 95.0
DHA (%)	min. 15.0
Lead (mg/kg)	max. 0.5
Arsenic (mg/kg)	max. 0.5

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

Full chemical name for DHA	4,7,10,13,16,19-docosahexaenoic acid (22:6n-3 DHA)
DHA (%)	min. 32
Trans fatty acids (%)	max. 2.0
Lead (mg/kg)	max. 0.1
Arsenic (mg/kg)	max. 0.1
Mercury (mg/kg)	max. 0.1
Hexane (mg/kg)	max. 0.3

Specification for oil derived from the algae *Cryptocodinium cohnii* rich in docosahexaenoic acid (DHA)

Full chemical name for DHA	4,7,10,13,16,19-docosahexaenoic acid (22:6n-3)
DHA (%)	min. 35
Trans fatty acids (%)	max. 2.0
Lead (mg/kg)	max. 0.1
Arsenic (mg/kg)	max. 0.1
Mercury (mg/kg)	max. 0.1
Hexane (mg/kg)	max. 0.3

Specification for oil derived from the fungus *Mortierella alpina* rich in arachidonic acid (ARA)

Full chemical name for ARA	5,8,11,14-eicosatetraenoic acid (20:4n-6 ARA)
ARA (%)	min. 35
Trans fatty acids (%)	max. 2.0
Lead (mg/kg)	max. 0.1
Arsenic (mg/kg)	max. 0.1
Mercury (mg/kg)	max. 0.1
Hexane (mg/kg)	max. 0.3

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

Full chemical name for DHA	4,7,10,13,16,19-docosahexaenoic acid (22:6n-3 DHA)
DHA (%)	min. 32
Trans fatty acids (%)	max. 2.0
Lead (mg/kg)	max. 0.2
Arsenic (mg/kg)	max. 0.2
Mercury (mg/kg)	max. 0.2
Hexane (mg/kg)	max. 10

[18] *Standard 1.4.1 of the Australia New Zealand Food Standards Code is varied by –*

[18.1] *omitting from the Purpose –*

Consideration has also been given to Australia's and New Zealand's international trade obligations under the World Trade Organization's Sanitary and Phytosanitary Agreement and Technical Barrier to Trade Agreement.

In order to assist both enforcement agencies and industry to maintain contaminant levels at the lowest achievable levels, Generally Expected Levels (GELs), have been established to complement the use of MLs. GELs, while not legally enforceable, provide a benchmark against which to measure contaminant levels in foods. The list of GELS is provided in the User Guide – Generally Expected Levels (GELs) for Metal Contaminants.

substituting –

Consideration has also been given to Australia's and New Zealand's international trade obligations under the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade.

[18.2] *omitting from subclause 1(5) –*

(edible kelp)

[18.3] *omitting the definitions for **food** and **metal contaminant** in subclause 2(1), substituting –*

food means the food or class of foods listed in Column 2 of the Table to this clause.

metal contaminant means a substance listed in Column 1 of the Table to this clause and includes compounds of a metal.

[18.4] *omitting subclauses 2(2) and 2(3), substituting -*

(2) The maximum levels for metal contaminants in food are listed in Column 3 of the Table to this clause.

(3) Where a mixed food contains food or a class of foods listed in Column 2 of the Table to this clause, the proportion of the metal contaminant permitted to be present in the mixed food (ML1) is calculated in accordance with the formula prescribed in subclause 1(6).

[18.5] *omitting the Table to clause 2, substituting –*

Table to clause 2

Column 1 Contaminant	Column 2 Food	Column 3 Maximum level (mg/kg)
Arsenic (total)	Cereals	1
Arsenic (inorganic)	Crustacea Fish Molluscs Seaweed	2 2 1 1
Cadmium	Chocolate and cocoa products Kidney of cattle, sheep and pig Leafy vegetables (as specified in Schedule 4 to Standard 1.4.2) Liver of cattle, sheep and pig Meat of cattle, sheep and pig (excluding offal) Molluscs (excluding dredge/bluff oysters and queen scallops) Peanuts Rice Root and tuber vegetables (as specified in Schedule 4 to Standard 1.4.2) Wheat	0.5 2.5 0.1 1.25 0.05 2 0.5 0.1 0.1 0.1
Lead	Brassicas Cereals, Pulses and Legumes Edible offal of cattle, sheep, pig and poultry Fish Fruit Infant formulae Meat of cattle, sheep, pig and poultry (excluding offal) Molluscs Vegetables (except brassicas)	0.3 0.2 0.5 0.5 0.1 0.02 0.1 2 0.1
Mercury	Crustacea Fish (as specified in Schedule 4 to Standard 1.4.2) and fish products, excluding gemfish, billfish (including marlin), southern bluefin tuna, barramundi, ling, orange roughy, rays and all species of shark Gemfish, billfish (including marlin), southern bluefin tuna, barramundi, ling, orange roughy, rays and all species of shark Fish for which insufficient samples are available to analyse in accordance with clause 6 Molluscs	mean level of 0.5* mean level of 0.5* mean level of 1* 1 mean level of 0.5*
Tin	All canned foods	250

