

***Australia New Zealand Food Standards Code* – Transitional Variation 2015 (P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol)**

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 Standard commences on the date specified in clause 2 of the variation.

30 November 2015



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

**Note:**

This variation will be published in the Commonwealth of Australia Gazette No. FSC 101 on 7 December 2015.

**1 Name of instrument**

This instrument is the *Australia New Zealand Food Standards Code – Transitional Variation 2015 (P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol)*.

**2 Commencement**

The Schedule commences on 1 March 2016 immediately after the commencement of Standard 5.1.1 – Revocation and transitional provisions — 2014 Revision.

**3 Variation of Standards**

The Schedule varies a Standard and a Schedule of the *Australia New Zealand Food Standards Code*.

**Schedule**

**[1] Standard 1.2.7** is varied by deleting subsections 1.2.7—4(1) and (2), substituting

 A \*nutrition content claim or \*health claim must not be made about:

 (a) kava; or

 (b) an infant formula product; or

 (c) a food that contains more than 1.15% alcohol by volume, other than a \*nutrition content claim about:

 (i) energy content, carbohydrate content or gluten content; or

 (ii) salt or sodium content about a food that is not a beverage.

**[2] Schedule 4** is varied by

[2.1] inserting the following at the beginning of section S4—2

 In this Schedule:

***maximum claimable amount*** means the maximum claimable amount as prescribed by section 1.3.2—4 or 1.3.2—5.

***reference quantity*** means the reference quantity specified for the food in the Table to section S17—4.

[2.2] deleting Column 2 of the entry for “Vitamin or mineral (not including potassium or sodium)” from the table to section S4—3, and substituting

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|   | (a) The vitamin or mineral is mentioned in Column 1 of the table to section S1—2 or S1—3; and(b) a serving of the food contains at least 10% \*RDI or \*ESADDI for that vitamin or mineral; and(c) a claim is not for more of the particular vitamin or mineral than the amount permitted by section 1.3.2—4 or 1.3.2—5; and(d) the food is not any of the following:(i) a formulated caffeinated beverage;(ii) food for infants;(iii) a formulated meal replacement;(iv) a formulated supplementary food;(v) a formulated supplementary sports food.Paragraph (b) does not apply where:(i) a maximum claimable amount applies in relation to the mineral or vitamin; and(ii) the serving size is less than the reference quantity; and(iii) the reference quantity contains at least 10% \*RDI or \*ESADDI for the vitamin or mineral; and(iv) the maximum claimable amount is less than 10% \*RDI or \*ESADDI per serving. |  |  |
| For food for infants, the food satisfies the condition for making a claim under subsection 2.9.2—10(2). |  |  |
| For a formulated meal replacement, the food meets the condition for making a claim under subsection 2.9.3—4(2). |  |  |
| For a formulated supplementary food, the food meets the conditions for making a claim under subsection 2.9.3—6(2). |  |  |
| For a formulated supplementary food for young children, the food meets the conditions for making a claim under 2.9.3—8(2). |  |  |