

4 November 2015
[28–15]

Call for submissions – Proposal M1011

Maximum Residue Limits (2015)

FSANZ has assessed a proposal prepared to consider varying certain maximum residue limits (MRLs) in the Australia New Zealand Food Standards Code (the Code) and has prepared a draft food regulatory measure. Pursuant to section 61 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act), FSANZ now calls for submissions to assist consideration of the draft food regulatory measure.

For information about making a submission, visit the FSANZ website at [information for submitters](#).

All submissions on applications and proposals will be published on our website. We will not publish material that is provided in-confidence, but will record that such information is held. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1991*. Submissions will be published as soon as possible after the end of the public comment period. Where large numbers of documents are involved, FSANZ will make these available on CD, rather than on the website.

Under section 114 of the FSANZ Act, some information provided to FSANZ cannot be disclosed. More information about the disclosure of confidential commercial information is available on the FSANZ website at [information for submitters](#).

Submissions should be made in writing; be marked clearly with the word 'Submission' and quote the correct project number and name. While FSANZ accepts submissions in hard copy to our offices, it is more convenient and quicker to receive submissions electronically through the FSANZ website via the link on [documents for public comment](#). You can also email your submission directly to submissions@foodstandards.gov.au.

There is no need to send a hard copy of your submission if you have submitted it by email or via the FSANZ website. FSANZ endeavours to formally acknowledge receipt of submissions within 3 business days.

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 2 December 2015

Submissions received after this date will not be considered unless an extension had been given before the closing date. Extensions will only be granted due to extraordinary circumstances during the submission period. Any agreed extension will be notified on the FSANZ website and will apply to all submitters.

Questions about making submissions or the application process can be sent to standards.management@foodstandards.gov.au.

Hard copy submissions may be sent to one of the following addresses:

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Supporting documents

The following documents which informed the assessment of this Proposal are available on the FSANZ website at <http://www.foodstandards.gov.au/code/proposals/Pages/M1011-MRLs.aspx>

- SD1 Proposed MRL changes, origin of requests, comparisons with Codex and dietary exposure estimates for the Australian population

Executive summary

The purpose of this Proposal is to consider incorporating certain maximum residue limits (MRLs) for agricultural and veterinary (agvet) chemicals that may legitimately occur in food in the table to section S20—3 in Schedule 20. The table lists the MRLs for agvet chemical residues which may occur in foods in Australia. Limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class, whether produced domestically or imported.

The Proposal includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA), including deletions and reductions of certain agvet chemicals. This Proposal also considers MRLs requested by other parties to align the Code with Codex or trading partner standards. The Proposal also includes amendments as part of routine FSANZ Code maintenance.

Dietary exposure assessments (DEAs) indicate that the proposed limits for the agvet chemical residues of interest do not present any public health and safety concerns.

Inclusion of the MRLs in the Code as proposed will permit the sale of foods containing legitimate residues at levels that are consistent with the effective control of pests and diseases and which dietary assessments have confirmed are safe for human consumption.

The Proposal relates to Australia only. The *Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agricultural and veterinary chemicals in food from the system setting joint food standards.

FSANZ has made a Sanitary and Phytosanitary notification to the World Trade Organization (WTO).

1 Introduction

1.1 The Proposal

The Proposal was prepared to consider varying certain agvet MRLs in the Code. This is a routine process, both to include limits to allow the sale of food with legitimate residues and to remove limits that the APVMA has already removed from the APVMA MRL Standard¹. The Proposal includes consideration of MRL variations proposed by the APVMA, as well as MRL harmonisation requests from other interested parties.

1.2 The current Standard

All references to the Code in this assessment summary and related SD are to the revised Code which takes effect and replaces the current Code on 1 March 2016. This is because the gazettal of any draft variation is not expected until after this date, if approved by the FSANZ Board and no review of that decision is requested by Ministers. FSANZ therefore considers it is unnecessary to amend the current Code. Variations arising from a Code maintenance proposal specifically for MRLs (M1013) will make minor consequential amendments and corrections to Schedule 20 and will take effect on 1 March 2016.

The table to section S20—3 in Schedule 20 lists the limits for agvet chemical residues which may occur in foods. Limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class whether produced domestically or imported. Food products with residues exceeding the relevant limit listed in the Code cannot legally be supplied in Australia. This ensures that residues of agvet chemicals in food are kept as low as possible, are consistent with the approved use of chemical products to control pests and diseases of plants and animals, and are at levels that have been assessed as being safe for human consumption.

1.3 Reasons for preparing the Proposal

The purpose of this Proposal is to vary MRLs for residues of agvet chemicals in food, see **Attachments A and B**.

