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 (FSANZ, 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 A1175 which seeks to permit rapeseed protein isolate as a novel food. The Authority considered the application in accordance with Division 1 of Part 3 and has prepared a draft variation.

2. Purpose

The Authority has prepared a draft variation to the Code to permit the sale of rapeseed protein isolate as a novel food, subject to specified conditions of use.

3. Documents incorporated by reference

The variations to food regulatory measures do 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 A1175 will include one round of public consultation following an assessment and the preparation of a draft Standard and associated assessment summary.

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.

6. Variation

Item [1] amends Schedule 3 of the Code. Sub item [1.1] inserts a reference to rapeseed protein isolate into the table to S3—2(2), linking rapeseed protein isolate to a new specification located at section S3—40. Sub item [1.2] inserts a product specification for rapeseed protein isolate at section S3—40. The specification includes required composition, purity, metal content and microbiological limits.

Item [2] amends Schedule 25 by inserting a permission for the sale of the novel food rapeseed protein isolate into the table to section S25—2, and specifying conditions for its use.

These conditions include a requirement specifying how the substance can be derived; a requirement not to add the substance to infant formula products or food for infants; and a requirement that the substance comply with the specifications listed in section S3—40.