

## Food Standards (Proposal P1045 – Code Revision (2017)) 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 Standard commences on the date specified in clause 3 of this variation.

5 September 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 114 on 7 September 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 (Proposal P1045 – Code Revision (2017)) 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**

The variation commences on the date of gazettal.

**SCHEDULE**

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

**[1] Subsection 1.1.1—6(1)**

Omit '*average quantity*', substitute '\*average quantity'

**[2] Subsection 1.1.1—6(2)**

Omit 'average quantity' (first appearing), substitute '\*average quantity'

**[3] Section 1.1.1—11**

Omit 'lot', substitute '\*lot'

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

**[4] Subsection 1.1.2—9(1)**

Omit the subsection, substitute

(1) In this Code:

***nutrition content claim*** means a claim that:

(a) is about:

(i) the presence or absence of any of the following:

(A) \*biologically active substance;

(B) \*dietary fibre;

(C) energy;

(D) minerals;

(E) potassium;

(F) protein;

(G) \*carbohydrate;

(H) \*fat;

(I) the components of any one of protein, carbohydrate or fat;

(J) \*salt;

(K) sodium;

(L) vitamins; or

(ii) \*glycaemic index or glycaemic load; and

(b) does not refer to the presence or absence of alcohol; and

(c) is not a \*health claim.

**[5] Paragraph 1.1.2—11(2)(a) Note**

Omit 'foods'

## Standard 1.2.1 – Requirements to have labels or otherwise provide information

[6] **Subsection 1.2.1—9(6) (heading)**

Omit 'either accompany or'

## Standard 1.2.7 – Nutrition, health and related claims

[7] **Section 1.2.7—17 (heading)**

Omit the heading, substitute

### 1.2.7—17 **Application or proposal to vary the table to section S4—5 taken to be a high level health claims variation**

[8] **Subparagraph 1.2.7—18(1)(b)(i)**

Omit 'high level health claim', substitute '\*high level health claim'

[9] **Subparagraph 1.2.7—18(1)(b)(ii)**

Omit 'general level health claim', substitute '\*general level health claim'

[10] **Subsection 1.2.7—18(2)**

Omit 'high level health claims table', substitute '\*high level health claims table'

[11] **Subsection 1.2.7—18(4)**

Omit 'special purpose food', substitute '\*special purpose food'

[12] **Paragraph 1.2.7—19(1)(d)**

Omit 'if requested by a relevant authority, provide records to the \*relevant authority', substitute 'if requested by a \*relevant authority, provide records to the relevant authority'

## Standard 2.6.2 – Non-alcoholic beverages and brewed soft drinks

[13] **Paragraph 2.6.2—3(3)(a)**

Omit '*4<sup>th</sup> edition, 2011*', substitute '*4<sup>th</sup> edition incorporating the first addendum, 2017*'

## Schedule 3 Identity and purity

[14] **Paragraph S3—2(1)(b)**

Omit

(x) FAO JECFA Monographs 17 (2015); or

substitute

(x) FAO JECFA Monographs 17 (2015);

(xi) FAO JECFA Monographs 19 (2016); or

[15] **Paragraph S3—3(j)**

Omit '(2016)', substitute '(2017)'

## Schedule 4 – Nutrition, health and related claims

[16] **Section S4—3 (table)**

Insert, after the entry for 'Mono-unsaturated fatty acids'

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Omega fatty acids (any)	The type of omega fatty acid is specified immediately after the word 'omega'.
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## Schedule 5 – Nutrient profile scoring method

### [17] Section S5—3

Omit '(based on the units used in the nutrition information panel)'

### [18] Section S5—5

Omit the section, substitute

### S5—5 Protein points (P points)

- (1) Use Table 4 to determine the 'P points' scored, depending on the \*average quantity of protein in a \*unit quantity of the food. A maximum of five points can be awarded.
- (2) Foods that score  $\geq 13$  baseline points are not permitted to score points for protein unless they score five or more V points.

Table 4—P Points

<i>Points</i>	<i>Protein (g) per *unit quantity</i>
0	$\leq 1.6$
1	$> 1.6$
2	$\geq 3.2$
3	$> 4.8$
4	$> 6.4$
5	$> 8.0$

### [19] Section S5—6

Omit the section, substitute

### S5—6 Fibre points (F points)

- (1) Use Table 5 to determine the 'F points' scored, depending on the \*average quantity of \*dietary fibre in a \*unit quantity of the food. A maximum of five points can be awarded.
- (2) The prescribed method of analysis to determine total \*dietary fibre is outlined in S11—4.

Table 5—F Points

<i>Points</i>	<i>Dietary fibre (g) per *unit quantity</i>
0	$\leq 0.9$
1	$> 0.9$
2	$> 1.9$
3	$> 2.8$
4	$> 3.7$
5	$> 4.7$

- (3) Category 1 foods do not score F points.

**Schedule 29 – Special purpose foods**

**[20] Section S29—7 (table)**

Omit 'phytylmenoquinone'