The Proposal includes consideration of MRLs to further align the Code with Codex and trading partner standards. The MRLs included in this proposal were requested by the Australian Food and Grocery Council, BASF Agricultural Solutions, Bayer Crop Science, the California Cherry Board in collaboration with the California Fresh Fruit Association and Northwest Horticultural Council, California Citrus Quality Council, the California Table Grape Commission, the Cranberry Marketing Committee, DuPont Crop Protection, the Food and Beverage Importers Association, Morlife Pty Ltd and the US Hop Industry.

The Proposal also includes MRL variations for other chemicals proposed by the APVMA to further align Schedule 20 with the APVMA MRL Standard.

Countries which establish MRLs routinely use good agricultural practice (GAP) and good veterinary practice (GVP). Agvet chemicals are used differently in different countries around the world as pests, diseases and environmental factors differ and because product use patterns may differ. This means that residues in imported foods may legitimately differ from those in domestically produced foods.

¹ The Agricultural and Veterinary Chemicals Code Instrument 4 (MRL Standard) lists MRLs for agvet chemicals in agricultural produce particularly produce entering the food chain. This can be accessed via the APVMA website at <http://apvma.gov.au/node/10806>.

The proposed MRLs will permit the sale of foods containing legitimate residues, protect public health and safety and minimise residues in foods consistent with the effective control of pests and diseases.

The proposed MRLs may minimise trade disruption and extend consumer choice for a range of commodities. MRLs proposed in relation to requests to harmonise limits in the Code with trading partner or Codex limits and as a result of APVMA variations are listed in **SD1**. This document also includes information on the current status of the proposed MRLs in the Code, how the proposed MRLs compare with Codex limits and dietary exposure estimates for the Australian population.

1.3.1 Codex Alimentarius Commission Standards

Codex standards are used as the relevant international standard to determine whether a new or changed standard requires a WTO notification.

FSANZ may consider varying limits for residues of agvet chemicals in food in a Proposal where interested parties have identified differences between the Code and international standards that may result in adverse impacts on trade. FSANZ must have regard to its WTO obligations, the promotion of consistency between domestic and international food standards and the promotion of fair trading in food. These matters encompass a consideration of international standards and trade issues. The assessment also gives careful consideration to public health and safety.

SD 1 lists MRLs proposed for inclusion in the Code received from both harmonisation requests and from the APVMA, along with the corresponding Codex limits.

1.4 Procedure for assessment

The Proposal is being assessed under the General Procedure.

2 Summary of the assessment

2.1 Risk assessment

To assess the public health and safety implications of chemical residues in food, FSANZ estimates the dietary exposure to chemical residues from potentially treated foods in the diet and compares the dietary exposure with the relevant HBGV, for example the acceptable daily intake (ADI) or the acute reference dose (ARfD).

The ADI and ARfD for individual agvet chemicals are established by the Australian Office of Chemical Safety (OCS) following an assessment of the toxicity of each chemical. In the case that an Australian ADI or ARfD has not been established, a Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR) ADI or ARfD may be used for risk assessment purposes.

FSANZ conducts and reviews DEA's using internationally recognised risk assessment methodology. Variations to limits in the Code will not be supported where estimated dietary exposures to the residues of a chemical indicate a potential public health and safety risk for the Australian population or a population sub group.

The steps undertaken in conducting a DEA are:

- determining the residues of a chemical in a treated food

- estimating dietary exposure to a chemical from relevant foods, using residue data and food consumption data from Australian national nutrition surveys; and
- completing a risk characterisation where estimated dietary exposures are compared to the relevant HBGV.

A summary of the dietary exposure estimates for each agvet chemical included in this proposal is provided in **SD1**.

2.2 Risk management

FSANZ is committed to maintaining limits in the Code that reflect residues that may legitimately occur in food; this ensures that such food may be sold. The safety of the residues in the context of the Australian diet is a key consideration. FSANZ will only approve variations to limits in the Code where the risk assessment concludes that estimated dietary exposure is within HBGVs. FSANZ may consider including MRLs in the Code that do not present safety concerns and which are harmonised with those established by a trading partner in certain circumstances, including when the residues are: likely to occur in food available in Australia; associated with the controlled use of chemical products in the country where the food is produced.

2.3 Risk communication

2.3.1 Consultation

Consultation is a key part of FSANZ's standards development process.

FSANZ has adopted a basic communication strategy for this Proposal, with a focus on alerting the community that changes to the Code are being contemplated. FSANZ publishes details about proposed changes, submissions and subsequent reports on its website. All calls for submissions are notified via the FSANZ Notification Circular, media release and through FSANZ's social media tools and Food Standards News. Subscribers and interested parties are also notified about the availability of reports for public comment.

