

**Food Standards (Proposal P1040 – Code Revision – Consequential & Corrective Amendments II) Variation**

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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 variation commences on the dates specified in clause 3 of this 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. This means that this date is the gazettal date for the purposes of clause 3 of the variation.

## 1 Name

This instrument is the *Food Standards (Proposal P1040 – Code Revision – Consequential & Corrective Amendments II) Variation*.

## 2 Variation to standards in the *Australia New Zealand Food Standards Code*

The Schedule varies standards in the *Australia New Zealand Food Standards Code*.

## 3 Commencement

(1) Subject to subsection (2), the variation commences on 1 March 2016 immediately after the commencement of Standard 5.1.1 – Revocation and transitional provisions – 2014 Revision.

(2) Items 1 and 4 of the Schedule commence on 19 January 2017.

### Schedule

#### Standard 1.1.1 – Structure of the Code and general provisions

##### [1] Subsection 1.1.1—2(2)

Omit 'Standard 1.2.12 – Transitional standard for dietary fibre nutrition content claims'

#### Standard 1.1.2 – Definitions used throughout the Code

##### [2] Subsection 1.1.2—2(3) (definition of *individual portion pack*)

Omit '1.2.1—6(4)', substitute '1.2.1—6(3)'

##### [3] Section 1.1.2—12 (Note)

Omit 'S28—2, 0, S29—18', substitute 'S28—2, S29—18'

#### Standard 1.2.7 – Nutrition, health and related claims

##### [4] Section 1.2.7—12 (Note)

Omit the Note

#### Standard 1.3.1 – Food additives

##### [4A] Section 1.3.1—2 (Note)

Omit 'that that', substitute 'that'

#### Standard 1.4.1 – Contaminants and natural toxicants

##### [5] Subsection 1.4.1—3(3)

Omit

$$ML = \frac{\sum_{j=1}^N (ML_j \times Total_j) + CF \times (Total - \sum_{j=1}^N Total_j)}{Total}$$

substitute

$$ML = \frac{\sum_{j=1}^N (ML_j \times Total_j) + CF \times (Total - \sum_{j=1}^N Total_j)}{Total}$$

#### Standard 1.4.2 – Agvet chemicals

##### [6] Standard Heading (Note 3)

Omit '2014', substitute '2014.'

#### Standard 1.5.2 – Food produced using gene technology

##### [7] Standard Heading (Note 3)

Omit '1.1.1—10(3)(c) and (4)(g)', substitute '1.1.1—10(5)(c) and (6)(g)'

**Standard 2.4.2 – Edible oil spreads**

**[8] Section 2.4.2—2 (Note)**

Omit '*edible oil* spread', substitute '*edible oil spread*'

**Standard 2.7.1 – Labelling of alcoholic beverages and food containing alcohol**

**[9] Section 2.7.1—1**

Omit 'Alcoholic beverages', substitute 'Labelling of alcoholic beverages and food containing alcohol'

**Standard 2.7.4 – Wine and wine product**

**[10] Standard Heading (Note 3)**

Omit 'the *Wine Australia Corporation Act 1980* (Cth)', substitute 'the *Australian Grape and Wine Authority Act 2013* (Cth)'

**Standard 2.9.4 – Formulated supplementary sports foods**

**[11] Paragraph 2.9.4—6(2)(a)**

Omit 'of reconstitution', substitute 'or reconstitution'

**Standard 2.9.5 – Food for special medical purposes**

**[12] Paragraph 2.9.5—3(b)**

Omit 'Part 2', substitute 'Part 1.2'

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

**[13] Section 2.9.6—3 (Note)**

Omit 'published', substitute 'published.'

**Standard 2.10.2 – Salt and salt products**

**[14] Section 2.10.2—3**

Omit all text after the words 'A food', substitute 'that is sold as 'salt' must be salt and contain no less than 970 g/kg sodium chloride on a dry basis, exclusive of permitted additives.'

