

29 September 2017
[26-17]

Approval Report – Proposal M1014

Maximum Residue Limits (2016)

Food Standards Australia New Zealand (FSANZ) has assessed a proposal prepared by FSANZ 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.

On 27 June 2017, FSANZ sought submissions on a draft variation and published an associated report. FSANZ received six submissions.

FSANZ approved the draft variation on 14 September 2017. The Australia and New Zealand Ministerial Forum on Food Regulation was notified of FSANZ's decision on 28 September 2017.

This Report is provided pursuant to paragraph 63(1)(b) of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act).

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Supporting document

The following document which informed the assessment of this Proposal is available on the FSANZ website: <http://www.foodstandards.gov.au/code/proposals/Pages/M1014MRLs-2016.aspx>

Supporting document 1 (at Approval) Proposed MRL changes and associated dietary exposure assessments

Executive summary

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

The Proposal included consideration of MRL variations such as deletions, reductions and increases proposed by the Australian Pesticide and Veterinary Medicines Authority (APVMA) for some agvet chemicals. The Proposal also considered MRL harmonisation requests from other interested parties, including food importers, to align the Code with Codex or the MRLs of international trading partners.

The dietary exposure assessments indicate that the proposed MRLs for the agvet chemical residues of interest did not present any public health and safety concerns in relation to relevant health-based guidance values.

The Proposal had one call for public comments and six submissions were received from domestic stakeholders. There was general support for progression of the proposed MRL variations. However, two submitters argued against deletion of the Virginiamycin MRLs and for an increase in the proposed MRL for Nicarbazin in eggs. FSANZ did not support these arguments for the reasons outlined in this report.

FSANZ also made a notification under the Sanitary and Phytosanitary Agreement to the World Trade Organisation. Two late submissions were received from India and the USA.

FSANZ approved the proposed draft variation with an amendment. The amendment was to remove the following proposed MRLs as they have already been included in the Code by APVMA.

- Clopyralid - All other foods except animal food commodities: 0.1 mg/kg
- Metalaxyl - All other foods except animal food commodities: 0.05 mg/kg.

This Proposal does not apply to New Zealand as 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. Consequently, Australia and New Zealand independently and separately develop MRLs for agvet chemicals in food.

1 Introduction

1.1 The Proposal

The Proposal was prepared to consider varying MRLs for certain agricultural and veterinary (agvet) chemicals in Schedule 20 of the Code. It includes MRL variations proposed by the APVMA, as well as those requested by other interested parties including food importers through the MRL harmonisation request program.

This is a routine FSANZ process that allows the sale of imported food with legitimate residues of agvet chemicals used in their production based on good agricultural practice. It also removes, reduces or increases MRLs for a number of agvet chemicals in Schedule 20 that the APVMA has already removed, reduced or increased 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 for which MRLs have not been listed or that exceed relevant MRLs in the Code cannot legally be sold in Australia. This ensures that residues of agvet chemicals in food 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 Proposal

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

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

Countries which establish MRLs routinely use good agricultural practice (GAP) and good veterinary practice (GVP) to ensure the safety and quality of the food and other agricultural products. However, as pests, diseases and environmental factors differ around the world, the use of agvet chemicals may vary between countries and so may the use patterns. This means that agvet chemical 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. They may also minimise trade disruption and extend consumer choice for a range of food commodities.

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](#).

The MRLs proposed relate to requests from stakeholders to harmonise with those of Codex, a trading partner or as a result of APVMA variations, deletions or increases and are listed in Supporting Document 1 (SD1). SD1 also includes information on the current status of the proposed MRLs in the Code, comparisons with Codex MRLs 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 summarises the assessment process for establishing *All other foods except animal food commodities* MRLs, and also lists the chemicals in this Proposal for which *All other foods except animal food commodities* MRLs have been established for consideration by the APVMA for inclusion in the Code.

The approved draft variation differs from the proposed variation that was the subject of the call for submissions (see Part 2.1 of this Approval Report). The proposed draft variation included the two MRLs listed below. These have not been included in the approved draft variation as they have already been included in the Code by the APVMA.

