

**Food Standards (Application A1104 – Voluntary Addition of Vitamins & Minerals to Nut- & Seed-based Beverages) Variation**

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 dates specified in clause 2 of the variation.

Dated 16 February 2016



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 103 on 22 February 2016.

1 Name of instrument

This instrument is the *Food Standards (Application A1104 – Voluntary Addition of Vitamins & Minerals to Nut- & Seed-based Beverages) Variation*.

2 Commencement

(1) Items 1 and 3 of the Schedule commence on 1 March 2016 immediately after the commencement of Standard 5.1.1 – Revocation and transitional provisions – 2014 Revision.

(2) Item 2 of the Schedule commences on 1 September 2016.

3 Variation of standards and schedules

The Schedule varies a standard and schedules in the *Australia New Zealand Food Standards Code*.

Schedule

**[1] Standard 1.1.2** is varied by omitting from the definition of **food group** in subsection 1.1.2—2(3)

(c) milk, skim milk, cream, fermented milk, yoghurt, cheese, processed cheese, butter, ice cream, condensed milk, dried milk, evaporated milk, and dairy analogues derived from legumes and cereals listed in section S17—4;

and inserting

(c) milk, skim milk, cream, fermented milk, yoghurt, cheese, processed cheese, butter, ice cream, condensed milk, dried milk, evaporated milk, and dairy analogues derived from legumes, cereals, nuts, seeds, or a combination of these ingredients listed in section S17—4;

**[2] Schedule 9** is varied by omitting from the table to section S9—2

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| 2 | (a) A cereal-based beverage that contains less than 3% m/m protein.  (b) An evaporated or dried product made from cereals that, when reconstituted as a beverage according to directions for direct consumption, contains less than 3% m/m protein. | the product is not suitable as a complete milk replacement for children under 5 years. |
| 3 | (a) A cereal-based beverage that contains:  (i) no less than 3% m/m protein; and  (ii) no more than 2.5% m/m fat.  (b) An evaporated or dried product made from cereals that, when reconstituted as a beverage according to directions for direct consumption, contains:  (i) no less than 3% m/m protein; and  (ii) no more than 2.5% m/m fat.  (c) Milk, or an analogue beverage made from soy, that contains no more than 2.5% m/m fat.  (d) Evaporated milk, dried milk, or an equivalent product made from soy, that, when reconstituted as a beverage according to directions for direct consumption, contains no more than 2.5% m/m fat. | the product is not suitable as a complete milk food for children under 2 years. |

substituting

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| 2 | (a) A beverage made from cereals, nuts, seeds, or a combination of those ingredients, and that contains less than 3% m/m protein.  (b) An evaporated or dried product made from cereals, nuts, or seeds, or a combination of those ingredients, and that when reconstituted as a beverage according to directions for direct consumption, contains less than 3% m/m protein. | the product is not suitable as a complete milk replacement for children under 5 years. |
| 3 | (a) A beverage made from cereals, nuts, seeds, or a combination of those ingredients, and that contains:  (i) no less than 3% m/m protein; and  (ii) no more than 2.5% m/m fat.  (b) An evaporated or dried product made from cereals, nuts, seeds, or a combination of those ingredients, and that when reconstituted as a beverage according to directions for direct consumption, contains:  (i) no less than 3% m/m protein; and  (ii) no more than 2.5% m/m fat  (c) Milk, or an analogue beverage made from soy, that contains no more than 2.5% m/m fat.  (d) Evaporated milk, dried milk, or an equivalent product made from soy, that, when reconstituted as a beverage according to directions for direct consumption, contains no more than 2.5% m/m fat. | the product is not suitable as a complete milk replacement for children under 2 years. |

**[3] Schedule 17** is varied by omitting from the table to section S17—4

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| Analogues derived from cereals | | |
| Beverages containing no less than 0.3% m/m protein derived from cereals  Reference quantity—200 mL | | |
| Vitamin A | 110 μg (15%) | 125 μg |
| Thiamin | no claim permitted | 0.10 mg |
| Riboflavin | 0.43 mg (25%) |  |
| Vitamin B6 | no claim permitted | 0.12 mg |
| Vitamin B12 | 0.8 μg (40%) |  |
| Vitamin D | 1.0 μg (10%) | 1.6 μg |
| Folate | no claim permitted | 12 μg |
| Calcium | 240 mg (30%) |  |
| Magnesium | no claim permitted | 22 mg |
| Phosphorus | 200 mg (20%) |  |
| Zinc | no claim permitted | 0.8 mg |
| Iodine | 15 μg (10%) |  |

substituting

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| Analogues derived from cereals, nuts, seeds, or a combination of those ingredients | | |
| Beverages containing no less than 0.3% m/m protein derived from cereals, nuts, seeds, or a combination of those ingredients  Reference quantity—200 mL | | |
| Vitamin A | 110 μg (15%) | 125 μg |
| Thiamin | no claim permitted | 0.10 mg |
| Riboflavin | 0.43 mg (25%) |  |
| Vitamin B6 | no claim permitted | 0.12 mg |
| Vitamin B12 | 0.8 μg (40%) |  |
| Vitamin D | 1.0 μg (10%) | 1.6 μg |
| Folate | no claim permitted | 12 μg |
| Calcium | 240 mg (30%) |  |
| Magnesium | no claim permitted | 22 mg |
| Phosphorus | 200 mg (20%) |  |
| Zinc | no claim permitted | 0.8 mg |
| Iodine | 15 μg (10%) |  |