

5 December 2019
[104–19]

Call for submissions – Proposal M1017

Maximum Residue Limits (2019)

Food Standards Australia New Zealand (FSANZ) assessed a proposal prepared to consider varying (including some deletions) Maximum Residue Limit (MRLs) for residues of agricultural and veterinary chemicals 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 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 [documents for public comment](#). You can also email your submission directly to submissions@foodstandards.gov.au.

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

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 24 January 2020

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 document

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

Supporting Document (SD1)	Proposed MRL changes, origin of requests, comparisons with Codex MRLs and dietary exposure estimates for the Australian population.
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Executive summary

This proposal considers the variation of Maximum Residue Limits (MRLs) for a number of agricultural and veterinary (agvet) chemicals listed in schedule 20 of the Australia New Zealand Food Standards Code (the Code). The proposal relates to Australia only as the *Agreement between the Government of Australia and the Government of New Zealand concerning the Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system setting joint food standards.

MRLs are legal limits and apply to all foods sold in Australia whether domestically produced or imported. They are determined through good agricultural practice based on the amount of a chemical that is needed to control pests and/or diseases.

This proposal includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and comprises deletions, reductions and increases of MRLs to align with agvet chemical uses in Australia as well as minor amendments to the presentation of residue definitions. The proposal also considers MRLs requested by other parties seeking to align MRLs in the Code with MRLs established by the Codex Alimentarius Commission (Codex) and other trading partner standards.

The dietary exposure of the Australian population that may arise from the proposed MRL variations in the food supply has been assessed. The risk assessment indicates that the proposed limits present negligible health and safety risks to consumers. FSANZ has also assessed whether an *All other foods except animal food commodities* MRL is appropriate for the chemicals requested and has followed protocols and principles established in Proposal P1027 (Managing low-level Agvet Chemicals without maximum residue limits) to complete these.

FSANZ has prepared a draft variation to amend schedule 20 of the Code. This will permit the sale of foods containing legitimate residues at levels consistent with the effective control of pests and diseases. Residues at these levels do not present any public health and safety concerns.

International stakeholders may be affected by proposed deletions or reductions to a number of MRLs currently listed in schedule 20 of the Code. Proposed changes, including deletions to MRLs in schedule 20 are listed in Supporting Document 1 (SD1), an attachment to this report.

1 Introduction

1.1 The Proposal

The proposal has been prepared to consider varying certain agvet MRLs in schedule 20 of the Code. It includes considerations of MRL variations and amendments to the residue definitions proposed by the APVMA, as well as MRL harmonisation requests from other interested parties.

'M' proposals are generally undertaken annually to consider requests for varying MRLs to allow the sale of imported food with legitimate residues of agvet chemicals used in their production and based on good agricultural practice (GAP). This proposal also proposes that some agvet chemical MRLs be removed from schedule 20 and for some chemicals, the residue definition be amended.

1.2 The current standard

1.2.1 National standards

There are two sets of MRL standards recognised in Australia:

1. Schedule 20 of the Code is the main MRL standard adopted by the states and territories for monitoring the maximum concentration of agvet chemical residues in all foods for sale on the Australian market and at point of entry into Australia for imported food.
2. The APVMA MRL Standard sets out the maximum residues of permitted and approved chemicals in treated food commodities under the Agricultural and Veterinary Chemicals Code (Agvet Code). The APVMA MRL Standard lists all domestically established MRLs and is used by jurisdictions to control the use of agvet chemicals at the point of food production.

Schedule 20 of the Code lists MRLs for agvet chemicals which may occur in foods following legitimate use in food production. MRLs prescribed in the Code constitute legal limits and apply to all foods sold in Australia, including imported foods. Some MRLs only apply to a specific commodity or a group of commodities while others apply to all foods except animal food products.

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

1.3 Reasons for preparing the Proposal

The proposal was prepared to vary MRLs in schedule 20 to align the Code with Codex and trading partner standards for food commodities to be imported and legally sold in Australia, and to also align schedule 20 with the APVMA MRL Standard by including deletions, reductions or increases of MRLs and changes to chemical residue definitions as proposed by the APVMA.

