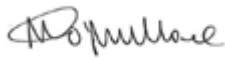


Food Standards (Application A1277 – 2'-FL from GM *Escherichia coli* K-12 (gene donor: *Helicobacter enhydrae*) in infant formula products) Variation

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.

23 May 2024



Matthew O'Mullane, General Manager, Risk Management and Intelligence
Delegate of the Board of Food Standards Australia New Zealand

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC 168 on 31 May 2024. 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 A1277 – 2'-FL from GM Escherichia coli K-12 (gene donor: Helicobacter enhydrae) in infant formula products) 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

Schedule 3—Identity and purity

[1] **Subsection S3—2(2) (table item dealing with 2'-fucosyllactose sourced from *Escherichia coli* K-12 containing the gene for alpha-1,2-fucosyltransferase from either *Helicobacter pylori* or *Bacteroides vulgatus*)**

Omit “either *Helicobacter pylori* or”, substitute “either *Helicobacter enhydrae*, *Helicobacter pylori*, or”

[2] **Section S3—40**

Omit “either *Helicobacter pylori* or”, substitute “either *Helicobacter enhydrae*, *Helicobacter pylori*, or”

Schedule 26—Food produced using gene technology

[3] **Subsection S26—3(7) (table item 1)**

Insert:

(d) *Escherichia coli* K-12 containing the gene for alpha-1,2-fucosyltransferase from *Helicobacter enhydrae*

1. May only be added to infant formula products.
2. During the exclusive use period, may only be sold under the brand 2'-FL-Inbiose.
3. For the purposes of condition 2 above, **exclusive use period** means the period commencing on the date of gazettal of the *Food Standards (Application A1277 – 2'-FL from GM Escherichia coli K-12 (gene donor: Helicobacter enhydrae) in infant formula products) Variation* and ending 15 months after that date.