FSANZ is seeking public comment on the proposed changes to the Code outlined in this consultation document to help finalise the assessment. All comments are welcome. However FSANZ is particularly interested in comments on any impacts (costs/benefits) of the proposed variations, in particular, likely impacts on importation of food if specific variations are advanced and any public health and safety considerations associated with the proposed changes.

Individuals and organisations making submissions on this Proposal will be notified at each stage of the assessment. If the FSANZ Board approves the draft variations to the Code, FSANZ will notify its decision to the Australia and New Zealand Ministerial Forum on Food Regulation (convening as the Australia and New Zealand Food Regulation Ministerial Council). FSANZ will notify the gazetted changes to the Code in the national press and on the FSANZ website.

2.3.2 World Trade Organization (WTO)

As members of the World Trade Organization (WTO), Australia and New Zealand are obliged to notify WTO members where proposed mandatory regulatory measures are inconsistent with any existing or imminent international standards and the proposed measure may have a significant effect on trade.

There are relevant international standards and amending the Code to amend MRLs in the table to section S20—3 in Schedule 20 may have a significant effect on international trade as limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class whether produced domestically or imported. Food products with residues exceeding the relevant limit listed in the Code cannot legally be supplied in Australia. Therefore, a notification to the WTO under Australia's obligations under the WTO Application of Sanitary and Phytosanitary Measures Agreement has been made to enable other WTO members to comment on the proposed amendments.

2.3.3 Impacts on imported foods of MRL variations proposed by the APVMA

Deletions or reductions of MRLs may affect imported foods containing residues that currently comply with existing MRLs. In cases where deletions are proposed by the APVMA, these existing MRLs are no longer required for domestically produced food.

FSANZ is committed to ensuring that the implications of MRL variations are considered. Under the current process for considering variations to the Code, FSANZ encourages submissions including information demonstrating a need for an alternative specific MRL variation to be considered rather than the proposed deletion or reduction. FSANZ will consider amending proposed MRL variations to continue to allow the sale of imported food where such MRLs are supported by adequate data or information demonstrating that the residues are legitimate and likely to occur. The risk assessment will consider dietary exposure in the context of the Australian diet and the potential public health and safety risk for the population or a population sub group. Further information on data requirements for a variation to be considered may be obtained from FSANZ.

To assist in identifying possible impacts on imported foods, the deletions or reduction of MRLs proposed by the APVMA are included in in **SD1**².

FSANZ requests comment on any possible ramifications for imported foods of the proposed variations.

2.4 FSANZ Act assessment requirements

When assessing this Proposal and the subsequent development of a food regulatory measure, FSANZ has had regard to the following matters in section 59 of the FSANZ Act:

2.4.1 Section 59

2.4.1.1 Cost benefit analysis

In 2010, the Office of Best Practice Regulation provided a standing exemption from the need to assess if a Regulation Impact Statement was required for applications relating to MRLs as they were machinery in nature and their use was voluntary. A limited impact analysis on different stakeholders is provided below.

The direct and indirect benefits that would arise from a food regulatory measure developed or varied as a result of the proposal outweigh the costs to the community, Government or industry that would arise from the development or variation of the food regulatory measure. The proposed MRL variations benefit Australian Government, state and territory agencies, growers and producers, in that they serve to further harmonise agricultural and food standards.

² In SD1, all requests received by the APVMA are identified under the column 'Origin of MRL requested' as 'APVMA'.

Achieving further consistency between agricultural and food legislation will minimise compliance costs to primary producers and assist in efficient enforcement of regulations.

Importers may benefit or be disadvantaged by the approval of the proposed draft variations. Additional or increased MRLs may benefit importers and consequently consumers in that this may extend the options to source safe foods. Conversely, importers and consequently consumers may be disadvantaged where proposed additional or increased MRLs are not progressed as this may unnecessarily limit sources of certain foods.

Any MRL deletions or reductions have the potential to restrict importation of foods and could potentially result in higher food prices and a reduced product range available to consumers. However, if a need is identified through consultation, there is scope under current processes to retain specific MRLs for imported foods where the residues do not present a human health risk, and there is a legitimate Codex or trading partner MRL.

2.4.1.2 Other measures

There are no other measures (whether available to FSANZ or not) that would be more cost-effective than a food regulatory measure developed or varied as a result of the Proposal.

2.4.1.3 Any relevant New Zealand standards

The *Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system setting joint food standards. Australia and New Zealand independently and separately develop MRLs for agvet chemicals in food.

All domestically produced food sold in New Zealand must comply with the New Zealand (Maximum Residue Limits of Agricultural Compounds) Food Standards 2012 and any amendments (the New Zealand MRL Standards). If food is imported into New Zealand, such food must comply either with the New Zealand MRL Standards or with Codex MRLs (except for food imported from Australia).