The MRL changes requested were for 69 chemicals and 195 chemical-food commodity combinations and were submitted by 13 stakeholders (domestic – 5 and international – 8). These were:

1. Almond Board of California
2. American Peanut Council
3. Australian Pesticides and Veterinary Medicines Authority
4. Australian Food and Beverages Importers Association
5. Barry Callebaut Services
6. Bayer CropScience Pty Ltd
7. California Cherry Board
8. California Fresh Fruit Association
9. Covance on behalf of Gowan Company
10. California Table Grape Commission
11. Interaust Foods Pty Ltd
12. Syngenta Australia Pty Ltd
13. United States Hop Industry Plant Protection Committee.

Countries that establish MRLs routinely use GAP and Good Veterinary Practice (GVP) to ensure the safety and quality of food and other agricultural products. However, agvet chemicals are used differently in countries around the world as pests, diseases and environmental factors differ and therefore use patterns may also vary. This means that residues in imported food may legitimately differ from those in domestically produced food.

The proposed MRLs will permit the sale of foods containing established 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.

1.3.1 International Standards

FSANZ may consider varying MRLs for agvet chemicals in food commodities where interested parties or stakeholders have demonstrated a need to include an MRL in schedule 20 of the Code because of differences between the schedule and Codex or other trading partner standards.

Although the recognition of international standards and food trade issues are considered, the primary consideration in assessing a requested variation is the protection of public health and safety.

SD1 lists the corresponding Codex MRLs, or those established in the country in which the food commodity is produced and the proposed new MRL.

1.4 Procedure for assessment

The proposal is being assessed under the General Procedure.

2 Summary of the assessment

The proposed MRLs are listed in 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 provides a summary of dietary exposure estimates undertaken for Australian consumers for each chemical and related food commodity. The appendix to SD1 provides summary information on the assessment of the requested chemicals for suitability to establish MRLs for *All other foods except animal food commodities* and lists chemicals for which MRLs proposed by FSANZ have been supported by the APVMA.

2.1 Risk assessment

The presence of residues of registered and approved agvet chemicals in food commodities at low levels should not present an unacceptable risk to public health and safety if the chemical has been used according to label instructions. However, to ensure that this is the case, an assessment of the estimated short term (acute) and/or long term (chronic) dietary exposure to the chemical residue is undertaken to confirm that the estimated exposures are unlikely to exceed the relevant health-based guidance values (HBGVs) for the agvet chemical¹. 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 HBGVs. The latter values are the acceptable daily intake (ADI) and the acute reference dose (ARfD).

In Australia, the ADI and ARfD for agvet chemicals are currently² 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, and where appropriate the ARfD, adopted by the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR), may be used for risk assessment purposes. Where there is no APVMA or JMPR HBGV and the agvet chemical is listed in the latest version of schedule 20, consideration will be given to using another HBGV established by a credible agency for the dietary exposure assessment (DEA). Agvet chemicals not currently listed in schedule 20 that do not have HBGVs established by the APVMA or JMPR, or for which there are questions as to whether it is appropriate to apply a HBGV to the Australian population, are excluded from harmonisation proposals and require consideration through the FSANZ application process.

Where agvet chemicals have not previously been included in the Code or the residue definition for the requested agvet chemical differs from that in the Code or an amendment to the residue definition is proposed, a new or updated residue definition may be determined. This is based on a number of considerations including the nature of the residues determined in residue trials, the toxicological properties of residues and the practicality of analytical methods. Residue definitions may differ for plant and animal commodities. Residue definitions established by JMPR and overseas regulatory bodies are taken into account.

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 subgroup.

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
- Complete a risk characterisation by comparing the estimated dietary exposures to the relevant HBGV(s).

¹ An explanation of how dietary exposure assessments are carried out can be found on [the FSANZ website](#).

² Previously, HBGVs were recommended by the former Pesticides and Agricultural Chemicals Standing Committee (PACSC) of the National Health and Medical Research Council (NHMRC) until November 1992. The responsibility for establishing ADIs transferred to the Australian Department of Health on 12 March 1993. On 1 July 2016, the task of establishing ADIs was transferred to the Australian Pesticide and Veterinary Medicines Authority (APVMA).

The dietary exposure estimates for this proposal 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

The risk assessment of the chemicals considered in this proposal included an additional assessment for suitability to maintain or establish *All other foods except animal food commodities* MRLs according to the principles agreed by FSANZ and the APVMA in Proposal P1027 ([Managing low-level agvet chemicals without maximum residue limits](#)). 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.

