

27 June 2017
[16–17]

Call for submissions – Proposal M1014

Maximum Residue Limits (2016)

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 we accept as confidential, 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 to receive submissions electronically through the FSANZ website via the link on [Calls 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) 25 July 2017

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:

Food Standards Australia New Zealand
PO Box 5423
KINGSTON ACT 2604
AUSTRALIA
Tel +61 2 6271 2222

Food Standards Australia New Zealand
PO Box 10559
The Terrace WELLINGTON 6143
NEW ZEALAND
Tel +64 4 978 5630

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Supporting documents

The [following document](#) which informed the assessment of this Proposal is available on the FSANZ website:

- 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 in the table to section S20—3 in Schedule 20 in the *Australia New Zealand Food Standards Code*, certain maximum residue limits (MRLs) for agricultural and veterinary (agvet) chemicals that may legitimately occur in food commodities. The table lists the MRLs for agvet chemical residues which may occur in foods available for sale in Australia.

The MRLs prescribed in the Code constitute a mandatory requirement and apply to all food products of a particular class, whether produced domestically or imported. They are determined on the basis of the chemical use patterns necessary to control pests and/or diseases, and are set to reinforce good agricultural practice.

This Proposal considers MRLs requested by other parties to align Schedule 20 with Codex or trading partner standards. This Proposal also includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) that involve deletions, reductions and increases of MRLs for certain agvet chemicals. In addition, for the first time, assessments have been undertaken to establish *All other foods except animal food commodities* MRLs for the chemicals requested, if appropriate.

The establishment of an *All other foods except animal food commodities* MRL followed the protocols and principles set out in the Approval Report for Proposal P1027 (Managing low-level agvet chemicals without maximum residue limits), that was gazetted in January 2017.

All the proposed MRLs for the chemicals and food commodities requested have undergone dietary exposure assessments for the Australian population. The dietary exposure assessments indicate that the proposed limits for the chemical residues present negligible health and safety risks to consumers.

Including the MRLs in the Code will permit the sale of foods containing legitimate residues at levels that are consistent with effective use of agvet chemicals to control pests and diseases, and which dietary assessments have confirmed are safe for human consumption.

1 Introduction

1.1 The Proposal

The Proposal was prepared to consider varying certain agvet MRLs in Schedule 20 of the Code. It includes considerations of MRL variations proposed by the APVMA, as well as MRL harmonisation requests from other interested parties including food importers.

This is a routine process that allows the sale of imported food with legitimate residues of agvet chemicals used in their production based on good agricultural practice (GAP). It also removes, reduces or increases MRLs for a number of agvet chemicals in Schedule 20 that the APVMA has already removed from the APVMA MRL Standard¹.

1.2 The current standard

The table to section S20—3 in Schedule 20 lists the MRLs for agvet chemical residues which may occur in foods following their legitimate use in food production. MRLs prescribed in the Code constitute a mandatory requirement and apply to all food products of a particular class whether produced domestically or imported.

Food products containing residues with no listed MRLs or that exceed relevant MRLs in the Code cannot legally be sold in Australia. This ensures that residues of agvet chemicals in food are kept as low as possible, are consistent with the approved use of the chemicals to control pests and diseases of plants and animals, and are at levels that have been assessed as safe for human consumption.

1.3 Reasons for preparing the Proposal

The Proposal was prepared to vary MRLs in Schedule 20 to align with Codex standards and those of trading partners for food commodities to be imported to Australia, and to also align Schedule 20 with the APVMA MRL Standard for residues of agvet chemicals proposed for deletion, increases or reductions by the APVMA. See Attachment B.

MRLs included in this Proposal were requested by 20 domestic and international agvet chemical and food importing companies for 128 chemicals and 546 chemical-food commodity combinations. The requestors were:

- Almond Board of California
- Australian Pesticides and Veterinary Medicines Authority
- Australian Food and Grocery Council
- BASF Agricultural Solutions
- Bayer CropScience
- California Cherry Board
- California Citrus Quality Council
- California Fresh Fruit Association
- California Table Grape Commission
- Cranberry Marketing Committee
- Cytec Industries Incorporated
- Du Pont (Australia) Pty Ltd
- Food & Beverage Importers Association

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](#).

- Fruitmark Australia
- Northwest Horticultural Council
- Pace International
- Syngenta Australia Pty Ltd
- US Highbush Blueberry Council
- US Hop Industry Plant Protection Committee
- Yukon International Pty Ltd

Countries which establish MRLs routinely use GAP and good veterinary practice to ensure the safety and quality of food and other agricultural products. However, agvet chemicals are used differently in different countries around the world as pests, diseases and environmental factors differ and therefore agvet chemical use patterns may also differ. This means that residues in imported foods may legitimately differ from those in domestically produced foods.