- Clopyralid - All other foods except animal food commodities: 0.1 mg/kg
- Metalaxyl - All other foods except animal food commodities: 0.05 mg/kg

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 was assessed under the General Procedure.

1.5 Decision

The draft variation as proposed following assessment was approved with the abovementioned changes. The variation takes effect on gazettal. The approved draft variation, after consideration of submissions, is at Attachment A

The related 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.

2 Summary of the findings

2.1 Summary of issues raised in submissions

Consultation is a key part of FSANZ's standards development process. FSANZ acknowledges the time taken by individuals and organisations to make submissions.

Every submission was considered by the FSANZ Board. While not all comments can be taken on board during the process, they are valued and all contribute to the rigour of our assessment.

FSANZ sought public comment to help finalise the assessment of the proposed MRL changes. Comments were invited 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.

FSANZ received 6 domestic submissions which included one confidential and one late submission. The submissions were from producers of animal feed, peak industry associations of approval holders of veterinary medicines, an agvet chemical industry group and a state government food regulatory department.

A summary of the issues raised in the domestic submissions and FSANZ’s response to them are given in Table 1 below. In preparing these responses, FSANZ consulted with the APVMA on specific issues as required.

Two late submissions were received from India and the USA. The issues raised in their submissions and FSANZ’s response to them is provided in Table 2.

Table 1: Summary of issues

Issue	Raised by	FSANZ response
Supports the progression of MRL Proposal M1014 with the proposed MRL changes having considered the information provided including the risk assessments undertaken.	Victorian Departments of Health and Human Services, and Economic Development, Jobs, Transport and Resources	Noted.
FSANZ should consider both the combined cumulative and synergistic effects of agvet chemical residues in food and not focus on simply changing MRLs of individual chemicals. To that end, FSANZ should use the disability-adjusted life year (DALY) risk assessment method to estimate the burden of disease in an international context for	A member of the <i>Pesticides Action Group - Western Australia (WA)</i>	<p>Noted</p> <p>FSANZ risk assessment ensures that the MRLs that are the subject of this Proposal will not present any public health and safety concerns.</p> <p>FSANZ remains satisfied that its risk assessment processes are appropriate. FSANZ’s food standards setting activities, including setting MRLs are based on internationally recognised and robust scientific risk assessment methodologies.</p> <p>FSANZ regularly monitors exposures of Australian consumers to agricultural and veterinary chemicals through the Australian Total Diet Study. This survey has consistently demonstrated that levels of agricultural and veterinary chemicals in Australian foods are low and do not pose a health risk to Australian consumers.</p> <p>FSANZ notes that, in recent years, there has been a</p>

Issue	Raised by	FSANZ response
chemicals (e.g glyphosate).		considerable international focus of risk assessment activity on assessments of combined effects of mixtures of substances. One of the major outcomes of that work is that exposures to mixtures of chemicals at levels that are non-toxic for each individual chemical generally will not result in a health risk. Therefore evaluations of combinations of substances are generally considered only where substances are closely related and co-exposure is likely, for instance in the case of mixtures of dioxin-like compounds, and the use of data on related substances for flavourings evaluated by international committees.
FSANZ should retain the MRLs for Virginiamycin in eggs and pig food commodities due to the potential for carry over into non-medicated feed for the animals.	Animal Medicines Australia (AMA) Phibro Animal Health	<p>Noted.</p> <p>The deletion of MRLs for residues of Virginiamycin in the specified food commodities was requested by the APVMA, because Virginiamycin has not been approved for domestic use in pigs and laying hens. This has been the case for a number of years following APVMA's review of the use of Virginiamycin. Details of the review are at https://apvma.gov.au/node/12766.</p> <p>The APVMA advised that it is not aware of any potential issue associated with the carry-over of Virginiamycin into non-medicated feed in either Australia or overseas. It notes that domestic monitoring programs have not recently detected Virginiamycin residues in pig kidney or eggs above the <i>Limit of Reporting</i>. Information on this is available at (http://www.agriculture.gov.au/ag-farm-food/food/nrs/nrs-results-publications).</p> <p>The APVMA will consider the establishment of MRLs at appropriate levels to address the carry-over of veterinary medicines to non-medicated feed on a case by case basis when information is available to demonstrate that occurrence.</p> <p>Should MRLs for Viginiamycin be required for food import purposes, stakeholders have the option to submit an application to FSANZ or use FSANZ's annual MRL harmonisation proposal program.</p> <p>Based on APVMA advice, no changes have been made to the proposed variations for Virginiamycin.</p>
Supports the establishment of an MRL for Nicarbazin in eggs to address inadvertent contamination of non-medicated feed through feed preparation equipment.	Animal Medicines Australia (AMA)	<p>Noted.</p> <p>The insertion of Nicarbazin MRL of 0.3 mg/kg for eggs was requested by the APVMA to align Schedule 20 of the Code with the APVMA MRL Standard.</p> <p>The MRL was established to cover residues arising from low level carry over of Nicarbazin into non-medicated feed for laying poultry. This was found to be unavoidable regardless of sequencing procedures and thorough cleaning of feed</p>

