

**Food Standards (Application A1090 – Voluntary Addition of Vitamin D to Breakfast Cereals)
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 date specified in clause 3 of this variation.

Dated 4 January 2017



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 108 on 12 January 2017. 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 (Application A1090 – Voluntary Addition of Vitamin D to Breakfast Cereals) Variation*.

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

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

3 Commencement

The variation commences on the date of gazettal.

Schedule

[1] **Standard 1.1.2** is varied by omitting “section 1.2.7—26” from the definition of **nutrient profiling score** in subsection 1.1.2—2(3), substituting “section 1.2.7—25”

[2] **Standard 1.2.1** is varied by

[2.1] inserting into subsection 1.2.1—8(1), in alphabetical order

- (ja) information relating to breakfast cereals that contain vitamin D that has been used as a nutritive substance in accordance with Standard 1.3.2 (see section 1.3.2—7);

[2.2] inserting into subsection 1.2.1—9(7), in alphabetical order

- (ea) information relating to breakfast cereals that contain vitamin D that has been used as a nutritive substance in accordance with Standard 1.3.2 (see section 1.3.2—7);

[3] **Standard 1.3.2** is varied by

[3.1] inserting in the Note to section 1.3.2—2, each of the following definitions in alphabetical order

meet the NPSC means that the *nutrient profiling score of a food described in Column 1 of the table to section S4—6 is less than the number specified for that food in Column 2 of that table.

NPSC means the nutrient profiling scoring criterion (see section S4—6).

nutrient profiling score means the final score calculated pursuant to the method referred to in section 1.2.7—25.

property of food means a *component, ingredient, constituent or other feature of food.

[3.2] inserting after section 1.3.2—5

1.3.2—6 Use of Vitamin D as a nutritive substance in breakfast cereal

Vitamin D must not be used as a nutritive substance in breakfast cereal unless the breakfast cereal as purchased *meets the NPSC.

1.3.2—7 Labelling requirements for breakfast cereals that contain vitamin D

(1) This section applies to breakfast cereals that contain vitamin D that has been used as a nutritive substance in that food in accordance with this Standard.

(2) For the labelling provisions:

- (a) the particulars of a *property of food in relation to a breakfast cereal must be declared in the *nutrition information panel if:
 - (i) the property of food, other than fvnl, is relied upon to *meet the NPSC; and
 - (ii) the particulars are not otherwise required to be included in the nutrition information panel; and
- (b) if a breakfast cereal scores V points under section S5—4, the percentage of each element of fvnl that is relied on to meet the NPSC must be declared.

Note The labelling provisions are set out in Standard 1.2.1.

(3) In this section:

fvnl is as defined in section S5—4 for the purpose of calculating V points.

[4] Schedule 5 is varied by inserting after subsection S5—4(4)

(4A) When calculating the *nutrient profiling score for the purposes of determining whether a breakfast cereal *meets the NPSC and can therefore contain vitamin D in accordance with Standard 1.3.2:

- (a) subsection (4) does not apply; and
- (b) calculate the percentage of *fvnl* in the food in accordance with the appropriate method in Standard 1.2.10.

[5] Schedule 17 is varied by omitting from the entry for “Cereals and cereal products” in the table to section S17—4

Breakfast cereals, as purchased

Reference quantity—a normal serving

Provitamin A forms of Vitamin A	200 µg (25%)
Thiamin	0.55 mg (50%)
Riboflavin	0.43 mg (25%)
Niacin	2.5 mg (25%)
Vitamin B ₆	0.4 mg (25%)
Vitamin C	10 mg (25%)
Vitamin E	2.5 mg (25%)
Folate	100 µg (50%)
Calcium	200 mg (25%)
Iron – except ferric sodium edetate	3.0 mg (25%)
Magnesium	80 mg (25%)
Zinc	1.8 mg (15%)

substituting

Breakfast cereals, as purchased

Reference quantity—a normal serving

Provitamin A forms of Vitamin A	200 µg (25%)
Thiamin	0.55 mg (50%)
Riboflavin	0.43 mg (25%)
Niacin	2.5 mg (25%)
Vitamin B ₆	0.4 mg (25%)
Vitamin C	10 mg (25%)
Vitamin D	2.5 µg (25%)
Vitamin E	2.5 mg (25%)
Folate	100 µg (50%)
Calcium	200 mg (25%)
Iron – except ferric sodium edetate	3.0 mg (25%)
Magnesium	80 mg (25%)
Zinc	1.8 mg (15%)