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. The MRLs proposed in relation to requests to harmonise limits in the Code with that of a trading partner or Codex and as a result of APVMA variations are listed in Supporting Document 1 (SD1). SD1 also includes information on the current status of the proposed MRLs in the Code, how the proposed MRLs compare with Codex limits and the dietary exposure estimates undertaken for Australian consumers. In addition, SD1 includes an appendix that lists a new MRL category *All other foods except animal food commodities* for some of the requested chemicals.

The appendix also provides summary information on the assessment of the requested chemicals for suitability to establish *All other foods except animal food commodities* MRLs. It also lists the chemicals for which the APVMA has approved the values proposed for this MRL category for inclusion in Schedule 20.

1.3.1 Codex Alimentarius Commission Standards

FSANZ may consider varying MRLs for residues of agvet chemicals in food commodities, where interested parties or stakeholders have identified differences between the Code and relevant international standards.

Considering these matters includes recognition of international standards and food trade issues, but the assessment for a variation to the Code gives primary regard to the protection of public health and safety.

SD1 lists MRLs proposed for inclusion in the Code based on the harmonisation requests from requestors and the APVMA, together with the corresponding Codex MRLs or those established in the country in which the food commodity is produced.

1.4 Procedure for assessment

The Proposal is being assessed under the General Procedure.

2 Summary of the assessment

2.1 Risk assessment

The presence of residues of registered and approved agvet chemicals in food commodities at low levels should not represent a food safety risk where the chemical has been used according to label instructions. However, to confirm a low risk, an assessment of the estimated short term and/or chronic dietary exposure to the chemical residue is undertaken to confirm that the estimated exposures are unlikely to exceed the relevant health-based guidance value (HBGV) for the agvet chemical². To assess the public health and safety implications of chemical residues in food, FSANZ estimates the Australian population's dietary exposure to agvet 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 currently established by the APVMA following an assessment of the toxicity of each chemical. In cases where an Australian ADI or ARfD has not been established, the ADI or ARfD adopted by the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR) may be used for risk assessment purposes.

FSANZ conducts and reviews DEAs using internationally recognised risk assessment methodologies. Variations to MRLs 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:

- determine the residues of an agvet chemical in a treated food commodity
- estimate dietary exposure to a chemical from relevant foods, using chemical residue data and food consumption data from Australian national nutrition surveys; and
- complete a risk characterisation by comparing the estimated dietary exposures to the relevant HBGV.

A summary of the dietary exposure estimates for each agvet chemical and related food commodity included in this proposal is provided in SD1. The dietary exposure estimates indicate that the proposed MRLs pose negligible chronic and acute health and safety risks to Australian consumers.

2.1.1 Assessment for establishment of *All other foods except animal food commodities* MRLs

Following the gazettal of Proposal P1027 in January 2017, the risk assessment of the chemicals considered in proposal M1014 included an additional assessment for suitability to establish *All other foods except animal food commodities* MRLs according to the principles agreed by FSANZ and the APVMA for P1027. A list of the proposed *All other foods except animal commodities* MRLs for each chemical considered, together with the details of the assessment and other relevant information is provided in the appendix to SD1.

² An explanation of how dietary exposure assessments are carried out can be found on [the FSANZ website](#).

2.2 Risk management

FSANZ is committed to maintaining MRL values that reflect agvet chemical residues that may legitimately occur in food commodities following their prescribed use in food production and to ensure that such food may be legally sold. The safety of the residues in the context of the Australian diet is a key consideration.

FSANZ will only approve variations to MRLs in the Code where the risk assessment concludes that the estimated dietary exposures are within the relevant HBGVs. FSANZ may consider including in the Code MRLs that are harmonised with those established by a trading partner in circumstances where the risk assessment shows they do not present health and safety concerns to consumers. The circumstances include when the residues are:

- likely to occur in food available in Australia
- associated with the permitted use of an agvet chemical in the country where the food is produced.

As noted above, the dietary exposure estimates undertaken for each of the proposed MRLs indicate that those proposed MRLs will pose negligible chronic and acute health and safety risks to Australian consumers. In these circumstances, and for the reasons outlined in this Call for Submissions, preparation of a draft variation to include those MRLs in the Code appears to be the appropriate risk management response.

2.2.1 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 the MRL deletions are proposed by the APVMA, these MRLs are no longer required for domestically produced food.

FSANZ is committed to ensuring that the implications of MRL variations are considered. FSANZ will consider amending proposed MRL variations to continue to allow for 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.

To assist in identifying possible impacts on imported foods, the deletion or reduction of MRLs proposed by the APVMA which are not yet listed in the current version of Schedule 20 are included in SD1³. FSANZ requests comment on any possible ramifications for imported foods of the proposed variations.

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 that focuses on alerting the community to the proposed changes. FSANZ publishes details about the proposed changes, submissions received 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.

³ In SD1, all requests by the APVMA are identified under the column 'Origin of MRL requested' as 'APVMA'. Some of the APVMA requests are already listed in the current version of Schedule 20.

FSANZ is seeking public comment on the proposed changes to Schedule 20 at Attachment A. 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.

