

Food Standards (Proposal P1025 – Code Revision) Variation

The Board of Food Standards Australia New Zealand gives notice of the making of this standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 1 March 2016.

Dated 25 March 2015



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

Note:

This Standard will be published in the Commonwealth of Australia Gazette No. FSC 96 on 10 April 2015.

Standard 1.3.3 Processing aids

- Note 1** This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the *Australia New Zealand Food Standards Code*. See also section 1.1.1—3.
- Note 2** The provisions of the Code that apply in New Zealand are incorporated in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.
- Note 3** Paragraph 1.1.1—10(4)(c) provides that a food for sale must not have, as an ingredient or a component, a substance that is used as a processing aid, unless expressly permitted by this Code. Section 1.1.2—13 defines the expression 'used as a processing aid'. This Standard contains the relevant permissions.

Division 1 Preliminary

1.3.3—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 1.3.3 – Processing aids*.

Note Commencement:
This Standard commences on 1 March 2016, being the date specified as the commencement date in notices in the *Gazette* and the *New Zealand Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

1.3.3—2 Definitions

Note Section 1.1.2—13 (Definition of *used as a processing aid*) provides as follows:

References to substances that are used as a processing aid

- (1) In this Code, a reference to a substance that is *used as a processing aid* in relation to a food is a reference to a substance that is used during the course of processing:
- to perform a technological purpose in the course of processing; and
 - does not perform a technological purpose in the food for sale; and
 - is identified in subsection (3).

References to foods that are used as a processing aid

- (2) In this Code, a reference to a food that is *used as a processing aid* in relation to another food:
- is a reference to a food that:
 - is not a substance identified in subsection (3); and
 - is used or added to the other food during the course of processing to perform a technological purpose in the course of processing; and
 - does not perform a technological purpose in the food for sale; and
 - is a reference to so much of the food as is necessary to perform the technological purpose.

Note 1 This Code does not prohibit the use of foods as processing aids (other than foods that are substances referred to in subsection (3)). There are special labelling requirements that apply in relation to foods and substances that are used as processing aids—see paragraphs 1.2.4—3(2)(d), 1.2.4—3(2)(e) and subparagraph 1.2.8—5(a)(vii).

Note 2 If a food is used as a processing aid in relation to another food, and the amount of the food used is greater than the amount that is necessary to perform the technological purpose, the excess amount of the food is not taken to be used as a processing aid in the other food and is not exempted from a requirement to declare ingredients—see section 1.2.4—3(2)(e).

- (3) For subsections (1) and (2), the substances are the following:
- a substance that is listed in Schedule 18;
 - an additive permitted at GMP.

Note 'additive permitted at GMP' is a defined term—see section 1.1.2—11.

1.3.3—3 Permission to use substance as processing aid

A substance may be used as a processing aid in relation to food if:

- the substance is permitted to be used as processing aid for that food by this Standard; and
- the proportion of the substance that is used is no more than the maximum level necessary to achieve the technological purpose under conditions of GMP.

Note No permission is required to use a food (other than a substance referred to in paragraph (2)(a) of the definition of *used as a food additive*) as a processing aid.

Division 2 Processing aids that may be used with any food

1.3.3—4 Generally permitted processing aids for all foods

- (1) A substance listed in subsection (2) may be *used as a processing aid in any food if it is used at a level necessary to achieve a technological purpose in the processing of that food.
- (2) For subsection (1), the substances are:
 - (a) an *additive permitted at GMP; or
 - (b) any substance listed in section S18—2.

Restriction on the use of carbon monoxide in the processing of fish

- (3) Despite subsection (1), carbon monoxide (other than carbon monoxide that is naturally present or occurring in smoke used in the processing of fish) must not be used in the processing of fish if its use results in a change to or fixes the colour of the flesh of the fish.

1.3.3—5 Processing aids for certain purposes for all foods

A substance listed in section S18—3 may be *used as a processing aid in any food, if the substance is:

- (a) used to perform a technological purpose listed in relation to that substance; and
- (b) not present in the food at a level greater than the maximum permitted level indicated in the corresponding row of the table.

Note The purposes listed in section S18—3 are the following:

- anti-foaming;
- catalysis;
- decolouring, clarifying, filtering or adsorbing;
- desiccating;
- ion exchange;
- lubricating, releasing or anti-stick;
- a carrier, solvent or diluent.

1.3.3—6 Enzymes

An enzyme listed in section S18—4 may be *used as a processing aid to perform any technological purpose if the enzyme is derived from the corresponding source specified in the table.

Note 1 Section S18—4 lists enzymes of animal origin, enzymes of plant origin and enzymes of microbial origin.

Note 2 Some enzymes identified in section S18—4 are protein engineered. If such an enzyme is used as a processing aid, the resulting food may have as an ingredient a food produced using gene technology, and the labelling and other requirements relating to foods produced using gene technology will apply—see Standard 1.2.1 and Standard 1.5.2, in particular section 1.5.2—3(b).

1.3.3—7 Microbial nutrients and microbial nutrient adjuncts

A substance listed in section S18—5 may be *used as a processing aid to perform the technological purpose of a microbial nutrient or a microbial nutrient adjunct in the course of manufacture of any food.

Division 3 Processing aids that can be used with specified foods

1.3.3—8 Processing aids for water

A substance listed in section S18—6 may be *used as a processing aid in the course of manufacture of:

- (a) packaged water; or
- (b) water that is used as an ingredient;

if the substance is not present in the water at a level greater than the maximum permitted indicated in the corresponding row of the table.

Note This section contains the permissions for fluoride to be used in water that is used as an ingredient in other foods, but not in water presented in packaged form. Standard 2.6.2 contains a permission to add fluoride to water presented in packaged form.

1.3.3—9 Bleaching, washing and peeling agents—various foods

A substance listed in section S18—7 may be *used as a processing aid to perform the technological purpose of:

- (a) a bleaching agent; or
- (b) a washing agent; or
- (c) a peeling agent;

for a food if the substance:

- (d) is used in relation to a food listed in the corresponding row of the table; and
- (e) is not present in the food at a level greater than the maximum permitted indicated in the corresponding row of the table.

1.3.3—10 Extraction solvents—various foods

A substance listed in section S18—8 may be *used as a processing aid to perform the technological purpose of an extraction solvent if the substance:

- (a) is used in relation to a food listed in the corresponding row of the table; and
- (b) is not present in the food at a level greater than the maximum permitted indicated in the corresponding row of the table.

1.3.3—11 Processing aids that perform various technological purposes

A substance specified in a row in the table to section S18—9 may be *used as a processing aid:

- (a) in relation to:
 - (i) if a food is specified in that row—that food; or
 - (ii) if no food is specified in that row—any food; and
- (b) for the corresponding technological purpose specified in that row; and
- (c) if the substance is not present in the food at a level greater than the maximum permitted level indicated in that row.

1.3.3—12 Microbial control agent—dimethyl dicarbonate

- (1) Dimethyl dicarbonate may be *used as a processing aid to perform the technological purpose of a microbial control agent during the manufacture of a food for sale listed in section S18—10 at a concentration no greater than the corresponding maximum permitted addition level indicated in the table.
- (2) Dimethyl dicarbonate must not be present in a food for sale.