Under the New Zealand MRL Standards, agricultural chemical residues in food must comply with the specific MRLs listed in the Standards. The New Zealand MRL Standards also include a provision for residues of up to 0.1 mg/kg for agricultural chemical/commodity combinations not specifically listed.

Further information about the New Zealand MRL Standards is available on the New Zealand Ministry for Primary Industries website at <http://www.foodsafety.govt.nz/industry/sectors/plant-products/pesticide-mrl/>.

Limits in the Code and in the New Zealand MRL Standards may differ for a number of legitimate reasons including differing use patterns for chemical products as a result of varying pest and disease pressures and varying climatic conditions.

2.4.1.4 Any other relevant matters

A Regulation Impact Statement (RIS) is not required because the proposed variations to the table to section S20—3 in Schedule 20 are minor and do not substantially alter existing arrangements.

2.4.2 Subsection 18(1)

FSANZ has also considered the three objectives in subsection 18(1) of the FSANZ Act during the assessment.

2.4.2.1 Protection of public health and safety

FSANZ has reviewed the DEAs submitted by the APVMA and conducted additional DEAs to assess the suitability of MRLs requested by other parties. Using the best available scientific data and internationally recognised risk assessment methodology, FSANZ concluded that the proposed MRLs do not present any public health and safety concerns.

2.4.2.2 The provision of adequate information relating to food to enable consumers to make informed choices

This objective is not relevant to matters under consideration in the Proposal.

2.4.2.3 The prevention of misleading or deceptive conduct

This objective is not relevant to matters under consideration in the Proposal.

2.4.3 Subsection 18(2) considerations

FSANZ has also had regard to:

- **the need for standards to be based on risk analysis using the best available scientific evidence**

FSANZ's primary role in developing food regulatory measures for residues of agvet chemicals in food is to ensure that estimated dietary exposures to potential residues are within HBGVs. As described in Section 2.4.2.1 FSANZ conducts and reviews DEA's using Australian food consumption data and internationally recognised risk assessment methodology.

- **the promotion of consistency between domestic and international food standards**

The proposed changes would remove inconsistencies between agricultural and food standards and further align the Code with Codex and trading partner standards.

- **the desirability of an efficient and internationally competitive food industry**

The proposed MRL variations ensure an open and transparent process has been followed in relation to the residues that could reasonably occur in food.

The changes will minimise potential costs to primary producers, rural and regional communities and importers in terms of permitting the sale of food containing legitimate residues.

- **the promotion of fair trading in food**

Section 2.4.1.1 lists a number of considerations that address fair trading with respect to variations to MRLs in this proposal.

- **any written policy guidelines formulated by the Ministerial Council**³

The proposal has regard to the need to promote a consistent approach to MRLs for both domestic and imported foods, where appropriate, and the need to be consistent with Australia's obligations under the WTO Sanitary and Phytosanitary Agreement (SPS Agreement).

3 Draft variation

The draft variation to the revised Code is at Attachment A.

A draft explanatory statement is at Attachment B. An explanatory statement is required to accompany an instrument if it is lodged on the Federal Register of Legislative Instruments.

Attachments

- A. Draft variation to the revised *Australia New Zealand Food Standards Code* (commencing 1 March 2016)
- B. Draft Explanatory Statement

³ Now known as the Australia and New Zealand Ministerial Forum on Food Regulation (convening as the Australia and New Zealand Food Regulation Ministerial Council)

Attachment A – Draft variation to the revised *Australia New Zealand Food Standards Code* (commencing 1 March 2016)



Food Standards (Proposal M1011 – Maximum Residue Limits (2015)) 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*. This variation commences on the date specified in clause 3 of this variation.

Dated [To be completed by Standards Management Officer]

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

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC **XX on XX Month 20XX**. 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 (Proposal M1011 – Maximum Residue Limits (2015)) 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

[1] The table to section S20—3 in **Schedule 20** is varied by

[1.1] omitting

Agvet chemical: Zetacypermethrin

see *Cypermethrin*

[1.2] omitting

Agvet chemical: Clethodim

see *Sethoxydim*

substituting

Agvet chemical: Clethodim

see *Sethoxydim*

Residues arising from the use of clethodim are covered by MRLs for sethoxydim

[1.3] inserting in alphabetical order

Agvet chemical: Cycloxydim

Permitted residue: Cycloxydim, metabolites and degradation products which can be oxidized to 3-(3-thianyl) glutaric acid S-dioxide and 3-hydroxy-3-(3-thianyl) glutaric acid S-dioxide, expressed as cycloxydim