2.3.2 World Trade Organization (WTO)

As a member of the World Trade Organization (WTO), Australia is 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.

Amending MRLs in the table to section S20—3 may also have an effect on international trade. The MRLs constitute a mandatory requirement and apply to all food products of a particular class whether produced domestically or imported. Foods with agvet residues not listed in Schedule 20 or exceed the relevant MRL listed in the Code cannot legally be sold 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.

2.4 FSANZ Act assessment requirements

In 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 Consideration of costs and benefits

The Office of Best Practice Regulation has provided a standing exemption (ID 12065) from preparation of Regulation Impact Statements for MRL proposals and applications. 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 M1014 outweigh the costs to the community, industry and Government. The proposed MRL variations benefit growers and producers, state and territory agencies and the Australian Government in that they serve to further harmonise agricultural and food standards. Achieving consistency between agricultural and food legislation assists in the efficient enforcement of regulations and minimises compliance costs to primary producers.

Importers may benefit from the additional or increased MRLs following approval of the proposed draft variations. Consumers may benefit in that the proposed variations extend the options to source a variety of safe foods. Conversely, importers and consequently consumers may be disadvantaged where proposed additional or increased MRLs are not progressed as this may unnecessarily limit the variety of 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 health risk to consumers, 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 Governments of Australia and New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system that sets joint food standards. Australia and New Zealand, therefore independently and separately develop MRLs for agvet chemical residues in food commodities. However, under the Trans-Tasman Mutual Recognition Arrangement (TTMRA), Australia and New Zealand accept food commodities that are legal for sale in each country, regardless of the sale-related regulatory requirements in the individual country.

Under the New Zealand MRL Standard, agvet chemical residues in food must comply with the specific MRLs listed in the Standard. The New Zealand MRL Standard also includes a provision for a general *default MRL* of 0.1 mg/kg for agvet chemical/ food commodity combinations not specifically listed.

MRLs in the Code may differ from those in the New Zealand MRL Standard for a number of legitimate reasons including differences in the use patterns of the chemicals due to varying pest and disease pressures and climatic conditions.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

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 for its requests and also conducted additional DEAs to assess the suitability of MRLs requested by other parties. Using the best available scientific data and internationally recognised risk assessment methodologies, FSANZ concluded that the proposed MRLs will pose negligible public health and safety risks to consumers.

2.4.2.2 The provision of adequate food information 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**

The proposed amendments are based on a risk analysis that used the best available scientific evidence. FSANZ conducted a risk assessment which concluded that the estimated dietary exposures for each proposed MRL are within the relevant HBGVs. That is, that the proposed MRLs pose negligible public health and safety risks to consumers. Those dietary exposures assessments used the best available scientific data and internationally recognised risk assessment methodologies.

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

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

This is addressed in section 2.4.1.1.

- **any written policy guidelines formulated by the Forum on Food Regulation**

There are no relevant guidelines.

3 Draft variation

The draft variation to the 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 Legislation.

Attachments

- A. Draft variation to the *Australia New Zealand Food Standards Code*
- B. Draft Explanatory Statement

Attachment A – Draft variation to the *Australia New Zealand Food Standards Code*



Food Standards (Proposal M1014 – Maximum Residue Limits (2016)) 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 M1014 – Maximum Residue Limits (2016)) 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 all entries for the following chemicals

Agvet chemical: Brodifacoum

Permitted residue: Brodifacoum

Agvet chemical: Dicloran

Permitted residue: Dicloran

Agvet chemical: Disulfoton

Permitted residue: Sum of disulfoton and demeton-S and their sulfoxides and sulfones, expressed as disulfoton

[1.2] omitting

Agvet chemical: Thifensulfuron

Permitted residue: Thifensulfuron

substituting

Agvet chemical: Thifensulfuron-methyl

Permitted residue: Thifensulfuron-methyl

[1.3] omitting all entries for the chemical 'Rimosulfuron' and substituting

Agvet chemical: Rimosulfuron

Permitted residue: Rimosulfuron

Almonds	0.01
Cherries	0.01
Tomato	*0.05

[1.4] inserting in alphabetical order

Agvet chemical: Aminocyclopyrachlor

Permitted residue: Aminocyclopyrachlor

Edible offal (mammalian)	0.3
Fats (mammalian) [except poultry fats]	0.05
Milks	0.01

Agvet chemical: Benzovindiflupyr

Permitted residue: Benzovindiflupyr

Grapes	1
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Agvet chemical: Ethoprophos

Permitted residue: Ethoprophos

Agvet chemical: Fenthion

Permitted residue: Sum of fenthion, its oxygen analogue, and their sulfoxides and sulfones, expressed as fenthion

Agvet chemical: Phenothrin

Permitted residue: Sum of phenothrin (+)cis- and (+)trans-isomers

Agvet chemical: Cyflumetofen

Permitted residue: Cyflumetofen

Citrus fruits	0.3
Grapes	0.6
Pome fruits	0.4
Strawberry	0.6
Tomato	0.3
Tree nuts	0.01

