Explanatory Statement

1. Authority

Section 13 of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act) provides that the functions of Food Standards Australia New Zealand (the Authority) include the development of standards and variations of standards for inclusion in the *Australia New Zealand Food Standards Code* (the Code).

Division 1 of Part 3 of the FSANZ Act specifies that the Authority may accept applications for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering an application for the development or variation of food regulatory measures.

FSANZ accepted Application A1109 which sought to permit glutaminase sourced from *Bacillus amyloliquefaciens* (*B. amyloliquefaciens*) as a processing aid. The enzyme would be used in the production of certain seasoning ingredients or food products used as seasonings. The Authority considered the Application in accordance with Division 1 of Part 3 and prepared a draft variation to the Code.

Following consideration by the Australia and New Zealand Ministerial Forum on Food Regulation, section 92 of the FSANZ Act stipulates that the Authority must publish a notice about the standard or draft variation of a standard.

Section 94 of the FSANZ Act specifies that a standard, or a variation of a standard, in relation to which a notice is published under section 92 is a legislative instrument, but is not subject to parliamentary disallowance or sunsetting under the *Legislation Act 2003*.

2. Purpose

The Authority has approved the use of the enzyme, glutaminase, sourced from *B. amyloliquefaciens* as a processing aid. This required an addition to the table to subsection S18—4(5) in Schedule 18 of the Code.

3. Documents incorporated by reference

The variation to food regulatory measures does not incorporate any documents by reference.

4. Consultation

In accordance with the procedure in Division 1 of Part 3 of the FSANZ Act, the Authority's consideration of Application A1109 included one round of public consultation following an assessment and the preparation of a draft Standard and associated report. Submissions were called for on 18 January 2016 for a six-week consultation period.

A Regulation Impact Statement was not required because the proposed variations to Schedule 18 are likely to have a minor impact on business and individuals.

5. Statement of compatibility with human rights

This instrument is exempt from the requirements for a statement of compatibility with human rights as it is a non-disallowable instrument under section 94 of the FSANZ Act.

Authorised Version Explanatory Statement registered 20/07/2016 to F2016L01199

6. Variation

The variation inserts a new entry into the table to subsection S18—4(5) in Schedule 18. The new entry would permit the use of glutaminase (EC number 3.5.1.2) sourced from *B. amyloliquefaciens* as a processing aid in food.

Authorised Version Explanatory Statement registered 20/07/2016 to F2016L01199