Beans (dry)	30
Beans [except broad bean; soya bean] green pods and immature seeds	15
Carrot	5
Grapes	0.3
Leek	4
Linseed	7
Maize	0.2
Onion, bulb	3
Peas (dry)	30
Peas, shelled (succulent seeds)	15
Potato	15
Rape seed (canola)	3
Rice	0.09
Soya bean (dry)	80
Stone fruits	0.09
Strawberry	3
Sugar beet	0.2
Sunflower seed	6
Tomato	1.5

Agvet chemical: Famoxadone

Permitted residue: Famoxadone

Dried grapes (currants, raisins and sultanas)	5
Hops, dry	80

Agvet chemical: Flupyradifurone

Permitted residue: Flupyradifurone

Apple	0.7
Blueberry	4
Citrus fruits	3
Dried grapes (currants, raisins and sultanas)	5
Fruiting vegetables, other than cucurbits [except sweet corn (corn-on-the-cob); mushroom]	1.5
Grapes	3
Hops, dry	10
Peanut	0.04
Potato	0.05
Strawberry	1.5
Tree nuts	0.02

Agvet chemical: Folpet	
<i>Permitted residue: Folpet</i>	
Hops, dry	120

Agvet chemical: Fosetyl-aluminium	
<i>Permitted residue: Fosetyl-aluminium</i>	
Citrus fruits	5

[1.4] omitting from each of the following chemicals, the foods and associated MRLs

Agvet chemical: Boscalid	
<i>Permitted residue—commodities of plant origin: Boscalid</i>	
<i>Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents</i>	
Bulb vegetables [except onion, bulb]	T5
Cherries	T3
Fruiting vegetables, other than cucurbits	1
Onion, bulb	T1
Stone fruits [except cherries]	1.7

Agvet chemical: Buprofezin	
<i>Permitted residue: Buprofezin</i>	
Stone fruits [except apricot; peach]	1.9

Agvet chemical: Carbaryl	
<i>Permitted residue: Carbaryl</i>	
Cereal grains [except barley; sorghum]	5
Citrus fruits	7
Tree nuts	1

Agvet chemical: Carbendazim	
<i>Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim</i>	
Banana	T1
Berries and other small fruits [except grapes]	T5
Ginger, root	T10
Sugar cane	T0.1

Agvet chemical: Dodine	
<i>Permitted residue: Dodine</i>	
Stone fruits	*0.05

Hops, dry	45
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Agvet chemical: Mesotrione	
<i>Permitted residue: Mesotrione</i>	
Cranberry	0.02

Agvet chemical: Fenpropathrin	
<i>Permitted residue: Fenpropathrin</i>	
Stone fruits [except cherries and peach]	1.4

Agvet chemical: Fluxapyroxad	
<i>Permitted residue: Fluxapyroxad</i>	
Oranges, sweet, sour	0.2

Agvet chemical: Fosetyl	
<i>Permitted residue: Fosetyl</i>	
Citrus fruits	5

Agvet chemical: Glyphosate	
<i>Permitted residue: Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate</i>	
Berries and other small fruits	*0.05

Agvet chemical: Imazamox	
<i>Permitted residue: Imazamox</i>	
Adzuki bean (dry)	T*0.05
Broad bean (dry) (fava beans)	T*0.05
Field pea (dry)	*0.05

Agvet chemical: Indoxacarb	
<i>Permitted residue: Sum of indoxacarb and its R-isomer</i>	
Berries and other small fruits [except grapes]	T1
Dried grapes	2
Grapes	2

Agvet chemical: Pyraclostrobin	
<i>Permitted residue—commodities of plant origin: Pyraclostrobin</i>	
<i>Permitted residue—commodities of animal origin: Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin</i>	
Cereal grains	*0.01

Cloudberry	T3
Dewberries (including loganberry and youngberry) [except boysenberry]	T3
Fruiting vegetables, other than cucurbits	0.3
Potato	*0.02
Strawberry	1

[1.5] inserting for each of the following chemicals, the foods and associated MRLs in alphabetical order

Agvet chemical: Acetamiprid	
<i>Permitted residue—commodities of plant origin: Acetamiprid</i>	
<i>Permitted residue—commodities of animal origin: Sum of acetamiprid and N-demethyl acetamiprid ((E)-N¹-[(6-chloro-3-pyridyl)methyl]-N²-cyanoacetamide), expressed as acetamiprid</i>	
Goji berries	2
Plums (including prunes)	0.2

Agvet chemical: Carbaryl	
<i>Permitted residue: Carbaryl</i>	
Beetroot	0.5
Cereal grains [except barley; rice; sorghum]	5
Coconut	*0.01
Lemon	3
Macadamia nuts	2
Oilseed [except cotton seed]	0.1
Oranges, sweet, sour	3
Pecan	2
Pulses	0.1
Rice	7
Stone fruits [except cherries]	0.5
Swede	2
Sweet potato	0.1
Turnip, garden	2
Tree nuts [except macadamia nuts; pecan]	1