Agvet chemical: Etofenprox	
<i>Permitted residue: Etofenprox</i>	
Hops, dry	5

Agvet chemical: Fenpropimorph	
<i>Permitted residue: Fenpropimorph</i>	
Banana	2

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

Agvet chemical: Acephate	
<i>Permitted residue: Acephate (Note: the metabolite methamidophos has separate MRLs)</i>	
Citrus fruits	5
Cotton seed	2
Lettuce, head	10
Lettuce, leaf	10
Soya bean (dry)	1
Sugar beet	0.1
Tree tomato (tamarillo)	0.5

Agvet chemical: Bifenthrin	
<i>Permitted residue: Bifenthrin</i>	
Herbs	T0.5

Agvet chemical: Carbaryl	
<i>Permitted residue: Carbaryl</i>	
Apricot	10
Asparagus	10
Banana (in the pulp)	5
Blackberries	10
Blueberries	7
Brazilian cherry (grumichama)	5
Carambola	5
Cherries	5
Custard apple	5
Dewberries (including boysenberry and loganberry)	10
Elephant apple	5
Galangal, rhizomes (fresh)	T5
Granadilla	5
Jambu	5
Kiwifruit	10
Leafy vegetables	10
Nectarine	10
Oilseed [except cotton seed; sunflower seed]	0.1
Okra	10
Olives	10
Olives, processed	1
Papaya (pawpaw)	5
Passionfruit	5
Peach	10
Plums (including prunes)	5

Barley	0.5
Oats	0.5
Wheat	0.5

Sapodilla	5
Sapote, black	5
Sapote, green	5
Sapote, mammey	5
Sapote, white	5
Sugar cane	T*0.05
Sunflower seed	1
Sweet corn (corn-on-the-cob)	1
Tree nuts	10
Tree nuts [except macadamia nuts; pecan]	1
Tree nuts (whole in shell)	10
Turmeric, root (fresh)	T5
Vegetables [except as otherwise listed under this chemical]	5

Agvet chemical: Chlorfenvinphos	
<i>Permitted residue: Chlorfenvinphos, sum of E and Z isomers</i>	
Broccoli	T0.05
Brussels sprouts	T0.05
Cabbages, head	T0.05
Carrot	T0.4
Cauliflower	T0.1
Celery	T0.4
Cotton seed	T0.05
Egg plant	T0.05
Horseradish	T0.1
Leek	T0.05
Maize	T0.05
Mushrooms	T0.05
Onion, bulb	T0.05
Peanut	T0.05
Potato	T0.05
Radish	T0.1
Rice	T0.05
Swede	T0.05
Sweet potato	T0.05
Tomato	T0.1
Turnip, garden	T0.05
Wheat	T0.05

Agvet chemical: Dichlorvos	
<i>Permitted residue: Dichlorvos</i>	
Cacao beans	5

Coffee beans	2
Fruit	0.1
Lentil (dry)	2
Lettuce, head	1
Lettuce, leaf	1
Mushrooms	0.5
Peanut	2
Rape seed (canola)	T0.1
Rice bran, unprocessed	10
Soya bean (dry)	2
Tomato	0.5
Tree nuts	2
Vegetables [except as otherwise listed under this chemical]	0.5
Wheat bran, unprocessed	10
Wheat germ	10

Agvet chemical: Fenamiphos

Permitted residue: Sum of fenamiphos, its sulfoxide and sulfone, expressed as fenamiphos

Brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas	*0.05
Celery	*0.05
Citrus fruits	*0.05
Edible offal (mammalian)	*0.05
Eggs	*0.05
Fruiting vegetables, cucurbits	*0.05
Ginger, root	*0.05
Grapes	*0.05
Leafy vegetables [except lettuce, head; lettuce, leaf]	*0.05
Lettuce, head	0.2
Lettuce, leaf	0.2
Meat (mammalian)	*0.05
Milks	*0.005
Mushrooms	0.1
Onion, bulb	*0.05
Peanut	*0.05
Pineapple	*0.05
Poultry, edible offal of	*0.05
Poultry meat	*0.05
Root and tuber vegetables	0.2
Sugar cane	*0.05
Tomato	0.5

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

Pulses [except lentil (dry); soya bean (dry)]	0.09
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Agvet chemical: Flusilazole

Permitted residue: Flusilazole

Grapes	0.5
Pome fruits	0.2

Agvet chemical: Imidacloprid

Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid

Stone fruits	0.5
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Agvet chemical: Metalaxyl

Permitted residue: Metalaxyl

Berries and other small fruits [except grapes]	T0.5
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Agvet chemical: Methamidophos