* A reference to a mean level in the Table to clause 2 in this Standard is to the mean level of mercury in the prescribed number of sample units as described in clause 6 of this Standard.

[18.6] *omitting the definition of **food** in subclause 3(1), substituting –*

food means the food or class of foods listed in Column 2 of the Table to this clause.

[18.7] *omitting the definition of **non-metal contaminant** in subclause 3(1), substituting –*

non-metal contaminant means a substance listed in Column 1 of the Table to this

clause.

[18.8] *omitting subclauses 3(2) and 3(3), substituting –*

(2) The maximum levels for non-metal contaminants in food are listed in Column 3 of the Table to this clause.

(3) Where a mixed food contains a food or class of foods listed in Column 2 of the Table to this clause, the proportion of the non-metal contaminant permitted to be present in the mixed food (ML1) is calculated in accordance with the formula prescribed in subclause 1(6).

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

Table to clause 3

Column 1 Contaminant	Column 2 Food	Column 3 Maximum level (mg/kg unless specified otherwise)
Acrylonitrile	All food	0.02
Aflatoxin	Peanuts Tree nuts (as specified in Schedule 4 to Standard 1.4.2)	0.015 0.015
Amnesic shellfish poisons (Domoic acid equivalent)	Bivalve molluscs	20
3-chloro-1,2-propanediol	Soy sauce and oyster sauce	0.2 calculated on a 40% dry matter content
Diarrhetic shellfish poisons (Okadaic acid equivalent)	Bivalve molluscs	0.2
1,3-dichloro-2-propanol	Soy sauce and oyster sauce	0.005 calculated on a 40% dry matter content
Ergot	Cereal grains	500
Methanol	Red wine, white wine and fortified wine Whisky, Rum, Gin and Vodka Other spirits, fruit wine, vegetable wine and mead	3 g of methanol per litre of ethanol 0.4 g of methanol per litre of ethanol 8 g of methanol per litre of ethanol
Neurotoxic shellfish poisons	Bivalve molluscs	200 MU/kg
Paralytic shellfish poisons (Saxitoxin equivalent)	Bivalve molluscs	0.8
Phomopsins	Lupin seeds and the products of lupin seeds	0.005
Polychlorinated biphenyls, total	Mammalian fat Poultry fat Milk and milk products Eggs Fish	0.2 0.2 0.2 0.2 0.5

Vinyl chloride	All food	0.01
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[18.10] *omitting the definition of **food** in subclause 4(1), substituting –*

food means the food or class of foods listed in Column 2 of the Table to this clause.

[18.11] *omitting in bold type from the definition of **natural toxicant from the addition of a flavouring substance** in subclause 4(1)*

[18.12] *omitting subclauses 4(2) and 4(3), substituting –*

(2) The maximum levels for natural toxicants from the addition of a flavouring substance in food are listed in Column 3 of the Table to this clause.

(3) Where a mixed food contains a food or class of foods listed in Column 2 of the Table to this clause, the proportion of the natural toxicant from the addition of a flavouring substance permitted to be present in the mixed food (ML1) is calculated in accordance with the formula prescribed in subclause 1(6).