Agvet chemical: Boscalid	
<i>Permitted residue—commodities of plant origin: Boscalid</i>	
<i>Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents</i>	
Bulb vegetables	5
Citrus fruits	2
Fruiting vegetables, other than cucurbits [except fungi; mushrooms; sweet corn (corn-on-the-cob)]	3
Fungi	1
Kiwifruit	5
Mango	1.5
Mushrooms	1
Oilseed	3.5
Papaya	1.5
Stone fruits	3.5
Sweet corn (corn-on-the cob)	1

Agvet chemical: Carbendazim	
<i>Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim</i>	
Rice, husked	2

Agvet chemical: Clopyralid	
<i>Permitted residue: Clopyralid</i>	
Raspberries, red, black	0.5

Agvet chemical: Buprofezin	
<i>Permitted residue: Buprofezin</i>	
Apricot	9
Nectarine	9
Peach	9
Stone fruits [except apricot; nectarine; peach]	1.9

Agvet chemical: Cyantraniliprole

Permitted residue—commodities of plant origin:
Cyantraniliprole

Permitted residue—commodities of animal origin for enforcement: Cyantraniliprole

Permitted residue: Permitted residue—commodities of animal origin for dietary exposure assessment: Sum of cyantraniliprole and 2-[3-bromo-1-(3-chloropyridin-2-yl)-1H-pyrazol-5-yl]-3,8-dimethyl-4-oxo-3,4-dihydroquinazoline-6-carbonitrile (IN-J9Z38), 2-[3-bromo-1-(3-chloropyridin-2-yl)-1H-pyrazol-5-yl]-8-methyl-4-oxo-3,4-dihydroquinazoline-6-carbonitrile (IN-MLA84), 3-bromo-1-(3-chloropyridin-2-yl)-N-(4-cyano-2-[(hydroxymethyl)carbamoyl]-6-methylphenyl)-1H-pyrazole-5-carboxamide (IN-MYX98) and 3-bromo-1-(3-chloropyridin-2-yl)-N-[4-cyano-2-(hydroxymethyl)-6-(methylcarbamoyl)phenyl]-1H-pyrazole-5-carboxamide (IN-N7B69), expressed as cyantraniliprole

Apple	1.5
Apricot	0.5
Blueberries	4
Cherries	6
Citrus fruits	0.7
Cranberry	4
Currants, black, red	4
Gooseberry	4
Oilseed	1.5
Peach	1.5
Pear	1.5
Plums (including prunes)	0.5

Agvet chemical: Cyprodinil

Permitted residue: Cyprodinil

Currants, black, red, white	5
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Agvet chemical: Dichlobenil

Permitted residue: Dichlobenil

Cranberry	0.1
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Agvet chemical: Difenoconazole

Permitted residue: Difenoconazole

Currants, black, red, white	0.2
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Agvet chemical: Dimethenamid-P

Permitted residue: Sum of dimethenamid-P and its (R)-isomer

Hops, dry	0.05
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Agvet chemical: Dodine

Permitted residue: Dodine

Cherries	3
Stone fruits [except cherries]	*0.05

Agvet chemical: Fenhexamid

Permitted residue: Fenhexamid

Plums (including prunes)	1.5
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Agvet chemical: Fenpropathrin

Permitted residue: Fenpropathrin

Stone fruits [except cherries]	1.4
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Agvet chemical: Fludioxonil

Permitted residue—commodities of animal origin:
Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil

Permitted residue—commodities of plant origin:
Fludioxonil

Currants, black, red, white	2
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Agvet chemical: Fluopyram

Permitted residue—commodities of plant origin:
Fluopyram

Permitted residue—commodities of animal origin:
Sum of fluopyram and 2-(trifluoromethyl)-benzamide, expressed as fluopyram

Lentil (dry)	0.4
Peanut	0.09
Potato	0.03
Pulses [except lentil (dry); soya bean (dry)]	0.09
Soya bean (dry)	0.04
Strawberry	1.5
Sugar beet	0.04
Tomato	0.9
Tree nuts	0.05

Agvet chemical: Flutriafol

Permitted residue: Flutriafol

Grapes	1.5
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Agvet chemical: Fluxapyroxad