2.2 Risk management

FSANZ is committed to maintaining MRLs for residues of agvet chemicals 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 consumption of any residues in the context of the Australian diet is a key consideration.

Harmonisation requests for agvet chemicals for which the residue is included under another chemical in schedule 20, are normally listed under that chemical. For example, FSANZ received requests to harmonise with MRLs for metalaxyl-M and clethodim. Harmonisation requests for metalaxyl-M are not proposed to be included separately in schedule 20 as metalaxyl-M is an isomer of metalaxyl and residues are appropriately captured under metalaxyl. Sethoxydim is a metabolite of clethodim and all residues arising from the use of clethodim are covered by the MRLs for sethoxydim. FSANZ has included MRL requests for metalaxyl-M and clethodim under metalaxyl and sethoxydim respectively.

As commodity descriptors and food commodity names vary across international databases, the requested commodity descriptors listed in Table 1 of SD1 may differ from those in the draft variation. This is to maintain consistency with existing commodity names and food groups in schedule 20 and/or 22 of the Code.

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 MRLs in schedule 20 to harmonise with those established by Codex or a trading partner's government authority in circumstances where the risk assessment shows they do not present health and safety concerns to consumers.

As noted above, the dietary exposure estimates undertaken for each of the proposed MRLs indicate that they will pose negligible chronic and acute health and safety risks to Australian consumers. In these circumstances, and for reasons outlined in this consultation paper, preparation of the draft variation to include the proposed MRLs in schedule 20 is an appropriate risk management approach.

2.2.1 Impacts on imported foods due to MRL variations proposed by the APVMA

The APVMA's requests to delete or reduce MRLs may affect imported foods containing residues that currently comply with existing MRLs listed in schedule 20. In cases where MRL deletions are proposed by the APVMA, these MRLs are no longer required for domestically produced food. In other cases, MRLs may be reduced or deleted following a chemical

review. The review may have identified changes in consumption patterns of a commodity resulting in the DEA no longer supporting the MRL. If all permitted domestic uses are deleted for an agvet chemical, this may result in the chemical being deleted from schedule 20. If an *all other foods except animal food commodities* MRL had been established for the agvet chemical being removed, it too, may be deleted or amended accordingly.

FSANZ is committed to ensuring that the implications of MRL reductions or deletions proposed by the APVMA do not adversely affect trade. Therefore, FSANZ will consider delaying the proposed MRL deletions/reductions where it is identified they may impact on imported foods. However, for MRLs proposed to be reduced or deleted as a result of an APVMA chemical review process, FSANZ will seek advice from the APVMA on whether it is appropriate to retain an MRL ([see also 2.4.3](#)). In other circumstances and where appropriate, FSANZ will not delete or vary the identified MRL for at least 12 months if objections are posed and are supported by adequate data or information demonstrating that the residues are legitimate and likely to occur in imported food. If no comments and supporting information are received, deletions/reductions will occur on gazettal.

To help identify possible impacts on imported foods, the deletion and reduction of MRLs proposed by the APVMA which are not yet listed in the current compilation of Schedule 20 are included in SD1³. FSANZ requests comment on any possible ramifications for imported foods of the proposed variations with supporting evidence where applicable.

2.3 Risk communication

2.3.1 Consultation

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

FSANZ's communication strategy for this proposal focuses on alerting the community to the proposed changes. FSANZ has published details about these, and will publish submissions received and subsequent reports on its website. All calls for submissions are notified via the FSANZ Notification Circular, media release, FSANZ's social media tools and Food Standards News. Subscribers and interested parties are also notified about the availability of reports for public comment.

FSANZ is seeking public comment on the draft variation to schedule 20 (Attachment A). FSANZ is particularly interested in comments on any impacts (costs/benefits) likely to result from the proposed variations, potential impacts on imported foods, and any public health and safety considerations associated with the proposed changes.

Individuals and organisations making submissions to this proposal will be notified of the outcomes of the assessment.

2.3.2 World Trade Organization

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 measures may have a significant effect on trade.

Amending MRLs in schedule 20 may have an effect on international trade. The MRLs constitute a mandatory requirement and apply to all food products of a particular class

³ In SD1, all requests by the APVMA are identified under the column 'Origin of MRL requested' as 'APVMA'.

whether produced domestically or imported. Foods with agvet chemical residues not listed in schedule 20 or that exceed the relevant MRLs listed in the Code cannot legally be sold in Australia. Therefore, a notification has been made to the WTO as required by Australia's obligations under the WTO Sanitary and Phytosanitary Agreement to enable other WTO members to comment on proposed amendments.