Issue	Raised by	FSANZ response
		preparation equipment. The level was also set to exclude off label use of the chemical.
<p>Supports the establishment of an MRL for Nicarbazin in eggs but recommends an increase of the proposed MRL of 0.3 mg/kg to 5 mg/kg.</p> <p>The proposed MRL is considered very conservative and will not achieve its objective.</p>	Phibro Animal Health	<p>Noted.</p> <p>However, for the following reasons, FSANZ considers that the MRL of 0.3 mg/kg is appropriate.</p> <ul style="list-style-type: none"> • The MRL was established following a robust risk assessment process including dietary exposure estimates for the Australian population. • The MRL is supported by monitoring data for Nicarbazin residues and eggs. • The MRL is equivalent to the MRL set by the EU for a similar purpose http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02009R0124-20120730 • APVMA consultation with State and Territory Residue Coordinators confirmed support for a Nicarbazin MRL for eggs at 0.3 mg/kg. • The MRL was set by the APVMA at a level considered appropriate for any inadvertent cross-contamination from feed-mixing equipment.
<p>The CFS supporting document stated that an <i>All other foods except animal food commodities</i> MRL for Rimsulfuron could not be established as the contribution of all other foods to dietary exposure is >50% of the ADI. Dupont asked for confirmation that FSANZ had not made an error in calculating that percentage.</p>	Du Pont (Australia) Pty Ltd	<p>FSANZ has checked its calculation and confirmed that there is no error in the calculation.</p> <p>However, there was a typographical error in the Supporting Document that accompanied the Call for Submissions. It should have read '>50% of the total chronic dietary exposure (DEA)' and not '> 50% of the ADI'. In addition, the estimated percentage contribution to total dietary exposure for an <i>All other foods except animal food commodities</i> MRL of 0.01 mg/kg for Rimsulfuron exceeded the 20% target².</p> <p>The explanatory text under Rimsulfuron in the Appendix to SD1 for Proposal M1014 has been revised.</p>

² Refer to section 4.3 (page 9) of [P1027 SD1](#)

Table 2: Summary of issues raised by India and USA (WTO members)