Permitted residue: Fluxapyroxad

Beans, shelled	0.5
Broccoli	4

Cauliflower	4	Pumpkin	0.5
Chicory	30	Sweet corn (corn-on-the-cob)	0.02
Citrus fruits	0.2	Tea, green, black	5
Cotton seed	0.5		
Legume vegetables [except beans, shelled; peas, shelled (succulent seeds)]	2	Agvet chemical: Maldison	
Lettuce, head	30	<i>Permitted residue: Maldison</i>	
Lettuce, leaf	30	Cherries	8
Peas, shelled (succulent seeds)	0.5		
Sweet corn (corn-on-the-cob)	0.15		
		Agvet chemical: Metaflumizone	
		<i>Permitted residue: Sum of metaflumizone, its E and Z isomers and its metabolite 4-{2-oxo-2-[3-(trifluoromethyl) phenyl]ethyl}-benzotrile expressed as metaflumizone</i>	
		Potato	0.02
		Tomato	0.6
		Agvet chemical: Metalaxyl	
		<i>Permitted residue: Metalaxyl</i>	
		Hops, dry	10
		Agvet chemical: Metrafenone	
		<i>Permitted residue: Metrafenone</i>	
		Apple	1.5
		Apricot	0.7
		Barley	0.5
		Cherries	2
		Hops, dry	70
		Mushrooms	0.4
		Nectarine	0.7
		Peach	0.7
		Peppers, chili	2
		Peppers, chili (dry)	20
		Peppers, sweet (including pimento and pimiento)	2
		Strawberry	0.6
		Tomato	0.4
		Wheat	0.06
		Agvet chemical: Norflurazon	
		<i>Permitted residue: Norflurazon</i>	
		Hops, dry	3
		Agvet chemical: Penconazole	
		<i>Permitted residue: Penconazole</i>	
		Strawberries	0.5
Agvet chemical: Glyphosate			
<i>Permitted residue: Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate</i>			
Berries and other small fruits [except cranberry]	*0.05		
Cranberry	0.2		
Agvet chemical: Imazamox			
<i>Permitted residue: Imazamox</i>			
Beans (dry) [except soya bean (dry)]	0.05		
Beans, shelled	0.05		
Peas (dry)	0.05		
Peas, shelled	0.05		
Agvet chemical: Imazapic			
<i>Permitted residue: Sum of imazapic and its hydroxymethyl derivative</i>			
Soya bean (dry)	0.3		
Agvet chemical: Imazapyr			
<i>Permitted residue: Imazapyr</i>			
Soya bean (dry)	3		
Agvet chemical: Imazethapyr			
<i>Permitted residue: Imazethapyr</i>			
Rice	0.3		
Agvet chemical: Indoxacarb			
<i>Permitted residue: Sum of indoxacarb and its R-isomer</i>			
Beans [except broad bean; soya bean]	0.9		
Berries and other small fruits	2		
Cucumber	0.5		
Dried grapes (currants, raisins, and sultanas)	5		

Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin:
Pyraclostrobin

Permitted residue—commodities of animal origin:
Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Artichoke, globe	2
Barley	1
Beans (dry)	0.3
Berries and other small fruits [except blackberries; blueberries; boysenberry; grapes]	3
Brussel sprouts	0.3
Cabbages, head	0.2
Cereal grains [except barley; oats; rye; triticale; wheat]	*0.01
Coffee beans	0.3
Corn salad (lamb's lettuce)	10
Cress, garden	10
Endive	0.4
Flowerhead brassicas (includes broccoli; broccoli, Chinese; cauliflower)	0.1
Fruiting vegetables, cucurbits	0.5
Fruiting vegetables, other than cucurbits [except peppers]	0.3
Garlic	0.3
Leek	0.7
Lentil (dry)	0.5
Lettuce, head	2
Lettuce, leaf	2
Meat (from mammals other than marine mammals) (fat)	0.5
Oats	1
Oilseed [except peanut]	0.4
Onion, bulb	1.5
Onion, Welsh	1.5
Peanut	0.04
Peas (dry)	0.3
Peppers	0.5
Root and tuber vegetables	0.5
Rucola	10
Rye	0.2
Shallot	0.3
Sorghum	0.5
Spinach	0.5
Spring onion	1.5
Triticale	0.2
Wheat	0.2

Agvet chemical: Spinetoram

Permitted residue: *Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L*

Hops, dry	22
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Agvet chemical: Spinosad

Permitted residue: *Sum of spinosyn A and spinosyn D*

Hops, dry	22
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Agvet chemical: Tebuconazole

Permitted residue: *Tebuconazole*

Citrus fruits	T0.05
Hops, dry	40

Agvet chemical: Thiamethoxam

Permitted residue—commodities of plant origin:
Thiamethoxam

Permitted residue—commodities of animal origin:
Sum of thiamethoxam and N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine, expressed as thiamethoxam

Hops, dry	0.1
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Agvet chemical: Thiophanate-methyl

Permitted residue: *Sum of thiophanate-methyl and 2-aminobenzimidazole, expressed as thiophanate-methyl*

Apricot	15
Plums	0.5

Agvet chemical: Triadimefon

Permitted residue: *Sum of triadimefon and triadimenol, expressed as triadimefon*

see also *Triadimenol*

Strawberry	0.5
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Agvet chemical: Triadimenol