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

Table to clause 4

Column 1 Toxicant	Column 2 Food	Column 3 Maximum level (mg/kg unless specified otherwise)
Agaric acid	Food containing mushrooms	100
	Alcoholic beverages	100
Aloin	Alcoholic beverages	50
Berberine	Alcoholic beverages	10
Coumarin	Alcoholic beverages	10
Hydrocyanic acid, total	Confectionery	25
	Stone fruit juices	5
	Marzipan	50
	Alcoholic beverages	1 mg per 1% alcohol content
Hypericine	Alcoholic beverages	2
Pulegone	Confectionery	350
	Beverages	250
Quassine	Alcoholic beverages	50
Quinine	Mixed alcoholic drinks not elsewhere classified	300
	Tonic drinks, bitter drinks and quinine drinks	100
	Wine based drinks and reduced alcohol wines	300
Safrole	Food containing mace and nutmeg	15
	Meat products	10

	Alcoholic beverages	5
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Santonin	Alcoholic beverages	1
Sparteine	Alcoholic beverages	5
Thujones (alpha and beta)	Sage stuffing	250
	Bitters	35
	Sage flavoured foods	25
	Alcoholic beverages	10

[18.14] *omitting the definition of **food** in subclause 5(1), substituting –*

food means the food or class of foods listed in Column 2 of the Table to this clause.

[18.15] *omitting in bolded type from the definition of **natural toxicant** in subclause 5(1)*

[18.16] *omitting subclauses 5(2), 5(3) and 5(4), substituting –*

(2) The maximum levels for natural toxicants in food are listed in Column 3 of the Table to this clause.

(3) Where a mixed food contains a food or class of foods listed in Column 2 of the Table to this clause, the proportion of the natural toxicants permitted to be present in the mixed food (ML1) is calculated in accordance with the formula prescribed in subclause 1(6).

(4) Subclause 1(2) of Standard 1.1.1 does not apply to ready-to-eat cassava chips for the purposes of the Table to clause 5.

[18.17] *omitting the Table to clause 5, substituting –*

Table to clause 5

Column 1 Toxicant	Column 2 Food	Column 3 Maximum level (mg/kg)
Erucic acid	Edible oils	20,000
Histamine	Fish and fish products	200
Hydrocyanic acid, total	Ready-to-eat cassava chips	10
Lupin alkaloids	Lupin flour, lupin kernel flour, lupin kernel meal and lupin hulls	200
The ML for Tutin to cease on 31 March 2011 Tutin	Tutin in honey Tutin in comb honey	2 0.1

[19] *Standard 1.4.2 of the Australia New Zealand Food Standards Code is varied by –*

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

Maximum Residue Limits (mg/kg)

[19.2] *omitting the heading to Schedule 2, substituting –*

Extraneous Residue Limits (mg/kg)

[20] **Standard 1.4.4** of the Australia New Zealand Food Standards Code is varied by –

[20.1] *omitting from* Schedule 1 –

Plugeus spp.

substituting –

Pluteus spp.

[20.2] *omitting from* Schedule 1 and Schedule 2, wherever occurring, the symbol *

[20.3] *omitting from* Schedule 1 and Schedule 2, wherever occurring –

* Not an Australian Approved Name.

[21] **Standard 1.5.1** of the Australia New Zealand Food Standards Code is varied by –

[21.1] *omitting from the* Editorial note following clause 1 –

micro-organisms

substituting –

microorganisms

[21.2] *omitting paragraph 3 and the bolded text from the* Editorial note following clause 3

[21.3] *omitting from the* Table to clause 2 –

Docosahexaenoic acid (DHA) – rich dried marine micro-algae (<i>Schizochytrium</i> sp.)	
Docosahexaenoic acid (DHA) – rich oil derived from marine micro-algae (<i>Schizochytrium</i> sp.)	
Docosahexaenoic acid (DHA) – rich oil derived from marine micro-algae (<i>Ulkenia</i> sp.)	

substituting –

Dried marine micro-algae (<i>Schizochytrium</i> sp.) rich in docosahexaenoic acid (DHA)	
Oil derived from marine micro-algae (<i>Schizochytrium</i> sp.) rich in docosahexaenoic acid (DHA)	
Oil derived from marine micro-algae (<i>Ulkenia</i> sp.) rich in docosahexaenoic acid (DHA)	

[22] **Standard 1.6.1** of the Australia New Zealand Food Standards Code is varied by –

[22.1] *omitting clause 2, substituting* –

2 Application

(1) The foods listed in column 1 of the Schedule in this Standard must, subject to subclause (2), comply with the microbiological limits set in relation to that food in the Schedule.