Permitted residue: Methamidophos

Celery	2
Citrus fruits	0.5
Cotton seed	0.1
Cucumber	0.5
Egg plant	1
Hops, dry	5
Leafy vegetables [except lettuce, head; lettuce, leaf]	T1
Lettuce, head	1
Lettuce, leaf	1
Lupin (dry)	0.5
Peach	1
Peanut	*0.02
Rape seed (canola)	0.1
Soya bean (dry)	0.1
Sugar beet	0.05
Tree tomato (tamarillo)	*0.01

Agvet chemical: Myclobutanil

Permitted residue: Myclobutanil

Herbs	T2
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Agvet chemical: 2-Phenylphenol

Permitted residue: Sum of 2-phenylphenol and 2-phenylphenate, expressed as 2-phenylphenol

Carrot	20
Cherries	3
Cucumber	10
Melons, except watermelon	10
Nectarine	3
Peach	20
Pear	25
Peppers, sweet	10
Pineapple	10
Plums (including prunes)	15

Sweet potato	15
Tomato	10

Agvet chemical: Phosphine

Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)

Assorted tropical and sub-tropical fruits - edible peel	T*0.01
Melons, except watermelon	T*0.01
Pome fruits	T*0.01
Stone fruits	T*0.01

Agvet chemical: Pyrimethanil

Permitted residue: Pyrimethanil

Berries and other small fruits [except grapes; strawberry]	T5
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Agvet chemical: Quintozene

Permitted residue: Sum of quintozene, pentachloroaniline and methyl pentachlorophenyl sulfide, expressed as quintozene

Banana	1
Beans [except broad bean; soya bean]	0.01
Brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas	0.02
Broad bean (green pods and immature seeds)	0.01
Celery	0.3
Common bean (dry) (navy bean)	0.2
Cotton seed	0.03

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

Agvet chemical: Acequinocyl

Permitted residue: Sum of acequinocyl and its metabolite 2-dodecyl-3-hydroxy-1,4-naphthoquinone, expressed as acequinocyl

Cherries	0.5
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Agvet chemical: Acetamiprid

Permitted residue—commodities of plant origin: Acetamiprid

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

All other foods except animal food commodities	0.1
Blueberries	1.6

Agvet chemical: Azoxystrobin

Permitted residue: Azoxystrobin

Celery	0.3
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Lettuce, head	0.3
Lettuce, leaf	0.3
Mushrooms	10
Onion, bulb	0.2
Peppers, sweet	0.01
Potato	0.2
Tomato	0.1

Agvet chemical: Tetradifon

Permitted residue: Tetradifon

Cotton seed	5
Hops, dry	5

Agvet chemical: Trifloxystrobin

Permitted residue: Sum of trifloxystrobin and its acid metabolite ((E,E)-methoxyimino-[2-[1-(3-trifluoromethylphenyl)-ethylideneaminoxymethyl]phenyl] acetic acid), expressed as trifloxystrobin equivalents

Peppers, sweet	T0.5
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Agvet chemical: Virginiamycin

Permitted residue: Inhibitory substance, identified as virginiamycin

Eggs	*0.1
Pig, edible offal of	0.2
Pig fat	0.2
Pig meat	*0.1

Agvet chemical: Bifenthrin

Permitted residue: Bifenthrin

Herbs [except hops, dry]	T5
Hops, dry	10

Agvet chemical: Buprofezin

Permitted residue: Buprofezin

Apple	3
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Agvet chemical: Carbaryl

Permitted residue: Carbaryl

Oilseed [except cotton seed]	0.1
Wheat bran, unprocessed	10

Agvet chemical: Carbendazim

Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim

Mango	2
Podded pea (young pods) (snow and sugar snap	0.02

Agvet chemical: Chlorantraniliprole	
<i>Permitted residue—plant commodities and animal commodities other than milk: Chlorantraniliprole</i>	
<i>Permitted residue—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-</i>	
Potato	0.06
Agvet chemical: Chlorpyrifos-methyl	
<i>Permitted residue: Chlorpyrifos-methyl</i>	
Strawberry	0.5
Agvet chemical: Clopyralid	
<i>Permitted residue: Clopyralid</i>	
All other foods except animal food commodities	0.1
Cherries	0.5
Cranberry	4
Currants, black, red, white	0.5
Agvet chemical: Cyfluthrin	
<i>Permitted residue: Cyfluthrin, sum of isomers</i>	
Hops, dry	20
Agvet chemical: Cyhalothrin	
<i>Permitted residue: Cyhalothrin, sum of isomers</i>	
Hops, dry	10
Podded pea (young pods) (snow and sugar snap)	0.2
Agvet chemical: Cypermethrin	
<i>Permitted residue: Cypermethrin, sum of isomers</i>	
Cumin seed	0.5
Agvet chemical: Cyprodinil	
<i>Permitted residue: Cyprodinil</i>	
All other foods except animal food commodities	0.05
Agvet chemical: Cyromazine	
<i>Permitted residue: Cyromazine</i>	
All other foods except animal food commodities	0.05
Podded pea (young pods) (snow and sugar snap)	0.5

