

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.

Schedule 26 Food produced using gene technology

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.

Food produced using gene technology is regulated by paragraphs 1.1.1—10(3)(c) and (4)(g) and Standard 1.5.2. This standard lists food produced using gene technology, and corresponding conditions, for paragraph 1.5.2—3(a).

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.

S26—1 Name

This Standard is *Australia New Zealand Food Standards Code – Schedule 26 – Food produced using gene technology*.

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.

S26—2 Interpretation

(1) In this Schedule, headings in bold type are for information only, and do not list food for the purpose of section 1.5.2—3.

(2) In this Schedule:

conventional breeding means all methods used to produce plants, excluding techniques that use gene technology.

line means:

- (a) a plant, the genetic material of which includes a transformation event or events; or
- (b) any plant, descended from the plant referred to in paragraph (a), that is the result of conventional breeding of that plant with:
 - (i) any other plant that does not contain a transformation event or events; or
 - (ii) any other plant that contains a transformation event or events, whether expressed as a line or event, that is listed in the table to section S26—3;
 - (iii) but shall not be taken to mean any plant derived solely as a result of conventional breeding.

transformation event means a unique genetic modification arising from the use of gene technology.

S26—3 Permitted food produced using gene technology and conditions

(1) The table to subsection (4) lists permitted food produced using gene technology.

(2) Items 2(m), 7(e), (g) and (h) are subject to the condition that their labelling must comply with section 1.5.2—4.

Note That section requires the statement 'genetically modified'.

(3) Item 2(m) is also subject to the condition that, for the labelling provisions, unless the protein content has been removed as part of a refining process, the information relating to *foods produced using gene technology includes a statement to the effect that the high lysine corn line LY038 has been genetically modified to contain increased levels of lysine.

(4) The table for this subsection is:

Food produced using gene technology

Commodity	Food derived from:
1	Canola
	<ul style="list-style-type: none"> (a) herbicide-tolerant canola line GT73 (b) herbicide-tolerant canola lines Topas 19/2 and T45 and herbicide-tolerant and pollination-controlled lines Ms1, Ms8, Rf1, Rf2, Rf3 (c) herbicide-tolerant canola line Westar-Oxy-235 (d) herbicide-tolerant canola line MON88302 (e) herbicide-tolerant canola line DP-073496-4
2	Corn
	<ul style="list-style-type: none"> (a) herbicide-tolerant corn line GA21 (b) insect-protected corn line MON810 (c) herbicide-tolerant and insect-protected corn line Bt11 (d) insect-protected corn line Bt176 (e) herbicide-tolerant corn line T25 (f) herbicide-tolerant corn line NK603 (g) herbicide-tolerant and insect-protected corn line DBT418 (h) herbicide-tolerant and insect-protected corn line 1507 (i) insect-protected corn line MON863 (j) herbicide-tolerant and insect-protected corn line DAS-59122-7 (k) herbicide-tolerant and insect-protected corn line MON88017 (l) insect-protected corn line MIR604 (m) high lysine corn line LY038 (see subsections (2) and (3)) (n) amylase modified corn line 3272 (o) insect-protected corn line MON89034 (p) insect-protected corn line MIR162 (q) herbicide-tolerant corn line DP-098140-6 (r) drought-tolerant corn line MON87460 (s) herbicide-tolerant corn line DAS-40278-9 (t) insect-protected corn line 5307 (u) herbicide-tolerant corn line MON87427
3	Cotton
	<ul style="list-style-type: none"> (a) insect-protected cotton lines 531, 757 and 1076 (b) herbicide-tolerant cotton line 1445 (c) herbicide-tolerant cotton lines 10211 and 10222 (d) insect-protected cotton line 15985 (e) insect-protected cotton line COT102 (f) herbicide-tolerant and insect-protected cotton line MXB-13 (g) herbicide-tolerant cotton line LL25 (h) herbicide-tolerant cotton line MON88913 (i) herbicide-tolerant cotton line GHB614 (j) insect-protected cotton line COT67B (k) herbicide-tolerant and insect-protected cotton line T304-40 (l) herbicide-tolerant and insect-protected cotton line GHB119 (m) herbicide-tolerant cotton line MON88701 (n) herbicide-tolerant cotton line DAS-81910-7

Commodity	Food derived from:
4 Lucerne	(a) herbicide-tolerant lucerne lines J101 & J163 (b) food derived from reduced lignin lucerne line KK179
5 Potato	(a) insect-protected potato lines BT-06, ATBT04-06, ATBT04-31, ATBT04-36, and SPBT02-05 (b) insect- and virus-protected potato lines RBMT21-129, RBMT21-350 and RBMT22-82 (c) insect- and virus-protected potato lines RBMT15-101, SEM15-02 and SEM15-15
6 Rice	(a) herbicide-tolerant rice line LLRICE62
7 Soybean	(a) herbicide-tolerant soybean line 40-3-2 (b) herbicide-tolerant soybean lines A2704-12 and A5547-127 (c) herbicide-tolerant soybean line MON89788 (d) herbicide-tolerant soybean line DP-356043-5 (e) high oleic acid soybean line DP-305423-1 (see subsection (2)) (f) insect-protected soybean line MON87701 (g) herbicide-tolerant high oleic acid soybean line MON87705 (see subsection (2)) (h) soybean line MON87769 producing stearidonic acid (see subsection (2)) (i) herbicide-tolerant soybean line DAS-68416-4 (j) herbicide-tolerant soybean line FG72 (k) herbicide-tolerant soybean line MON87708 (l) herbicide-tolerant soybean line CV127 (m) herbicide-tolerant soybean line DAS-44406-6 (n) herbicide-tolerant soybean line SYHT0H2 (o) insect-protected soybean line DAS-81419-2
8 Sugarbeet	(a) herbicide-tolerant sugarbeet line 77 (b) herbicide-tolerant sugarbeet line H7-1