Permitted residue: *Triadimenol*

see also *Triadimefon*

Strawberry	0.5
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[1.6] omitting from each of the following chemicals, the maximum residue limit for the food and substituting

Agvet chemical: Boscalid

Permitted residue—commodities of plant origin:
Boscalid

Permitted residue—commodities of animal origin:
Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents

Fruiting vegetables, cucurbits	3
Hops, dry	60
Leafy vegetables	40

Agvet chemical: Carbaryl

Permitted residue: Carbaryl

Avocado	2
Edible offal (mammalian)	3
Eggs	*0.02
Feijoa	*0.01
Fruiting vegetables, cucurbits	*0.01
Grapes	*0.01
Guava	*0.01
Jaboticaba	*0.01
Jackfruit	*0.01
Litchi	*0.01
Longan	*0.01
Mango	2
Meat (mammalian)	0.07
Milks	0.1
Pome fruits	0.2
Potato	0.1
Poultry, edible offal of	0.2
Poultry meat	*0.02
Rambutan	*0.01
Raspberries, red, black	15
Strawberry	*0.01
Wheat bran, unprocessed	10

Agvet chemical: Chlorantraniliprole

Permitted residue: Plant commodities and animal commodities other than milk: Chlorantraniliprole

Milk: Sum of chlorantraniliprole, 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, and 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[[[(hydroxymethyl)amino]carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, expressed as chlorantraniliprole

Pome fruits	1.2
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Agvet chemical: Clothianidin

Permitted residue: Clothianidin

Cranberry	0.07
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Agvet chemical: Fenpyrazamine

Permitted residue: Fenpyrazamine

Table grapes	3
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Agvet chemical: Metrafenone

Permitted residue: Metrafenone

Dried grapes (currants, raisins and sultanas)	17
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Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin:
Pyraclostrobin

Permitted residue—commodities of animal origin:
Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Cherries	3
Milks	0.03

Attachment B – Draft Explanatory Statement

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 (the Authority) include the development of standards and variations of standards for inclusion in the *Australia New Zealand Food Standards Code* (the Code).

Division 2 of Part 3 of the FSANZ Act specifies that the Authority may prepare a proposal for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering a proposal for the development or variation of food regulatory measures.

The Authority prepared Proposal M1011 to amend certain MRLs in the Code for residues of agricultural and veterinary chemicals that may occur in food. The Authority has considered the Proposal in accordance with Division 2 of Part 3 and has prepared a draft Standard.

2. Purpose

The purpose of the proposed variation to the table to section S20—3 in Schedule 20 is to vary maximum residue limits (MRLs) for residues of agricultural or veterinary chemicals in food.

Section S20—3 lists the limits for agricultural and veterinary chemical residues which may occur in foods. If a limit is not listed for a particular agricultural or veterinary chemical/food combination, there must be no detectable residues of that chemical in that food. This general prohibition means that, in the absence of the relevant limit in the Code, food may not be sold where there are detectable residues.

MRL variations may be required to permit the sale of foods containing legitimate residues. These are technical amendments following changes in use patterns of agricultural and veterinary chemicals available to chemical product users. These changes include both the development of new products and crop uses, and the withdrawal of older products following review. In regard to Australia's WTO obligations, limits may be harmonised with international or trading partner standards. Internationally, farmers face different pest and disease pressures, agricultural and veterinary chemical use patterns and the legitimate residues in food associated with these uses may vary accordingly.

A dietary exposure assessment is conducted before MRLs are varied to ensure that proposed limits do not present any public health or safety concerns.

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 2 of Part 3 of the FSANZ Act, the Authority's consideration of Proposal M1011 will include one round of public consultation following an assessment and the preparation of a draft variation and associated report.

A Regulation Impact Statement was not required because the proposed variations to the table to section S20—3 in Schedule 20 are likely to have a minor impact on business and individuals.

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] varies the table to section S20—3 of Schedule 20.

Item [1.1] omits the entry in the table for the chemical Zetacypermethrin. This chemical is currently captured twice in the table as it is also listed in that table as Zeta-cypermethrin. The entry for Zetacypermethrin is therefore being omitted.

Item [1.2] varies the entry for the chemical Clethodim to express more clearly that MRLs for Clethodim are listed under the entry for the chemical Sethoxydim.

Item [1.3] inserts new entries for the chemicals not currently listed, including the chemical name, residue definition and associated MRLs.

Item [1.4] omits the foods and associated MRLs for the chemicals listed.

Item [1.5] inserts the foods and associated MRLs for the chemicals listed.

Item [1.6] omits the MRL for the foods listed, replacing it with a new limit.