Issue	Raised by	FSANZ response
<p>Australia's draft regulatory measure deletes MRLs for Dicloran and Virginiamycin.</p> <p>These deletions will impact US food exports to Australia and therefore the US requests information on the scientific basis for the deletions.</p>	<p>United States of America (USA)</p>	<p>Noted</p> <p>The regulatory measures in Proposal M1014 are for both domestically produced and imported food commodities.</p> <p>Dicloran: The deletion of this chemical, associated foods and MRLs was requested by the APVMA³ following residue evaluations for the chemical. It is also to align the Code with the APVMA MRL Standard for domestic use purposes.</p> <p>Virginiamycin: The deletion of MRLs for residues of Virginiamycin in the specified food commodities was also requested by the APVMA for domestic use purposes. Virginiamycin has not been approved for domestic use in pigs and laying hens. This has been the case for a number of years following APVMA's review of the domestic use of Virginiamycin. Details of the review are at https://apvma.gov.au/node/12766</p> <p>Australia's MRL application and harmonisation processes are available for food export purposes where the chemical is permitted for use and has MRLs established by Codex or the regulatory authority in the country in which the food is produced.</p> <p>An MRL application can be submitted at any time to FSANZ. Calls are made annually on the FSANZ website for MRL harmonisation requests from interested stakeholders and the next call for requests will be in 2018.</p>
<p>Australia to clarify the intended action regarding Fenamiphos and indicate if it will ban the use of the chemical in Australia.</p>	<p>USA</p>	<p>Noted</p> <p>Australia through the APVMA has completed a review of this chemical and deletion of MRLs for the specified food commodities is a result of that process. Information on the review process and related regulatory decision for domestic use purposes is available at https://apvma.gov.au/node/12531</p>
<p>Omission of MRLs for Fenthion would have a negative impact on Indian food exports</p>	<p>India</p>	<p>Noted</p> <p>The proposed deletion of MRLs for Fenthion followed APVMA's residue evaluations and also to align the Code with the APVMA MRL Standard.</p> <p>The deletion does not exclude use of the MRL application and harmonisation processes for food export purposes where the chemical is approved for use in the producing country and has MRLs established.</p>
<p>Omission of MRLs for Acephate, Carbaryl, Dichlorvos, Flusilazole</p>	<p>India</p>	<p>Noted</p> <p>The deletion of these chemicals does not necessarily pose a</p>

³ APVMA – Australian Pesticides and Veterinary Medicines Authority is the national statutory authority for the registration and approval of agvet chemical products for domestic use.

Issue	Raised by	FSANZ response
and Trifloxystrobin is likely to pose a trade barrier to food exports from India.		<p>trade barrier to export of foods with legitimate residues of the chemicals where they have been approved for use. Australia maintains MRL harmonisation programs for consistency between domestic and international food standards and to ensure that variations to the Code for domestic use purposes do not negatively impact food exports.</p> <p>As stated above, there are avenues available to India for MRL harmonisation requests for food export as appropriate.</p>
<p><i>All other foods except animal food commodities</i> MRLs have been established for Fenarimol, Fenvalerate, Flubendiamide, Hexythiazox, Metalaxyl, Myclobutamil, Spinetoram and Trifloxystrobin.</p> <p>“We find that the agency has proposed varying the residue levels as default levels in cases where no specific limits for products are fixed”. Such listing of default levels poses restrictions on trade and request that the products listed by Codex for the above mentioned chemicals be exempt from <i>All other foods except animal food commodities</i> MRLs.</p>	India	<p>Noted</p> <p>The <i>All other foods except animal food commodities</i> MRLs proposed for the chemicals mentioned, eliminates application of ‘zero tolerance’ to food commodities containing legitimate low level inadvertent residues of approved agvet chemicals but have no MRLs listed in the Code. The presence of low level inadvertent residues in a food commodity could be due to spray drift, crop rotation or packaging equipment and not from off-label use of the chemical.</p> <p>The MRL category applies only to chemicals that have been assessed as suitable, and the levels proposed considered as safe and pose negligible health risks to Australian consumers based on case-by-case dietary exposure estimates.</p> <p>This MRL category does not reject the MRLs set by Codex or other recognised international regulatory authorities for specific chemical and food commodity combinations. It however, enables trade in domestic and imported foods commodities that would otherwise have been in violation of the Code and deemed unsaleable.</p> <p>There are no current relevant international standards similar to the <i>All other foods except animal food commodities</i> MRLs. Codex does not specify a <i>Default MRL</i>⁴ for agvet chemicals without MRLs, and has not established MRLs for ‘low level’ agvet chemical residues captured by this MRL category.</p> <p>Documents relating to the <i>All other foods except animal food commodities</i> MRLs and how the values are determined are available on the FSANZ website and in the published Approval Report for Proposal P1027.</p>

2.2 Risk assessment

The risk assessment process for the proposed MRL variations involved estimating the Australian population’s dietary exposure to residues of the agvet chemicals requested in the 2016 MRL harmonisation Proposal, M1014.

