

Standard 2.9.6 Transitional standard for special purpose foods (including amino acid modified foods)

- 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** This Standard incorporates the provisions of regulations 237 and 239A of the former New Zealand *Food Regulations (1984)*, in so far as they relate to special purpose foods and the labelling of amino acid modified foods.
- Note 4** This Standard operates solely in relation to food sold or imported into New Zealand.

2.9.6—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 2.9.6 – Transitional standard for special purpose foods (including amino acid modified foods)*.

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.

2.9.6—2 Definitions of amino acid modified food and special purpose food

- (1) In this Standard:

amino acid modified food means a special purpose food if, in the preparation of the food:

- (a) there is a restriction in the use of ingredients containing one or more particular amino acids; or
- (b) there is a reduction of the content of one or more particular amino acids in any of the ingredients of the food.

special purpose food means a food specially processed or formulated to satisfy particular dietary requirements that exist because of:

- (a) a particular physical or physiological condition; or
- (b) a specific disease or disorder; or
- (c) both such a condition and a disease or disorder;

and are presented as such.

- (2) Other than in Division 2 of Standard 2.9.3 (Formulated meal replacements), a reference in this Code to a special purpose food is taken to be a reference to formulated meal replacement.

Note The effect of subsection (2) is that additives permitted in formulated meal replacements are permitted in special purpose foods. Subsection (2) exempts special purpose foods from the requirements for minimum levels for protein, kJ; and the minimum and maximum levels for vitamins and minerals. The definition of formulated meal replacements is not intended to be taken literally in relation to special purpose foods. i.e. special purpose foods are not necessarily intended as a meal replacement.

2.9.6—3 Application

- (1) This Standard applies in relation to food produced in, or imported into, New Zealand.
- (2) Despite subsection (1), this Standard does not apply to food produced in, or imported into, Australia.
- (3) This Standard ceases to have effect 2 years after the commencement of any alternative applicable provisions elsewhere in this Code.

Note Standard 2.9.5 regulates amino acid modified foods and other special purpose foods, except for foods formulated and represented as being for the dietary management of obesity or overweight, also known as food for very low energy diets (VLEDs). This Standard will continue to apply to VLEDs until a joint standard is published.

2.9.6—4 Composition

A special purpose food may contain any of the vitamins and minerals specified in Column 1 of the table to section S29—12 or S29—13.

2.9.6—5 Labelling of special purpose foods

For the labelling provisions, the required information for special purpose foods is a statement of the special purpose of the food.

Note The labelling provisions are set out in Standard 1.2.1.

2.9.6—6 Labelling of amino acid modified foods

For the labelling provisions, the required information for *amino acid modified foods is:

- (a) one or more of the following:
 - (i) the words 'amino acid modified food';
 - (ii) the name of the amino acid or amino acids that have been restricted;
 - (iii) the name of the disease, or a name describing the condition of the group of people, for which the product is intended;
 - (iv) the words 'low protein', where applicable; and
- (b) in the nutrition information panel, a statement of each of the following:
 - (i) the amount of carbohydrate, protein, and fat in the food, expressed in g;
 - (ii) the energy content of the food, expressed in kJ;
 - (iii) the amount of sodium, and of potassium, in the food, expressed in mg;
 - (iv) the amount of the particular amino acid or protein present in the food, or both, as appropriate for the intended use of the food; and
- (c) in the principal display panel, in 3 mm lettering, the words 'Take only on medical advice'.

Note The labelling provisions are set out in Standard 1.2.1.

Amendment History

The Amendment History provides information about each amendment to the Standard. The information includes commencement or cessation information for relevant amendments.

These amendments are made under section 92 of the *Food Standards Australia New Zealand Act 1991* unless otherwise indicated. Amendments do not have a specific date for cessation unless indicated as such.

About this compilation

This is a compilation of Standard 2.9.6 as in force on **1 March 2016** (up to Amendment No. 161). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **1 March 2016**.

Uncommenced amendments or provisions ceasing to have effect

To assist stakeholders, the effect of any uncommenced amendments or provisions which will cease to have effect, may be reflected in the Standard as shaded boxed text with the relevant commencement or cessation date. These amendments will be reflected in a compilation registered on the Federal Register of Legislative Instruments including or omitting those amendments and provided in the Amendment History once the date is passed.

The following abbreviations may be used in the table below:

ad = added or inserted
exp = expired or ceased to have effect
rs = repealed and substituted

am = amended
rep = repealed

Standard 2.9.6 was published in the Food Standards Gazette No. FSC96 on 10 April 2015 as part of Amendment 154 (F2015L00473 — 1 April 2015) and has since been amended as follows:

Section affected	A'ment No.	FRLI registration Gazette	Commencement (Cessation)	How affected	Description of amendment
2.9.6—3	161	F2016L00120 18 Feb 2016 FSC103 22 Feb 2016	1 March 2016	am	Correction of formatting error in Note.