(2) In the case of powdered infant formula with added lactic acid producing cultures, the Standard Plate Count (SPC) microbiological limit applies prior to the addition of the lactic acid cultures to the food.

[22.2] *omitting the heading from the Schedule, substituting –*

SCHEDULE

Microbiological criteria (clause 2)

[22.3] *omitting from column 1 of the Schedule –*

Unpasteurised milk

substituting –

Unpasteurised milk for retail sale

[23] *Standard 1.6.2 of the Australia New Zealand Food Standards Code is varied by omitting from subclauses 8(2) and 8(3) –*

A fermented comminuted processed meat

substituting –

Fermented comminuted processed meat

[24] *Standard 2.2.1 of the Australia New Zealand Food Standards Code is varied by –*

[24.1] *omitting the first paragraph of the Purpose, substituting –*

This Standard includes definitions, compositional requirements and labelling requirements for meat and meat products. Processing requirements for processed meat products, including fermented comminuted meat products are contained in Standard 1.6.2.

[24.2] *omitting clause 4, substituting –*

4 Declaration of the presence of offal in food

(1) The presence of offal in a food must be –

- (a) declared in the statement of ingredients; or
- (b) where the food is not required to bear a label, otherwise declared to the purchaser.

(2) The presence of brain, heart, kidney, liver, tongue or tripe in a food must be declared as 'offal' or by the specific name of the type of offal.

(3) The presence of any other type of offal in a food must be declared by the specific name of the type of offal.

[24.3] *omitting clause 7, substituting –*

7 Deleted

[24.4] *omitting processed from subclause 9(3), substituting manufactured*

[24.5] *omitting from clause 10 –*

Where a fermented comminuted manufactured meat or a fermented

substituting –

Where fermented comminuted manufactured meat or fermented

[24.6] *omitting paragraph 11(3)(b), substituting –*

- (b) a minor ingredient of a processed product, where that ingredient comprises bovine fat or bovine tallow; and

[24.7] *updating the Table of Provisions to reflect these amendments*

[25] *Standard 2.2.2 of the Australia New Zealand Food Standards Code is varied by omitting the first sentence of the Purpose, substituting –*

This Standard provides definitions and requirements for egg and egg products.

[26] *Standard 2.2.3 of the Australia New Zealand Food Standards Code is varied by –*

[26.1] *omitting the Purpose, substituting –*

Purpose

This Standard defines the term ‘fish’ and requires the provision of certain cooking instructions for raw fish which has been joined using a binding system without the application of heat.

[26.2] *omitting the Editorial note following clause 1, substituting –*

Editorial note:

This Standard does not define specific names for fish. An Australian Fish Names Standard (AS SSA 5300) has been published which provides guidance on standard fish names to be used in Australia.

1. Hard copies of the Australian Fish Names Standard (AS-SSA 5300) are available from Seafood Services Australia at <http://www.seafood.net.au/shop>.
2. A searchable database of Australian Standard Fish Names is available at <http://www.fishnames.com.au>.
3. New Zealand common, Maori, and scientific names for fish species are available from the website of the Ministry of Agriculture and Forestry at <http://www.foodsafety.govt.nz/industry/sectors/seafood/fish-names/index.htm>.

The Table to clause 5 of Standard 1.4.1 prescribes the maximum level of histamine permitted in fish and fish products.

[26.3] *omitting clauses 2 and 3, substituting –*

2 Labelling etc of formed or joined fish

Where raw fish has been formed or joined in the semblance of a cut or fillet of fish using a binding system without the application of heat, whether coated or not, a declaration that the fish is either formed or joined, in conjunction with cooking instructions indicating how the microbiological safety of the product can be achieved –

- (a) must be included on the label on the package of the fish; or
- (b) if the food is not required to be labelled, must be provided to the purchaser.

[26.4] *updating the Table of Provisions to reflect these amendments*

[27] *Standard 2.3.1 of the Australia New Zealand Food Standards Code is varied by omitting the definition of **peeled and/or cut fruit and vegetables** in clause 1*

[28] *Standard 2.4.1 of the Australia New Zealand Food Standards Code is varied by –*

[28.1] *omitting the definition of **edible oils** in clause 1, substituting –*

edible oils means the triglycerides, diglycerides, or both the triglycerides and diglycerides of fatty acids of plant or animal origin, including aquatic plants and aquatic animals.

