

Food Standards (Proposal 1023 – Tulin, Tocopherols & Food for Special Medical Purposes Standards Amendments) 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 variation commences on the date specified in clause 3 of this instrument.

Dated 15 February 2013



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

1 Name

This instrument is the *Food Standards (Proposal 1023 – Tulin, Tocopherols & Food for Special Medical Purposes Standards Amendments) 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

The variations commence on 21 February 2013 except for Item 1.2 of the Schedule which commences on 21 February 2015.

SCHEDULE

[1] Standard 1.2.4 is varied by

[1.1] inserting into Part 2 of Schedule 2

“Tocopherols concentrate, mixed 306”

[1.2] omitting from Part 2 of Schedule 2

“Tocopherols concentrate, mixed 306”

[1.3] omitting “Tocopherols, concentrate mixed” (wherever occurring) and substituting “Tocopherols concentrate, mixed”

[1.4] inserting at the end of Part 1 of Schedule 2

“

Editorial note:

The permissions for food additive Tocopherols concentrate, mixed with INS Number 306 will be repealed 2 years after the date of gazettal of the Food Standards (Proposal P1021 – Code Maintenance X) Variation.

”

[1.5] omitting from the end of Schedule 1

“

Editorial note:

The permissions for food additive Tocopherols, concentrate mixed with INS Number 306 will be repealed 2 years after the date of gazettal of the Food Standards (Proposal P1021 – Code Maintenance X) Variation.

”

[1.6] inserting at the end of Part 2 of Schedule 2

“

Editorial note:

The permissions for food additive Tocopherols concentrate, mixed with INS Number 306 will be repealed 2 years after the date of gazettal of the Food Standards (Proposal P1021 – Code Maintenance X) Variation.

”

[2] Standard 1.3.1 is varied by omitting “Tocopherols, concentrate mixed” (wherever occurring) and substituting “Tocopherols concentrate, mixed”

[3] Standard 1.4.1 is varied by omitting from subclause 5(5) “31 March 2013” and substituting “31 March 2015”.

[4] Standard 1.5.1 is varied by

[4.1] inserting after clause 1

“2A Foods for Special Medical Purposes

To avoid doubt, the presence of a food in a food for special medical purposes or the use of a food as a food for special medical purposes does not constitute a history of human consumption in Australia or New Zealand in relation to that food for the purposes of this Standard.

Editorial note:

Standard 1.5.1 does not apply to foods for special medical purposes. See paragraph 3(1)(b) of Standard 2.9.5.

[4.2] updating the Table of Provisions to reflect these variations.

[5] Standard 2.9.5 is varied by

[5.1] inserting after clause 2

“2A Deemed compliance with Standard for certain periods

(1) This clause applies to a food for special medical purposes that does not comply with this Standard.

(2) If the food for special medical purposes is present in Australia or New Zealand on the date of commencement of this Standard, the food for special medical purposes is taken to comply with this Standard during the period that starts on that date of commencement and ends on 28 June 2014.

(3) If the food for special medical purposes is imported into Australia or New Zealand on a date after the date of commencement of this Standard, the food for special medical purposes is taken to comply with this Standard during the period that starts immediately prior to importation and ends on 28 June 2014.

(4) If the food for special medical purposes is produced in Australia or New Zealand on a date after the date of commencement of this Standard, the food for special medical purposes is taken to comply with this Standard during the period that starts on the date the food for special medical purposes was produced and ends on 28 June 2014.”

[5.2] inserting after subclause 3(2)

“(3) Subclause 1(2) of Standard 1.1.1 does not apply in relation to a food for special medical purposes that did not comply with Standard 2.9.5 on the date that Standard 2.9.5 commenced.”

[5.3] omitting from Column 2 of Schedule 1 for Amino acids “L-carnitine”

[5.4] omitting from Schedule 1

Carnitine	L-carnitine hydrochloride
	L-carnitine L-tartrate
	Choline
Choline	Choline bitartrate
	Choline chloride
	Choline citrate
	Choline hydrogen tartrate
	Inositol
Inositol	Adenosine 5'-monophosphate

Nucleotides	Adenosine 5'-monophosphate sodium salt
	Cytidine 5'-monophosphate
	Cytidine 5'-monophosphate sodium salt
	Guanosine 5'-monophosphate
	Guanosine 5'-monophosphate sodium salt
	Inosine 5'-monophosphate
	Inosine 5'-monophosphate sodium salt
	Uridine 5'-monophosphate
Uridine 5'-monophosphate sodium salt	

and substituting

Carnitine	L-carnitine
	L-carnitine hydrochloride
	L-carnitine L-tartrate
Choline	Choline
	Choline bitartrate
	Choline chloride
	Choline citrate
	Choline hydrogen tartrate
Inositol	Inositol
Nucleotides	Adenosine 5'-monophosphate
	Adenosine 5'-monophosphate sodium salt
	Cytidine 5'-monophosphate
	Cytidine 5'-monophosphate sodium salt
	Guanosine 5'-monophosphate
	Guanosine 5'-monophosphate sodium salt
	Inosine 5'-monophosphate
	Inosine 5'-monophosphate sodium salt
Uridine 5'-monophosphate	
Uridine 5'-monophosphate sodium salt	

[5.5] updating the Table of Provisions to reflect these variations.