⁴ Default MRLs are used by some countries (Canada, European Union, Japan and New Zealand) for agvet chemicals without established MRLs. They are not based on dietary exposure assessments for the agvet chemicals, which is in contrast to the case-by-case risk assessment approach used by FSANZ to establish the *All other foods except animal food commodities* MRLs.

The harmonisation requests are to align MRLs in Schedule 20 with those established for the chemicals and food commodity combinations by Codex or the regulatory authorities in the countries in which the foods are produced. These MRLs all reflect legitimate use of the chemicals in producing the food commodities. The requests also include those from the APVMA to align the Code with the revised APVMA MRL Standard, following its chemical review process that has resulted in the deletion, increase or reduction of the MRLs for some agvet chemicals.

Generally, at low levels, residues of agvet chemicals should not pose a health and safety risk to consumers where the chemicals have 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 chemicals.

The relevant HBGVs for the chemicals requested are the Acceptable Daily Intake (ADI – chronic or long-term exposure) or an Acute Reference Dose (ARfD – acute or short term exposure) that have been established by the APVMA or the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR).

The methods used to estimate the Australian population's dietary exposure to the residues are based on internationally recognised best practice and are consistent with the APVMA's risk assessment framework for approving and registering agricultural chemical products in Australia. The same process is used by both the APVMA and FSANZ for establishing and reviewing MRLs in Schedule 20.

The dietary exposure estimates for all the agvet chemicals proposed for inclusion in M1014 indicate negligible chronic and acute health and safety risks to Australian consumers. The proposed MRL changes, origin of requests, comparisons with Codex and the dietary exposure estimates for the Australian population are set out in SD1.

2.3 Risk management

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

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 pose health and safety risks to consumers. The circumstances include when the residues are:

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

Based on the dietary exposure estimates undertaken for each of the chemicals, the proposed MRLs pose negligible health and safety risks to Australian consumers. In these circumstances, approval of a draft variation to include those MRLs in the Schedule 20 of the Code is an appropriate risk management response.

2.4 Risk communication

2.4.1 Consultation

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

FSANZ adopted a basic communication strategy for this Proposal that focused on alerting the community to the proposed changes. FSANZ published details about the proposed changes on its website. The call for submissions was notified via the FSANZ Notification Circular, media release and through FSANZ's social media tools and Food Standards News. Subscribers and interested parties were also notified about the availability of reports for public comment.

FSANZ sought public comment on the proposed changes to Schedule 20 which are at Attachment A and welcomed all comments. FSANZ was particularly interested in comments on any impacts (costs/benefits) of the proposed draft variation, 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.

Six submissions were received from domestic stakeholders. Details of the issues raised in the submissions and FSANZ response to them is at section 2.1 of this Draft Approval Report.

FSANZ acknowledges the time taken by individuals and organisations to make submissions on this Proposal. Every submission on the Proposal is considered by the FSANZ Board. All comments are valued and contribute to the rigour of our assessment.

2.4.2 World Trade Organization (WTO)

As members of the World Trade Organization (WTO), Australia and New Zealand are obligated to notify WTO member nations 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.

FSANZ made a notification to the WTO for this Proposal in accordance with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures to Trade. Two late submissions were received from India and the USA and FSANZ's response to the issues raised are provided in Table 2 of section 2.1.

2.5 FSANZ Act assessment requirements

2.5.1 Section 59

2.5.1.1 Consideration of costs and benefits

A Regulation Impact Statement (RIS) was not required for the Proposal because the proposed variations to the Code are machinery in nature and their use would be voluntary. The Office of Best Practice Regulation had previously stated (ID 12065) that no further analysis in the form of a RIS is required for MRL variations.