2.4 FSANZ Act assessment requirements

When assessing this proposal and the subsequent development of a draft 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

In 2010, the Office of Best Practice Regulation provided FSANZ with a standing exemption (ID 12065) from preparing a Regulation Impact Statement for MRL proposals and applications. However, 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 this proposal 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.

Food importers may benefit from the additional or increased MRLs following approval of the proposed draft variations. Consumers may benefit because the proposed variations extend the options to source a wider 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 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 consider retaining 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 ([See section 2.2.1](#)).

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 chemicals 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.

All food imported or domestically-produced for sale in New Zealand (except for food imported from Australia) must comply with the current [Maximum residue levels \(MRLs\) for agricultural compounds – Food notice](#)⁴ and amendments. Agvet chemical residues in food must comply with the specific MRLs listed in the Food Notice including the ‘default’ MRL of 0.1 mg/kg where no specific MRL is listed. If a food is imported and no domestic MRL has been established, Codex MRLs can be recognised.

MRLs in the Code may differ from those in the New Zealand MRL Food Notice for a number of legitimate reasons including different use patterns of the chemicals.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

2.4.2 Subsection 18(1) of the FSANZ Act

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 conducted DEAs to assess the suitability of increased or new MRLs requested by both the APVMA and 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 information relating to food to enable consumers to make informed choices

This objective is not relevant to matters under consideration in this proposal.

2.4.2.3 The prevention of misleading or deceptive conduct

This objective is not relevant to matters under consideration in this proposal.

2.4.3 Subsection 18(2) of the FSANZ Act 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 to schedule 20 are based on risk analysis that used the best available scientific evidence and internationally recognised risk assessment methodologies. FSANZ conducted a risk assessment which concluded that the estimated dietary exposures, for each proposed MRL, using Australian food consumption data do not exceed HBGVs.

The APVMA separately undertake formal legislative reviews or reconsideration of domestically approved chemicals to scientifically reassess the risks with agvet chemicals to ensure that agvet chemicals are used safely and effectively. FSANZ and the APVMA liaise closely in regards to the outcomes of these chemical reviews and amendments to MRLs in

⁴ MRLs for Agricultural Compounds in New Zealand: <https://www.mpi.govt.nz/processing/agricultural-compounds-and-vet-medicines/maximum-residue-levels-for-agricultural-compounds/>

schedule 20 are made accordingly.

- **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 trading partner standards and Codex.

- **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 agvet 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**

FSANZ has had regard to the Forum's Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food⁵. It forms a framework for the consideration of alternative approaches to address issues surrounding the regulation of residues of agricultural and veterinary chemicals in food.

3 Draft variation

The draft variation to the Code is at Attachment A.

MRLs in the tables of the draft variation are expressed as mg per kg. An asterisk (*) indicates that the maximum residue limit is set at the limit of determination and the symbol 'T' indicates that the MRL is a temporary MRL. This temporary categorisation enables further work to be carried out in Australia or overseas for reconsideration at some future date. It can also be used in Australia when an MRL is being phased out. Temporary MRLs are often established by the APVMA and their expiration periods can vary depending on the particular chemical.

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

⁵ The policy guideline is available on the Food Regulation Secretariat website at this [link](http://foodregulation.gov.au/internet/fr/publishing.nsf/Content/publication-Policy-Guideline-on-the-Regulation-of-Residues-of-Agricultural-and-Veterinary-Chemicals-in-Food).
<http://foodregulation.gov.au/internet/fr/publishing.nsf/Content/publication-Policy-Guideline-on-the-Regulation-of-Residues-of-Agricultural-and-Veterinary-Chemicals-in-Food>

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



Food Standards (Proposal M1017– Maximum Residue Limits (2019)) 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*. The 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 M1017– Maximum Residue Limits (2019)) 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] **Schedule 20** is varied by

[1.1] omitting all entries for the following chemicals

Agvet chemical: Etridiazole

Permitted residue: Etridiazole

Agvet chemical: Fentin

Permitted residue: Fentin hydroxide, excluding inorganic tin and Di- and Mono-phenyltin