Agvet chemical: Deltamethrin	
<i>Permitted residue: Deltamethrin</i>	
Currants, black, red, white	0.5
Raspberries, red, black	0.5
Agvet chemical: Dichlorvos	
<i>Permitted residue: Dichlorvos</i>	
Oilseed	*0.01
Pulses	*0.01
Agvet chemical: Difenoconazole	
<i>Permitted residue: Difenoconazole</i>	
Strawberry	0.4
Agvet chemical: Endothal	
<i>Permitted residue: Endothal</i>	
All other foods except animal food commodities	0.01
Hops, dry	0.1
Agvet chemical: Ethoprophos	
<i>Permitted residue: Ethoprophos</i>	
Hops, dry	0.02
Agvet chemical: Fenarimol	
<i>Permitted residue: Fenarimol</i>	
All other foods except animal food commodities	0.05
Hops, dry	5
Agvet chemical: Fenpropathrin	
<i>Permitted residue: Fenpropathrin</i>	
Blueberries	3
Agvet chemical: Fenpyroximate	
<i>Permitted residue: Fenpyroximate</i>	
All other foods except animal food commodities	0.1
Cranberry	1
Currants, black, red, white	1
Raspberries, red, black	1.5
Stone fruits [except cherries]	0.4
Agvet chemical: Fenvalerate	
<i>Permitted residue: Fenvalerate, sum of isomers</i>	
All other foods except animal food commodities	0.05
Almonds	0.2

Agvet chemical: Flonicamid

Permitted residue: Flonicamid [N -(cyanomethyl)-4-(trifluoromethyl)-3-pyridinecarboxamide] and its metabolites TFNA [4-trifluoromethylnicotinic acid], TFNA-AM [4-trifluoromethylnicotinamide] TFNG [N -(4-trifluoromethylnicotinoyl)glycine]

Cranberry	1.5
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Agvet chemical: Flubendiamide

Permitted residue—commodities of plant origin: Flubendiamide

Permitted residue—commodities of animal origin: Sum of flubendiamide and 3-iodo-N-(2-methyl-4-[1,2,2,2-tetrafluoro-1-(trifluoromethyl)ethyl]phenyl)phthalimide, expressed as flubendiamide

All other foods except animal food commodities	0.05
Almonds	0.06

Agvet chemical: Flumioxazin

Permitted residue: Flumioxazin

All other foods except animal food commodities	0.02
Blueberries	0.02
Cherries	0.02
Hops, dry	0.05

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

All other foods except animal food commodities	0.1
Beans [except broad bean; soya bean; snap bean (immature seeds)]	1
Brussels sprouts	0.3
Chicory witloof	0.3
Cranberry	2
Garden pea, shelled	0.2
Peas (dry)	0.7
Podded pea (young pods)	1
Pulses [except lentil (dry); peas (dry); soya bean (dry)]	0.09
Snap bean (immature seeds)	0.2

Agvet chemical: Flutriafol

Permitted residue: Flutriafol

All other foods except animal food commodities	0.02
Hops, dry	20
Pome fruits	0.4

Agvet chemical: Fosetyl-aluminium

Permitted residue: Fosetyl-aluminium

Blueberries	40
Cranberry	0.5
Strawberry	75

Agvet chemical: Hexythiazox

Permitted residue: Hexythiazox

All other foods except animal food commodities	0.05
Almonds	0.3

Agvet chemical: Imidacloprid

Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid

All other foods except animal food commodities	0.05
Cherries	3
Stone fruits [except cherries]	0.5

Agvet chemical: Inorganic bromide

Permitted residue: Bromide ion

All other foods except animal food commodities	15
Almonds	200

Agvet chemical: Maldison

Permitted residue: Maldison

Hops, dry	1
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Agvet chemical: Mesotrione

Permitted residue: Mesotrione

Soya bean (dry)	0.03
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Agvet chemical: Metaflumizone

Permitted residue: Sum of metaflumizone, its E and Z isomers and its metabolite 4-{2-oxo-2-[3-(trifluoromethyl)phenyl]ethyl}-benzoxitrile expressed as metaflumizone

Cherries	0.04
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Agvet chemical: Metalaxyl

Permitted residue: Metalaxyl

All other foods except animal food commodities	0.05
Berries and other small fruits [except cranberry; grapes]	T0.5
Cranberry	4