However, a limited impact analysis on different stakeholders is provided below. This indicates that the direct and indirect benefits that would arise from the proposed MRL variations outweigh the costs to the community, Government or industry that would arise from the status quo.

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.

Food importers may benefit from the additional or increased MRLs following approval of the proposed draft variation. 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.

Approval of any MRL deletions or reductions requested by the APVMA has the potential to restrict importation of foods and could result in higher food prices and a reduced product range that is 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.

2.5.1.2 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.

2.5.1.3 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 countries.

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.

2.5.1.4 Any other relevant matters

Other relevant matters are considered below.

2.5.2. Subsection 18(1)

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

2.5.2.1 Protection of public health and safety

FSANZ undertook dietary exposure estimates to assess the suitability of MRLs requested by all interested parties and also reviewed the DEAs submitted by the APVMA for its requests by using the best available scientific data and internationally recognised risk assessment methodologies. FSANZ concluded from the DEAs that the proposed MRLs pose negligible public health and safety risks to Australian consumers.

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

The Proposal does not raise issues relating to this objective.

2.5.2.3 The prevention of misleading or deceptive conduct

The Proposal does not raise issues relating to this objective.

2.5.3 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 variations are based on risk analysis that used the best available scientific evidence and internationally recognised risk assessment methodologies. FSANZ conducted risk assessments which concluded that the estimated dietary exposures for each proposed agvet chemical are within the relevant HBGVs. This means the proposed MRLs pose negligible public health and safety risks to consumers.

- **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**

See section 2.5.1.1.

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

FSANZ has had regard to the Forum policy guideline on the regulation of residues of agvet chemicals in food, in particular the specific policy principles to be consistent with the effective regulation of the registration, permission and the use of agvet chemicals; promote a consistent approach to MRLs for both domestic and imported foods, where appropriate; and be consistent with Australia's obligations under the WTO Sanitary and Phytosanitary Agreement.

Attachments

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

Attachment A – Approved 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
Mammalian fats [except poultry fats]	0.05
Milks	0.01

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: Benzovindiflupyr

Permitted residue: Benzovindiflupyr

Grapes	1
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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

Permitted residue: Etofenprox

Hops, dry	5
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Agvet chemical: Fenpropimorph

Permitted residue: Fenpropimorph

Banana	2
Barley	0.5
Oats	0.5
Wheat	0.5

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

Agvet chemical: Acephate

Permitted residue: Acephate (Note: the metabolite methamidophos has separate MRLs)

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

Permitted residue: Bifenthrin

Herbs	T0.5
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Agvet chemical: Carbaryl

Permitted residue: Carbaryl

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
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

Permitted residue: Chlorfenvinphos, sum of E and Z isomers

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*Permitted residue: Dichlorvos*

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*see also *Acephate*

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

[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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Cotton seed	0.03
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
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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-5-carboxamide, expressed as chlorantraniliprole</i>	
Peanut	0.06
Agvet chemical: Chlorpyrifos-methyl	
<i>Permitted residue: Chlorpyrifos-methyl</i>	
Strawberry	0.5
Agvet chemical: Clopyralid	
<i>Permitted residue: Clopyralid</i>	
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 [except peanut]	*0.01
Pulses	*0.01
Agvet chemical: Difenconazole	
<i>Permitted residue: Difenconazole</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
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; snap bean (immature seeds); soya bean]	1
Brussels sprouts	0.3
Chicory witloof	0.3
Cranberry	2
Garden pea, shelled	0.2
Peas (dry)	0.7
Podded pea (young pods) (snow and sugar snap)	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

Berries and other small fruits [except cranberry; grapes]	T0.5
Cranberry	4

Agvet chemical: Metconazole

Permitted residue: Metconazole

Blueberries	0.4
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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]carbonylphenyl]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

Agvet chemical: Sedaxane	
<i>Permitted residue: Sedaxane, sum of isomers</i>	
All other foods except animal food commodities	0.01
Potato	0.02

Agvet chemical: Sethoxydim	
<i>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</i>	
Blueberries	0.2
Cherries	0.2

