

Standard 1.4.2 - Agvet Chemicals - Food Standards (Proposal P1025 - Code Revision) Variation—Australia New Zealand Food Standards Code - Amendment No. 154

The Board of Food Standards Australia New Zealand gives notice of the making of this standard under section 92 of the *Food Standards Australia New Zealand Act 1991*.

The Standard commences on 1 March 2016.

Dated 25 March 2015

Standards Management Officer, Delegate of the Board of Food Standards Australia New Zealand.

Note:

This Standard will be published in the Commonwealth of Australia Gazette No. FSC 96 on 10 April 2015.

Note 1 This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the *Australia New Zealand Food Standards Code*. See also section 1.1.1–3.

Note 2 This Standard is the Maximum Residue Limits Standard for the purposes of the FSANZ Act.

Note 3 This Standard applies in Australia only. In New Zealand, maximum residue limits for agricultural compounds are set out in a Maximum Residue Limits Standard issued under the *Food Act 2014*

Note 4 The application Acts provide that food is unsuitable if the food contains, among other things, a chemical agent that is foreign to the nature of the food. Food is not unsuitable if, when it is sold, it does not contain an agvet chemical in an amount that contravenes the Code.

Paragraph 1.1.1–10(4)(d) provides that a food for sale must not have, as an ingredient or a component, a detectable amount of an agvet chemical or a metabolite or a degradation product of the agvet chemical; unless expressly permitted by this Code.

Sections 1.4.2–4 and 1.4.2–5 and associated Schedules set out the relevant permissions. Permitted residues are identified in section S20–3.

1.4.2–1 Name

This Standard is *Australia New Zealand Food Standards Code* - Standard 1.4.2 - Agvet chemicals.

Note Commencement: This Standard commences on 1 March 2016, being the date specified as the commencement date in notices in the *Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

1.4.2–2 Purpose of Standard

The purpose of this Standard and Schedule 20, Schedule 21 and Schedule 22 is to set out the maximum residue limits and extraneous residue limits for agricultural or veterinary chemicals that are permitted in foods for sale.

Note Maximum residue limits have been determined:

- (a) by the amount of residues of such chemicals that could be present in food when they are used at the minimum effective level and using Good Agricultural Practice (GAP); and
- (b) after an assessment of the potential risk to public health and safety at that level.

1.4.2–3 Definitions and interpretation

Note In this Code (see section 1.1.2–2):

agvet chemical means an agricultural chemical product or a veterinary chemical product, within the meaning of the Agvet Code.

Note The Agvet Code is the Code set out in the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* (Cth). See subsection 4(1) of the FSANZ Act.

extraneous residue limit or **ERL**, for an agvet chemical in a food, means the amount identified in Schedule 21 for the permitted residue of that agvet chemical in that food.

maximum residue limit or **MRL**, for an agvet chemical in a food, means the amount identified in Schedule 20 for the permitted residue of that agvet chemical in that food.

(1) In this Standard:

permitted residue, of an *agvet chemical, means a chemical that is identified in Schedule 20 or Schedule 21 as being a permitted residue in relation to the agvet chemical.

(2) When calculating the amount of a permitted residue in a food:

- (a) only calculate the amount that is in the portion of the commodity that is specified in Schedule 22; and
- (b) if the permitted residue consists of more than 1 chemical, calculate the amount of all such chemicals that are present in the food.
- (3) Unless a maximum amount of a permitted residue of an *agvet chemical is specified for a processed food, the same maximum amount applies to both the processed and the unprocessed food.
- (4) In this Standard, and in Schedule 20 and Schedule 21, a reference to a particular food is to the food as described in Schedule 22.

1.4.2—4 Maximum residue limit of agvet chemicals in foods

- (1) A food for sale may contain a permitted residue of an *agvet chemical if:

- (a) the agvet chemical is listed in Schedule 20; and
- (b) the food consists of, or has as an ingredient, a food that is listed in relation to that agvet chemical in Schedule 20; and
- (c) the amount of the permitted residue of the agvet chemical in the food complies with subsection (2) or subsection (3), as appropriate.
- (2) For a food for sale that consists of a food that is listed in relation to that *agvet chemical in Schedule 20, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount identified in relation to that food for that agvet chemical in Schedule 20.

- (3) For a food for sale that has 2 or more ingredients, 1 or more of which is a food that is listed in relation to the *agvet chemical in Schedule 20, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount **MRL** calculated in accordance with the following equation:

$$MRL = \sum_{j=1}^N \frac{Weight(j)}{Weight} \times MRL(j)$$

where:

N is the number of ingredients of the food that are listed in Schedule 20 in relation to that agvet chemical.

Weight(j) is the weight of the j^{th} such ingredient.

Weight is the total weight of the food.

MRL(j) is the amount identified in relation to the j^{th} ingredient for a permitted residue of that agvet chemical in Schedule 20.

1.4.2—5 Extraneous residue limit of agvet chemicals in foods

- (1) A food for sale may contain a permitted residue of an *agvet chemical if:

- (a) the agvet chemical is listed in Schedule 21; and
- (b) the food consists of, or has as an ingredient, a food that is listed in relation to that agvet chemical in Schedule 21 and
- (c) the amount of the permitted residue of the agvet chemical in the food complies with subsection 1.4.2—4(2) or subsection 1.4.2—4(3), as appropriate; and
- (d) the presence of the permitted residue of the agvet chemical in the food arose from environmental sources, and not from direct or indirect use of an agvet chemical on food.

- (2) For a food for sale that consists of a food that is listed in relation to that *agvet chemical in Schedule 21, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount identified in relation to that food for that agvet chemical in Schedule 21.

- (3) For a food for sale that has 2 or more ingredients, 1 or more of which is a food that is listed in relation to the *agvet chemical in or Schedule 21, the amount of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount **MRL** calculated in accordance with the following equation:

$$MRL = \sum_{j=1}^N \frac{Weight(j)}{Weight} \times MRL(j)$$

where:

N is the number of ingredients of the food that are listed in Schedule 21 in relation to that agvet chemical.

Weight(j) is the weight of the j^{th} such ingredient.

Weight is the total weight of the food.

MRL(j) is the amount identified in relation to the j^{th} ingredient for that agvet chemical in Schedule 21.

2015-gs1882