Agvet chemical: Metconazole	
<i>Permitted residue: Metconazole</i>	
Blueberries	0.4
Agvet chemical: Methomyl	
<i>Permitted residue: Methomyl</i>	
Cumin seed	0.07
Agvet chemical: Myclobutanil	
<i>Permitted residue: Myclobutanil</i>	
All other foods except animal food commodities	0.05
Herbs (except hops, dry)	T2
Hops, dry	10
Agvet chemical: Naled	
<i>Permitted residue: Sum of naled and dichlorvos, expressed as naled</i>	
Hops, dry	0.5
Agvet chemical: Nicarbazin	
<i>Permitted residue: 4,4'-dinitrocarbanilide (DNC)</i>	
Eggs	0.3
Agvet chemical: Norflurazon	
<i>Permitted residue: Norflurazon</i>	
All other foods except animal food commodities	0.05
Cranberry	0.1
Agvet chemical: Novaluron	
<i>Permitted residue: Novaluron</i>	
All other foods except animal food commodities	0.1
Cherries	8
Agvet chemical: Oxathiapiprolin	
<i>Permitted residue: Oxathiapiprolin</i>	
All other foods except animal food commodities	0.02
Fruiting vegetables, other than cucurbits	0.5
Peas (pods and succulent, immature seeds)	1
Peas, shelled (succulent seeds)	0.05
Potato	0.04
Agvet chemical: Phosphine	
<i>Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)</i>	
Citrus fruits	0.01

Agvet chemical: Propyzamide	
<i>Permitted residue: Propyzamide</i>	
Cherries	0.1
Currants, black, red, white	0.01
Agvet chemical: Prothioconazole	
<i>Permitted residue—commodities of plant origin: Sum of prothioconazole and prothioconazole desthio (2-(1-chlorocyclopropyl)-1-(2-chlorophenyl)-3-(1H-1,2,4-triazol-1-yl)-propan-2-ol), expressed as prothioconazole</i>	
<i>Permitted residue—commodities of animal origin: Sum of prothioconazole, prothioconazole desthio (2-(1-chlorocyclopropyl)-1-(2-chlorophenyl)-3-(1H-1,2,4-triazol-1-yl)-propan-2-ol), prothioconazole-3-hydroxydesthio (2-(1-chlorocyclopropyl)-1-(2-chloro-3-hydroxyphenyl)-3-(1H-1,2,4-triazol-1-yl)-propan-2-ol) and prothioconazole-4-hydroxydesthio (2-(1-chlorocyclopropyl)-1-(2-chloro-4-hydroxyphenyl)-3-(1H-1,2,4-triazol-1-yl)-propan-2-ol), expressed as prothioconazole</i>	
All other foods except animal food commodities	0.02
Blueberries	2
Agvet chemical: Pyraflufen-ethyl	
<i>Permitted residue: Sum of pyraflufen-ethyl and its acid metabolite (2-chloro-5-(4-chloro-5-difluoromethoxy-1-methylpyrazol-3-yl)-4-fluorophenoxyacetic acid)</i>	
Cherries	0.01
Agvet chemical: Pyridaben	
<i>Permitted residue: Pyridaben</i>	
Hops, dry	10
Agvet chemical: Pyrimethanil	
<i>Permitted residue: Pyrimethanil</i>	
Berries and other small fruits [except blueberries; grapes; strawberry]	T5
Blueberries	8
Sweet potato	0.05
Agvet chemical: Saflufenacil	
<i>Permitted residue—commodities of plant origin: Sum of saflufenacil, N'-(2-chloro-4-fluoro-5-[1,2,3,6-tetrahydro-2,6-dioxo-4-(trifluoromethyl)pyrimidin-1-yl]benzoyl-N-isopropyl sulfamide and N-[4-chloro-2-fluoro-5-({(isopropylamino)sulfonyl}amino)carbonyl]phenyl]urea, expressed as saflufenacil equivalents</i>	
<i>Permitted residue—commodities of animal origin: Saflufenacil</i>	
All other foods except animal food commodities	0.03
Barley (desiccant use)	1

Wheat (desiccant use)	0.6
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Agvet chemical: Sedaxane

Permitted residue: Sedaxane, sum of isomers

All other foods except animal food commodities	0.01
Potato	0.02

Agvet chemical: Sethoxydim

Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim

Blueberries	0.2
Cherries	0.2

Agvet chemical: Spinetoram

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

All other foods except animal food commodities	0.01
Almonds	0.1

Agvet chemical: Spirotetramat

Permitted residue: Sum of spirotetramat, and cis-3-(2,5-dimethylphenyl)-4-hydroxy-8-methoxy-1-azaspiro[4.5]dec-3-en-2-one, expressed as spirotetramat

Almonds	0.25
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Agvet chemical: Tebuconazole

Permitted residue: Tebuconazole

All other foods except animal food commodities	0.05
Cucumber	0.4
Melons, except watermelon	0.4
Sunflower seed oil, edible	0.2
Tree nuts [except almonds]	0.05

Agvet chemical: Thiacloprid

Permitted residue: Thiacloprid

All other foods except animal food commodities	0.1
Currants, black, red, white	1
Raspberries, red, black	6

[1.7] omitting for each of the following chemicals, the maximum residue limit for the food and substituting

Agvet chemical: Azoxystrobin

Permitted residue: Azoxystrobin

Potato	7
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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

All other foods except animal food commodities	0.02
Podded pea (young pods) (snow and sugar snap)	0.01

Agvet chemical: Triadimenol

Permitted residue: Triadimenol

see also Triadimefon

Cherries	0.1
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Agvet chemical: Trifloxystrobin

