

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 1.4.4 Prohibited and restricted plants and fungi

- 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** Paragraphs 1.1.1—10(3)(a) and (4)(e) provide that a food for sale must not consist of, or have as an ingredient or a component, a prohibited or restricted plant or fungus, or coca bush, unless expressly permitted by this Code. This Standard contains the relevant permissions.

1.4.4—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 1.4.4 – Prohibited and restricted plants and fungi*.

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.

1.4.4—2 Definitions

Note In this Code (see section 1.1.2—3):

coca bush means:

- (a) *Eurythroxylum coca*; or
- (b) a substance derived from *Eurythroxylum coca*.

prohibited plant or fungus means:

- (a) a plant or fungus listed in Schedule 23; or
- (b) a part or a derivative of such a plant or fungus; or
- (c) a substance derived from a plant, fungus, part or derivative referred to in paragraph (a) or (b).

restricted plant or fungus means:

- (a) a plant or fungus listed in Schedule 24; or
- (b) a part or a derivative of such a plant or fungus; or
- (c) a substance derived from a plant, fungus, part or derivative referred to in paragraph (a) or (b).

1.4.4—3 Exception to prohibition relating to restricted plants and fungi

A restricted plant or fungus may be used as an ingredient in a food only if it complies with the requirements for natural toxicants in section 1.4.1—3 and subsection S19—6(1).

1.4.4—4 Exception relating to coca bush

Coca bush may be used as an ingredient in a food if the cocaine has been removed.