[28.2] *inserting the word source after the word specific in clause 3*

[29] *Standard 2.4.2 of the Australia New Zealand Food Standards Code is varied by inserting and is not covered by this Standard after Standard 2.5.5 in the Purpose.*

[30] *Standard 2.5.1 of the Australia New Zealand Food Standards Code is varied by –*

[30.1] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for milk are contained in Standard 4.2.4.

New Zealand has its own processing requirements for milk and milk products.

[30.2] *omitting and/or from subclause 2(2), substituting or*

[31] *Standard 2.5.2 of the Australia New Zealand Food Standards Code is varied by –*

[31.1] *omitting from the Purpose –*

Processing requirements for cream are contained in Standard 4.2.4.

[31.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for cream are contained in Standard 4.2.4.

New Zealand has its own processing requirements for cream.

[32] *Standard 2.5.3 of the Australia New Zealand Food Standards Code is varied by –*

[32.1] *omitting from the Purpose –*

Processing requirements for fermented milk are contained in Standard 4.2.4

[32.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for fermented milk products are contained in Standard 4.2.4.

New Zealand has its own processing requirements for milk and milk products.

[32.3] *omitting and/or from the definition of **fermented milk** in clause 1, substituting or*

[32.4] *omitting clause 2, substituting –*

2 Composition of fermented milk, including yoghurt

(1) Fermented milk may contain other foods.

(2) In fermented milk and the fermented milk portion of a food containing fermented milk, each component or parameter listed in Column 1 must comply with the value specified in Column 2 of the Table to this subclause.

Table to subclause 2(2)

Column 1	Column 2
Component or parameter	Value
protein (measured as crude protein)	minimum 30 g/kg
pH	maximum 4.5
microorganisms used in the fermentation	minimum 10 ⁶ cfu/g

[33] *Standard 2.5.4 of the Australia New Zealand Food Standards Code is varied by –*

[33.1] *omitting from the Purpose –*

Processing requirements for cheese are contained in Standard 4.2.4

[33.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for cheese are contained in Standard 4.2.4.

New Zealand has its own processing requirements for milk and milk products.

[32.3] *omitting the definition of cheese in clause 1, substituting –*

cheese means the ripened or unripened solid or semi-solid milk product which may be coated and is obtained by one or both of the following processes –

- (a) coagulating wholly or partly milk, or materials obtained from milk, or both, through the action of rennet or other suitable coagulating agents, partially draining the whey which results from such coagulation; or
- (b) processing techniques involving concentration or coagulation of milk, or materials obtained from milk, or both, which give an end-product with similar physical, chemical and organoleptic characteristics as the product described in paragraph (a).

[33.4] *omitting clause 2 substituting –*

2 Addition of other foods during production

Cheese may contain –

- (a) water; and
- (b) lactic acid producing microorganisms; and
- (c) flavour producing microorganisms; and
- (d) gelatine; and
- (e) starch; and
- (f) vinegar; and
- (g) salt.

[33.5] *updating the Table of Provisions to reflect this amendment*

[34] *Standard 2.5.5 of the Australia New Zealand Food Standards Code is varied by –*

[34.1] *omitting from the Purpose –*

Processing requirements for butter are contained in Standard 4.2.4

[34.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for butter are contained in Standard 4.2.4.
New Zealand has its own processing requirements for milk and milk products.

[34.3] *omitting clause 2, substituting –*

2 Composition of butter

Butter must contain no less than 80.0% m/m milkfat.

3 Addition of other foods during production

Butter may contain –

- (a) water; and
- (b) salt; and
- (c) lactic acid producing microorganisms; and
- (d) flavour producing microorganisms.

[34.4] *updating the Table of Provisions to reflect these amendments*

[35] *Standard 2.5.6 of the Australia New Zealand Food Standards Code is varied by –*

[35.1] *omitting from the Purpose –*

Processing requirements for ice cream are contained in Standard 4.2.4.

[35.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for ice cream are contained in Standard 4.2.4.
New Zealand has its own processing requirements for milk and milk products.

[36] *Standard 2.5.7 of the Australia New Zealand Food Standards Code is varied by –*

[36.1] *omitting from the Purpose –*

Processing requirements for dried, evaporated and condensed milk are contained in Standard 4.2.4.