Agvet chemical: Spinetoram	
<i>Permitted residue: Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L</i>	
All other foods except animal food commodities	0.01
Almonds	0.1

Agvet chemical: Spirotetramat	
<i>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</i>	
Almonds	0.25

Agvet chemical: Tebuconazole	
<i>Permitted residue: Tebuconazole</i>	
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	
<i>Permitted residue: Thiacloprid</i>	
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	
<i>Permitted residue: Azoxystrobin</i>	
Potato	7

Agvet chemical: Thiamethoxam	
<i>Permitted residue—commodities of plant origin: Thiamethoxam</i>	

<i>Permitted residue—commodities of animal origin: Sum of thiamethoxam and N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine, expressed as thiamethoxam</i>	
All other foods except animal food commodities	0.02
Podded pea (young pods) (snow and sugar snap)	0.01

Agvet chemical: Triadimenol	
<i>Permitted residue: Triadimenol</i>	
see also <i>Triadimefon</i>	
Cherries	0.1

Agvet chemical: Trifloxystrobin	
<i>Permitted residue: Sum of trifloxystrobin and its acid metabolite ((E,E)-methoxyimino-[2-[1-(3-trifluoromethylphenyl)-ethylideneaminooxymethyl] phenyl] acetic acid), expressed as trifloxystrobin equivalents</i>	
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
Oranges	0.6
Peanut	0.05
Peanut oil, crude	0.05
Peppers, sweet, chili	0.5
Pistachio nut	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	
<i>Permitted residue: Clopyralid</i>	
Hops, dry	5

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: Flumioxazin	
<i>Permitted residue: Flumioxazin</i>	
Blueberries	0.02
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)-ethylideneamino]oxy]methyl] phenyl] acetic acid), expressed as trifloxystrobin equivalents</i>	
Cucumber	0.5
Pome fruits	0.7

Attachment B – 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 variation of food regulatory measures.

The Authority prepared Proposal M1014 to consider varying certain maximum residue limits (MRLs) in the Code. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has approved a draft variation.

Following consideration by the Australia and New Zealand Ministerial Forum on Food Regulation, section 92 of the FSANZ Act stipulates that the Authority must publish a notice about the standard or draft variation of a standard.

Section 94 of the FSANZ Act specifies that a standard, or a variation of a standard, in relation to which a notice is published under section 92 is a legislative instrument, but is not subject to parliamentary disallowance or sunseting under the *Legislation Act 2003*.

2. Purpose

The table to section S20—3 lists the MRLs for residues of agvet chemicals, which may occur in foods. If an MRL is not listed for a particular agvet 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.

The purpose of this variation is to permit the sale of foods containing legitimate residues. The variation is made in response to changes in use patterns of agvet 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. The variation will also harmonise limits with international or trading partner standards. This is necessary as farmers in different countries face different pest and disease pressures, agvet chemical use patterns and legitimate residues in food associated with these uses may vary accordingly.

A dietary exposure assessment was conducted 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 M1014 included one round of public consultation following an

assessment and the preparation of a draft variation and associated report. Submissions were called for on 27 June 2017 for a four-week consultation period in Australia, and eight-week period internationally through the WTO Notification.

A Regulation Impact Statement was not required by the Office of Best Practice Regulation (see ID 12065) 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 [1.1] omits the chemicals ‘Brodifacoum’, ‘Dicloran’, ‘Disulfoton’, ‘Fenthion’ and ‘Phenothrin’ from the lists of permitted residues, 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 ‘Rimosulfuron’ (correction of typographical error) and adds new foods (almonds and cherries) and associated MRLs for that chemical.

Item [1.4] inserts new entries for the following chemicals that are not currently listed as permitted (including the foods and associated MRLs for each chemical):

- Aminocyclopyrachlor;
- Benzovindiflupyr;
- Cyflumetofen;
- Etofenprox; and
- Fenpropimorph.

Item [1.5] omits specified foods and associated MRLs for various listed chemicals.

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

Item [1.7] replaces the MRLs of specified foods for various listed chemicals.