[1.2] omitting the chemical residue definition and substituting the following

Agvet chemical: Thiamethoxam

See also *Clothianidin*

*Permitted residue—commodities of plant origin:
Thiamethoxam*

Commodities of animal origin: Sum of thiamethoxam and N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine, expressed as Thiamethoxam

(Note: the metabolite clothianidin has separate MRLs)

[1.3] inserting in alphabetical order

Agvet chemical: Flazasulfuron

Permitted residue: Flazasulfuron

Almonds

0.01

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

Agvet chemical: Abamectin		Agvet chemical: Dithiocarbamates	
<i>Permitted residue: Avermectin B1a</i>		<i>Permitted residue: Total dithiocarbamates, determined as carbon disulphide evolved during acid digestion and expressed as milligrams of carbon disulphide per kilogram of food</i>	
Coriander (leaves, roots, stems)	T0.5	Herbs [except parsley]	T5
Herbs	T0.5		
Kaffir lime leaves	T0.5		
Lemon grass	T0.5		
Agvet chemical: Boscalid		Agvet chemical: Emamectin	
<i>Permitted residue—commodities of plant origin: Boscalid</i>		<i>Permitted residue: Sum of emamectin B1a and emamectin B1b</i>	
<i>Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents</i>		Bergamot	T0.05
Chervil	T30	Burnet, salad	T0.05
Coriander (leaves, roots, stems)	T30	Coriander (leaves, roots, stems)	T0.05
Herbs	T30	Coriander, seed	T0.05
		Dill, seed	T0.05
		Fennel, seed	T0.05
		Gooseberry	T0.05
		Herbs	T0.05
		Kaffir lime leaves	T0.05
		Lemon grass	T0.05
		Lemon verbena (fresh weight)	T0.05
Agvet chemical: Buprofezin		Agvet chemical: Fenazaquin	
<i>Permitted residue: Buprofezin</i>		<i>Permitted residue: Fenazaquin</i>	
Chervil	T50	Cherries	2
Coriander (leaves, roots, stems)	T50		
Herbs	T50		
Mizuna	T50		
Rucola (rocket)	T50		
Agvet chemical: Clofentezine		Agvet chemical: Fenhexamid	
<i>Permitted residue: Clofentezine</i>		<i>Permitted residue: Fenhexamid</i>	
Cherries	1	Chervil	T15
Stone fruits [except cherries]	0.1	Coriander (leaves, roots, stems)	T15
		Herbs	T15
		Mizuna	T15
		Rucola (rocket)	T15
Agvet chemical: Cypermethrin		Agvet chemical: Fenoxycarb	
<i>Permitted residue: Cypermethrin, sum of isomers</i>		<i>Permitted residue: Fenoxycarb</i>	
Coriander (leaves, roots, stems)	T5	Currant, black	T2
Coriander, seed	T1	Currant, red	T2
Herbs	T5	Gooseberry	T2
Lemon balm	T5		
Agvet chemical: Cyproconazole		Agvet chemical: Fluazifop-p-butyl	
<i>Permitted residue: Cyproconazole, sum of isomers</i>		<i>Permitted residue: Sum of fluazifop-butyl, fluazifop and their conjugates, expressed as fluazifop</i>	
Pulses [except chickpea (dry); lentil (dry)]	T0.07	Herbs	T2

Agvet chemical: Imidacloprid

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

Coriander (leaves, roots, stems)	T5
Date	T1
Herbs	T5
Kaffir lime leaves	T5
Lemon balm	T5
Lemon grass	T5
Rose and dianthus (edible flowers)	T5
Spices [except coriander (leaves, roots, stems); coriander seed; dill seed; fennel seed; ginger root]	0.05
Teas (tea and herb teas)	T10

Agvet chemical: Indoxacarb

Permitted residue: Sum of indoxacarb and its R-isomer

Coriander (leaves, roots, stems)	T20
Herbs	T20
Lemon balm	T10
Mexican tarragon	T20

Agvet chemical: Metalaxyl

Permitted residue: Metalaxyl

Berries and other small fruits [except cranberry; grapes]	T0.5
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Agvet chemical: Methoxyfenozide

Permitted residue: Methoxyfenozide

Coriander (leaves, roots, stems)	T20
Herbs	T20
Mexican tarragon	T20
Rucola (rocket)	T20