Permitted residue: Sum of trifloxystrobin and its acid metabolite ((E,E)-methoxyimino-[2-[1-(3-trifluoromethylphenyl)-ethylideneaminooxymethyl]phenyl] acetic acid), expressed as trifloxystrobin equivalents

All other foods except animal food commodities	0.05
Barley	0.5
Beans [except broad bean; soya bean]	0.06
Broccoli	2
Carrot	0.1
Cauliflower	2
Currants, black, red, white	1.5
Grapefruit	0.6
Lemon	0.6
Maize	0.05
Melons, except watermelon	0.5
Orange	0.6
Peanut	0.05
Peanut oil, crude	0.05
Peppers	0.5
Pistachio nuts	0.04
Podded pea (young pods) (snow and sugar snap)	0.06
Popcorn	0.05
Sugar beet	0.1
Sweet corn (corn-on-the-cob)	0.04
Walnuts	0.04
Wheat	0.2

Agvet chemical: Clopyralid

Permitted residue: Clopyralid

Hops, dry	5
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Agvet chemical: Cyprodinil	
<i>Permitted residue: Cyprodinil</i>	
Pome fruits	2

Agvet chemical: Dichlorvos	
<i>Permitted residue: Dichlorvos</i>	
Cereal grains	*0.01
Edible offal (mammalian)	*0.01
Eggs	*0.01
Meat (mammalian)	*0.01
Milks	*0.01
Poultry, edible offal of	*0.01
Poultry meat	*0.01

Agvet chemical: Difenoconazole	
<i>Permitted residue: Difenoconazole</i>	
Brassica leafy vegetables	2
Potato	4

Agvet chemical: Fenamiphos	
<i>Permitted residue: Sum of fenamiphos, its sulfoxide and sulfone, expressed as fenamiphos</i>	
Aloe vera	*0.05
Strawberry	*0.05

Agvet chemical: Fludioxonil	
<i>Permitted residue—commodities of animal origin: Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil</i>	
<i>Permitted residue—commodities of plant origin: Fludioxonil</i>	
Potato	5

Agvet chemical: Glyphosate	
<i>Permitted residue: Sum of glyphosate, N-acetyl-glyphosate and aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate</i>	
Hops, dry	7

Agvet chemical: Imazamox	
<i>Permitted residue: Imazamox</i>	
Rice	2.5
Wheat	0.3

Agvet chemical: Iprodione	
<i>Permitted residue: Iprodione</i>	
Almonds	0.3

Agvet chemical: Oxathiapiprolin	
<i>Permitted residue: Oxathiapiprolin</i>	
Bulb vegetables [except onion, bulb]	2
Onion, bulb	0.04

Agvet chemical: Paraquat	
<i>Permitted residue: Paraquat cation</i>	
Hops, dry	0.5

Agvet chemical: Pyrimethanil	
<i>Permitted residue: Pyrimethanil</i>	
Onion, bulb	0.2
Pome fruits	15
Potato	0.05

Agvet chemical: Tebuconazole	
<i>Permitted residue: Tebuconazole</i>	
Cotton seed	2
Grapes	6

Agvet chemical: Trifloxystrobin	
<i>Permitted residue: Sum of trifloxystrobin and its acid metabolite ((E,E)-methoxyimino-[2-[1-(3-trifluoromethylphenyl)-ethylideneaminoxyethyl] phenyl] acetic acid), expressed as trifloxystrobin equivalents</i>	
Cucumber	0.5
Pome fruits	0.7

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.

FSANZ prepared Proposal M1014 to amend certain maximum residue limits (MRLs) in the Code for residues of agricultural and veterinary chemicals that may occur in food. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has prepared a draft Standard.

2. Purpose

The purpose of this proposed variation to the table to section S20—3 in Schedule 20 is to vary MRLs for residues of agricultural or veterinary chemicals in food. The table to section S20—3 lists the MRLs for agricultural and veterinary chemical residues which may occur in foods. If an MRL 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 MRL 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, MRLs 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 pose negligible public health and safety concerns to consumers.

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 M1014 will include one round of public consultation following an assessment and the preparation of a draft variation and associated assessment summary report.

A Regulation Impact Statement was not required because the proposed variations 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 [1.1] omits the chemicals Brodifacoum, Dicloran, Disulfoton, Ethoprophos, Fenthion and Phenothrin and the commodities associated with each chemical. These chemicals are deleted as the result of chemical reviews undertaken by APVMA.

Item [1.2] amends the name and definitions for Thifensulfuron (inclusion of a more precise chemical name).

Item [1.3] amends the name and definitions for Rimsulfuron (correction of typographical error) and adds MRLs for that chemical in almonds and cherries

Item [1.4] inserts new entries for chemicals not currently listed.

Item [1.5] omits the foods and associated MRLs for a number of chemicals.

Item [1.6] inserts the foods and associated MRLs for the chemicals listed.

Item [1.7] omits the MRLs for the foods listed, replacing them with new limits.