

Food Standards (Application A1249 – Addition of phytosterols, phytostanols or their esters as novel food to plant-based milk alternatives) 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 variation commences on the date specified in clause 3 of this variation.

Dated 10 January 2023



Dr Nick Fletcher
Delegate of the Board of Food Standards Australia New Zealand

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC 155 on 16 January 2023. 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 A1249 – Addition of phytosterols, phytostanols or their esters as novel food to plant-based milk alternatives) Variation*.

2 Variation to a Standard in the Australia New Zealand Food Standards Code

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

3 Commencement

The variation commences on the date of gazettal.

Schedule

Schedule 25—Permitted novel foods

[1] Section S25—2 (table item dealing with ‘Phytosterols, phytostanols and their esters’, column 2)

Add:

7. May only be added to a beverage derived from legumes, cereals, nuts, seeds, or a combination of those ingredients if, after that addition, each of the following compositional limits are met:
 - (a) the calcium content of the beverage is no less than 100 mg per 100 mL; and
 - (b) the beverage contains no more than 0.75 g saturated fatty acids per 100 mL; and
 - (c) the total plant sterol equivalents content of the beverage is no less than 0.8 g and no more than 2.2 g per 250 mL of the beverage.
8. During the exclusive use period, a beverage to which phytosterols, phytostanols and/or their esters have been added in accordance with condition 7 above may only be sold under the brand SANITARIUM HEALTH FOOD COMPANY.
9. For the purposes of condition 8 above, **exclusive use period** means the period commencing on the date of gazettal of the *Food Standards (Addition of phytosterols, phytostanols or their esters as novel food to plant-based milk alternatives) Variation* and ending 15 months after that date.