[36.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

The Australian processing requirements for dried, evaporated and condensed milks are contained in Standard 4.2.4.
New Zealand has its own processing requirements for milk and milk products.

[36.3] *omitting the definition of **components of milk products** in clause 1*

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

(1) The fat, or protein, or both fat and protein, content of the milk used to make dried milks or condensed milks, may be adjusted to comply with the compositional requirements set out in this Standard, by the addition or withdrawal of milk constituents in such a way as not to alter the whey protein to casein ratio of the milk being adjusted.

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

(3) In addition to the general compositional requirements of this Standard, the milk products listed in Column 1 of the Schedule, when made from cow's milk, must contain the components listed in Column 2, in the corresponding proportions specified in Column 3 of the Schedule.

[36.6] *omitting the Schedule, substituting –*

SCHEDULE

Column 1	Column 2	Column 3
Dried whole milks	Milkfat Water	Minimum 26% m/m Maximum 5% m/m
Dried skim milks	Milkfat Water	Maximum 1.5% m/m Maximum 5% m/m
Condensed whole milks	Milkfat Milk solids	Minimum 8% m/m Minimum 28% m/m
Condensed skim milks	Milkfat Milk solids	Maximum 1% m/m Minimum 24% m/m
Evaporated whole milks	Milkfat Milk solids	Minimum 7.5% m/m Minimum 25% m/m
Evaporated skim milks	Milkfat Milk solids	Maximum 1% m/m Minimum 20% m/m

[37] *Standard 2.6.2 of the Australia New Zealand Food Standards Code is varied by –*

[37.1] *omitting the definition of **brewed soft drink** from clause 1, substituting –*

brewed soft drink means the product prepared by a fermentation process from water with sugar and one or more of –

- (a) fruit extractives or infusions; or
- (b) vegetable extractives or infusions.

[37.2] *omitting vitamins and/or minerals from the definition of **formulated beverage** in clause 1, substituting vitamins or minerals or both vitamins and minerals*

[38] *Standard 2.6.3 of the Australia New Zealand Food Standards Code is varied by –*

[38.1] *omitting the first paragraph from the Purpose, substituting –*

This Standard contains restrictions on the parts of the *Piper methysticum* (kava) plant which may be sold under food legislation, and provides requirements for labelling. The Standard also prohibits the use of kava as an ingredient in food.

[38.2] *omitting and/or from clause 2, substituting or*

[39] *Standard 2.7.1 of the Australia New Zealand Food Standards Code is varied by omitting from the Table to subclause 2(1) –*

Alcoholic beverages containing not more than 1.15 % alcohol by volume	'CONTAINS NOT MORE THAN X% ALCOHOL BY VOLUME' or words and expressions of the same or similar effect
Beverages containing no less than 0.5% alcohol by volume	

substituting –

Alcoholic beverages containing 1.15% or less alcohol by volume	'CONTAINS NOT MORE THAN X% ALCOHOL BY VOLUME' or words and expressions of the same or similar effect
Beverages containing 0.5% or more, but less than 1.15%, alcohol by volume	

[40] *Standard 2.7.3 of the Australia New Zealand Food Standards Code is varied by –*

[40.1] *omitting the Purpose, substituting –*

Purpose

This Standard defines the composition of fruit wine, vegetable wine, fruit wine product, vegetable wine product, mead, cider and perry.

[40.2] *omitting from clause 1 –*

In this Standard –

substituting –

(1) In this Standard –

[40.3] *omitting the definitions for **fruit wine and/or vegetable wine and fruit wine and/or vegetable wine product** in clause 1*

[40.4] *inserting in clause 1, following the definition of **perry** –*

(2) Any reference to fruit wine or vegetable wine in the Code refers to a product prepared from the complete or partial fermentation of fruit, vegetable, grains, cereals or any combination or preparation of those foods, other than that produced solely from grapes.

(3) Any reference to fruit wine product or vegetable wine product in the Code refers to a food containing no less than 700 mL/L of fruit wine, or vegetable wine, or both fruit and vegetable wine, which has been formulated, processed, modified or mixed with other foods such that it is not a fruit wine or vegetable wine.

[40.5] *omitting clause 2, substituting –*

2 Addition of other foods during production

Fruit wine, vegetable wine and mead may contain –

- (a) fruit juice and fruit juice products; and
- (b) vegetable juice and vegetable juice products; and

- (c) sugars; and
- (d) honey; and
- (e) spices; and
- (f) alcohol; and
- (g) water.

