

Standard 2.6.3 - Kava - 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 The provisions of the Code that apply in New Zealand are incorporated in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.

Note 3 Paragraphs 1.1.1—10(3)(e) and (4)(i) provide that a food for sale must not consist of, or have as an ingredient or a component, kava or any substance derived from kava, unless expressly permitted by this Code. This Standard contains the relevant permissions.

Note 4 In Australia, this Standard should be considered in conjunction with the *Customs (Prohibited Imports) Regulations 1956* (Cth) and certain State and Territory restrictions on the supply of kava which seek to minimise the detrimental effects associated with kava abuse. Where kava is permitted for supply, the requirements in this Standard complement those restrictions.

2.6.3—1 Name

This Standard is *Australia New Zealand Food Standards Code - Standard 2.6.3 - Kava*.

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

2.6.3—2 Definitions

Note In this Code (see section 1.1.2—3):

kava means plants of the species *Piper methysticum*.

kava root means the peeled root or peeled rootstock of kava.

2.6.3—3 Exception to prohibition

The prohibition relating to the use of kava and substances derived from kava in paragraphs 1.1.1—10(3)(e) do not apply to a food that is:

- (a) a beverage obtained by the aqueous suspension of kava root using cold water only, and not using any organic solvent; or
- (b) dried or raw kava root.

2.6.3—4 Labelling of foods containing kava

For the labelling provisions, the following *warning statements are required for a food referred to in paragraph 2.6.3—3(a) or 2.6.3—3(b):

- (a) 'Use in moderation'; and
- (b) 'May cause drowsiness'.

Note The labelling provisions are set out in Standard 1.2.1. For the labelling requirement for unpackaged kava, see paragraph 1.2.1—9(4)(c).