**Schedule 1 – RDIs and ESADDIs**

**[15] Section S1—2 (table)**

Omit

Vitamin E	RDI	10 mg alpha-tocopherol equivalents <sup>4</sup>	5 mg alpha-tocopherol equivalents <sup>4</sup>	4 mg alpha-tocopherol equivalents <sup>4</sup>
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substitute

Vitamin E	RDI	10 mg alpha-tocopherol equivalents <sup>3</sup>	5 mg alpha-tocopherol equivalents <sup>3</sup>	4 mg alpha-tocopherol equivalents <sup>3</sup>
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**[15A] Section S1—2 (Notes)**

Omit

**Note 1** See paragraph 1.1.2—14(a).

**Note 2** See paragraph 1.1.2—14(b).

**Note 3** See paragraph 1.1.2—14(c).

**Note 4** See paragraph 1.1.2—14(d).

substitute

**Note 1** See paragraph 1.1.2—14(3)(a).

**Note 2** See paragraph 1.1.2—14(3)(b).

**Note 3** See paragraph 1.1.2—14(3)(c).

**Schedule 2 – Units of measurement**

**[16] Section S2—2 (table)**

Omit ‘mJ’, substitute ‘MJ’

**Schedule 3 – Identity and Purity**

**[16A] Section S3—27**

Omit ‘cfu/kg’, substitute ‘cfu/g’

**Schedule 4 – Nutrition, health and related claims**

**[17] Section S4—2 (Note - definition of *sugars*)**

Omit ‘(a)’ (second occurring), substitute ‘(b)’

**[18] Section S4—5 (table)**

	(a)	Omit		
Iodine		Contributes to normal growth and development	Children	
		substitute		
		Contributes to normal growth and development	Children	
	(b)	Omit		
Selenium		Contributes to the maintenance of normal hair and nails		
		substitute		
		Contributes to the maintenance of normal hair and nails		
	(c)	Omit		
Energy		Contributes to weight loss or weight maintenance	Diet reduced in energy and including regular exercise	The food: (a) meets the conditions for making a ‘diet’ nutrition content claim; or (b) is a formulated meal replacement and contains no more than 1200 kJ per serving
		substitute		

Contributes to weight loss or weight maintenance

Diet reduced in energy and including regular exercise

The food:  
(a) meets the conditions for making a 'diet' nutrition content claim; or  
(b) is a formulated meal replacement and contains no more than 1200 kJ per serving

#### Schedule 12 – Nutrition information panels

##### [19] Section S12—4 (table)

Omit 'Your daily intakes may be higher or lower depending on your energy needs.'

#### Schedule 15 – Substances that may be used as food additives

##### [20] Section S15—5 (table)

(a) Omit the following from item 1.4.2 (where second occurring)

234	Nisin	10	
475	Polyglycerol esters of fatty acids	5 000	Only whipped thickened light cream

(b) Insert in item 2.2.2 in numerical order

200 201 202 203	Sorbic acid and sodium, potassium and calcium sorbates	2 000	
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#### Schedule 18 – Processing aids

##### [21] Section S18—3 (table)

Omit

Diethylenetriamine, triethylene-tetramine, or tetraethylenepentamin cross-linked with epichlorohydrin GMP

substitute

Diethylenetriamine, triethylene-tetramine, or tetraethylenepentamine cross-linked with epichlorohydrin GMP

#### Schedule 26 – Food produced using gene technology

##### [22] Schedule Heading (Note 1)

Omit '1.1.1—10(3)(c) and (4)(g)', substitute '1.1.1—10(5)(c) and (6)(g)'

##### [23] Subsection S26—3(4) (table)

(a) Omit

4 Lucerne (a) herbicide-tolerant lucerne lines J101 & J163

substitute

4 Lucerne (a) herbicide-tolerant lucerne lines J101 and J163

(b) Omit

(b) food derived from reduced lignin lucerne line KK179

substitute

(b) reduced lignin lucerne line KK179

**Schedule 29 – Special purpose foods**

**[24] Section S29—17 (Table heading)**

Omit 'and intake amounts'

**[24A] Section S29—21 (Notes)**

Omit

**Note 1** See paragraph 1.1.2—14(3)(a)

**Note 2** For niacin, add niacin and any niacin provided from the conversion of the amino acid tryptophan, using the conversion factor 1:60.

**Note 3** See paragraph 1.1.2—14(3)(d)

substitute

**Note 1** See paragraph 1.1.2—14(3)(a).

**Note 2** For niacin, add niacin and any niacin provided from the conversion of the amino acid tryptophan, using the conversion factor 1:60.

**Note 3** See paragraph 1.1.2—14(3)(c).