[40.6] *updating the Table of Provisions to reflect these amendments*

[41] **Standard 2.7.4** of the Australia New Zealand Food Standards Code is varied by –

[41.1] *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.

[41.2] *omitting the Editorial note preceding the Table of Provisions, substituting –*

Editorial note:

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

- (a) the use of geographical indications for wine, sparkling wine and fortified wine;
- (b) limited derogations from the requirements in this Standard for wine, sparkling wine and fortified wine for export;
- (c) blending rules for wine, sparkling wine and fortified wine; and
- (d) 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.

The New Zealand *Geographical Indications (Wines and Spirits) Registration Act 2006* applies to geographical indications in relation to wine. The Act will commence on a date to be proclaimed by the Governor-General of New Zealand.

[41.3] *omitting clause 2, substituting –*

2 Addition of other foods to wine during production

The following foods may be added to wine during production –

- (a) grape juice and grape juice products; and
- (b) sugars; and
- (c) brandy or other spirit; and
- (d) water, where the water is necessary to incorporate any permitted food additive or processing aid.

[42] **Standard 2.7.5** of the Australia New Zealand Food Standards Code is varied by –

[42.1] *omitting clauses 2 and 3, substituting –*

2 Addition of other foods to spirit during production

Spirit may contain –

- (a) water; and
- (b) sugars; and
- (c) honey; and
- (d) spices.

3 Addition of other foods to brandy during production

Brandy may contain –

- (a) water; and
- (b) sugars; and
- (c) honey; and
- (d) spices; and
- (e) grape juice; and
- (f) grape juice concentrates; and
- (g) wine; and
- (h) prune juice.

[42.2] *updating the Table of Provisions to reflect these amendments*

[43] *Standard 2.8.1 of the Australia New Zealand Food Standards Code is varied by omitting the second paragraph of the Purpose, substituting –*

Honey is standardised in Standard 2.8.2 and is not covered by this Standard. Standard 1.3.1 regulates intense sweeteners.

[44] *Standard 2.9.1 of the Australia New Zealand Food Standards Code is varied by –*

[44.1] *omitting the definition of **protein substitute** in clause 1, substituting –*

protein substitute means –

- (a) L-amino acids; or
- (b) the hydrolysate of one or more of the proteins on which infant formula product is normally based; or
- (c) a combination of L-amino acids and the hydrolysate of one or more of the proteins on which infant formula product is normally based.

[44.2] *omitting the following entries from the Table to clause 7 –*

Adenosine 5'-monophosphate	Adenosine 5'-monophosphate Adenosine 5'-monophosphate sodium salt	0.14 mg	0.38 mg
Cytidine 5'-monophosphate	Cytidine 5'-monophosphate Cytidine 5'-monophosphate sodium salt	0.22 mg	0.6 mg
Uridine 5'-monophosphate	Uridine 5'-monophosphate Uridine 5'-monophosphate sodium salt	0.13 mg	0.42 mg

substituting –

Adenosine 5'-monophosphate	Adenosine 5'-monophosphate	0.14 mg	0.38 mg
Cytidine 5'-monophosphate	Cytidine 5'-monophosphate	0.22 mg	0.6 mg
Uridine 5'-monophosphate	Uridine 5'-monophosphate sodium salt	0.13 mg	0.42 mg

[44.3] *omitting from paragraph 16(2)(e) –*

expressed in weight per 100 mL.

substituting –

expressed in weight per 100 mL when the product is reconstituted in accordance with directions.

[44.4] *omitting paragraph 20(1)(f), substituting –*

- (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) accordance with clause 30 – Claims relating to lactose free formula or low lactose formulas; or
 - (ii) the statement of ingredients in accordance with Standard 1.2.4 – Labelling of Ingredients; or
 - (iii) the nutrition information statement in accordance with clause 16 of this Standard – Declaration of nutrition information; or

[44.5] *omitting paragraphs 20(2)(a) and 20(2)(b), substituting –*

- (a) the statement of ingredients in accordance with Standard 1.2.4 – Labelling of Ingredients; or
- (b) the nutrition information statement in accordance with clause 16 of this Standard – Declaration of nutrition information.

[44.6] *omitting the Editorial note following the Table to clause 23, substituting –*

Editorial note:

Standard 1.3.4 contains specifications for dried marine microalgae (*Schizochytrium* sp.) rich in docosahexaenoic acid (DHA), oil derived from marine microalgae (*Schizochytrium* sp.) rich in docosahexaenoic acid (DHA), oil derived from the algae *Cryptocodinium cohnii* rich in docosahexaenoic acid (DHA), oil derived from the fungus *Mortierella alpina* rich in arachidonic acid (ARA), and oil derived from marine microalgae (*Ulkenia* sp.) rich in docosahexaenoic acid (DHA).

[45] **Standard 2.9.2** of the Australia New Zealand Food Standards Code is varied by –

[45.1] *omitting the first paragraph from the Purpose, substituting –*

This Standard provides for the compositional (including nutritional) and labelling requirements of foods intended or represented for use as food for infants. Foods in this Standard are intended to be fed to infants in addition to human milk or infant formula products or both. This Standard does not apply to infant formula products, as they are regulated by Standard 2.9.1, nor does it apply to formulated meal replacements and formulated supplementary foods as they are regulated by Standard 2.9.3.

[45.2] *omitting and/or from the definition of **food for infants** in clause 1, substituting or*

[45.3] *omitting following forms: wherever occurring in clause 3, substituting following forms –*

[45.4] *omitting and/or folate from paragraph 4(b), substituting or folate or both*

[46] **Standard 2.9.4** of the Australia New Zealand Food Standards Code is varied by –

[46.1] *omitting paragraph 7(3)(a), substituting –*

- (a) the product is useful before, during, or after sustained strenuous exercise; and

[46.2] *omitting paragraph 8(3)(d), substituting –*

(d) the product is useful before, during, or after sustained strenuous exercise.

[46.3] *omitting paragraph 9(4)(b), substituting –*

(b) the product is useful before, during or after sustained strenuous exercise.

[47] ***Standard 3.2.1** of the Australia New Zealand Food Standards Code is varied by omitting clause 6, substituting –*

6 Fund raising events

A food business does not have to prepare a food safety program in accordance with this Standard in relation to a fund raising event conducted by the food business.

[48] *Standard 3.3.1 of the Australia New Zealand Food Standards Code is varied by –*

[48.1] *omitting from the Editorial note following subclause 1(2) –*

micro-organisms

substituting –

microorganisms

[48.2] *omitting and/or wherever occurring in the Schedule, substituting or*

[49] *Standard 4.2.1 of the Australia New Zealand Food Standards Code is varied by –*

[49.1] *omitting food-borne wherever appearing, substituting foodborne*

[49.2] *omitting the definition of ASQAP Manual in clause 15, substituting –*

ASQAP Manual means the Australian Shellfish Quality Assurance Program Operations Manual.

[49.3] *omitting the definition of **batch** in clause 15, substituting –*

batch means a quantity of bivalve molluscs harvested from a particular harvesting area (e.g. marine farm, lease or designated wild shellstock harvest area) and with the same harvest date.

[50] *Standard 4.2.4 is varied by omitting and/ or from the Editorial note following subclause 15(5), substituting or*

[51] *Standard 4.5.1 of the Australia New Zealand Food Standards Code is varied by omitting subclause 5(4), substituting –*

(4) Deleted

[52] *Standard 1.5.1 is varied by –*

[52.1] *omitting the entry for Tall oil phytosterol Esters from the Table to clause 3*

[52.2] *inserting the following entry into the Table to clause 2 –*

Tall oil phytosterol esters	<p>The tall oil phytosterol esters must comply with the specification for tall oil phytosterol esters in the Schedule to Standard 1.3.4.</p> <p>The food must comply with the requirements in clause 2 of Standard 1.2.3.</p> <p>The name 'tall oil phytosterol esters' or 'plant sterol esters' must be used.</p> <p>May only be added to cheese and processed cheese, in accordance with Standard 2.5.4.</p> <p>Foods to which tall oil phytosterol esters have been added must not be used as ingredients in other foods.</p>
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[53] *Standard 1.6.2 is varied by omitting from the Table of Provisions—*

4 Eviscerated poultry

substituting –

4 Deleted

[54] *Standard 1.6.2 is varied by omitting from the Table of Provisions—*

3 Processing of egg products

substituting –

3 Deleted