Agvet chemical: Myclobutanil

Permitted residue: Myclobutanil

Chervil	T2
Coriander (leaves, roots, stems)	T2
Herbs	T2
Herbs [except hops, dry]	T2
Mizuna	T2
Rucola (rocket)	T2

Agvet chemical: Pendimethalin

Permitted residue: Pendimethalin

Herbs	*0.05
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Agvet chemical: Phosphorous acid

Permitted residue: Phosphorous acid

Herbs	T150
Kaffir lime leaves	T150
Lemon balm	T150
Lemon grass	T150
Lemon verbena	T150
Rose and dianthus (edible flowers)	T150

Agvet chemical: Propiconazole

Permitted residue: Propiconazole

Anise myrtle leaves	T10
Chervil	T10
Coriander (leaves, roots, stems)	T10
Herbs [except parsley]	T10
Lemon balm	T10
Lemon myrtle leaves	T10
Mizuna	T10
Rucola (rocket)	T10
Stone fruits	2

Agvet chemical: Quinoxifen

Permitted residue: Quinoxifen

Chervil	T5
Coriander (leaves, roots, stems)	T5
Herbs	T5
Mizuna	T5
Rucola (rocket)	T5

Agvet chemical: Tebuconazole

Permitted residue: Tebuconazole

Chervil	T0.5
Coriander (leaves, roots, stems)	T0.5
Herbs	T0.5
Lemon balm	T0.5
Mizuna	T0.5
Rucola (rocket)	T0.5

Agvet chemical: Tebuthiuron

Permitted residue: Sum of tebuthiuron, and hydroxydimethylethyl, N-dimethyl and hydroxy methylamine metabolites, expressed as tebuthiuron

Sugar cane	T0.2
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Agvet chemical: Tetraconazole

Permitted residue: Tetraconazole

Strawberry	0.2
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[1.5] inserting for each of the following chemicals the foods and associated MRLs in alphabetical order

Agvet chemical: Acephate	
<i>Permitted residue: Acephate (Note: the metabolite methamidophos has separate MRLs)</i>	
Peanut	0.2
Agvet chemical: Benzovindiflupyr	
<i>Permitted residue: Benzovindiflupyr</i>	
Pome fruits	0.2
Agvet chemical: Boscalid	
<i>Permitted residue—commodities of plant origin: Boscalid</i>	
<i>Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents</i>	
Currants, black, red, white	15
Agvet chemical: Carbendazim	
<i>Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim</i>	
Strawberry	1
Agvet chemical: Clofentezine	
<i>Permitted residue: Clofentezine</i>	
Plums (including prunes)	0.1
Stone fruits [except plums (including prunes)]	1
Agvet chemical: Cypermethrin	
<i>Permitted residue: Cypermethrin, sum of isomers</i>	
Parsley	T5
Agvet chemical: Deltamethrin	
<i>Permitted residue: Deltamethrin</i>	
Strawberry	0.2
Agvet chemical: Dimethomorph	
<i>Permitted residue: Sum of E and Z isomers of dimethomorph</i>	
Strawberry	0.7

Agvet chemical: Dithiocarbamates	
<i>Permitted residue: Total dithiocarbamates, determined as carbon disulphide evolved during acid digestion and expressed as milligrams of carbon disulphide per kilogram of food</i>	
Basil	T5
Agvet chemical: Endosulfan	
<i>Permitted residue: Sum of A- and B- endosulfan and endosulfan sulphate</i>	
Cacao beans	0.2
Agvet chemical: Fenazaquin	
<i>Permitted residue: Fenazaquin</i>	
Citrus fruits	0.4
Dried grapes (currants, raisins and sultanas)	0.8
Grapes (except dried)	0.7
Hops, dry	30
Podded pea (young pods) (snow and sugar snap)	0.4
Raspberries, red, black	0.7
Stone fruits	2
Agvet chemical: Fluazifop-p-butyl	
<i>Permitted residue: Sum of fluazifop-butyl, fluazifop and their conjugates, expressed as fluazifop</i>	
Parsley	T2
Agvet chemical: Fluopicolide	
<i>Permitted residue: Fluopicolide</i>	
Hops, dry	15
Agvet chemical: Fluopyram	
<i>Permitted residue—commodities of plant origin: Fluopyram</i>	
<i>Permitted residue—commodities of animal origin: Sum of fluopyram and 2-(trifluoromethyl)-benzamide, expressed as fluopyram</i>	
Citrus fruits	1
Currants, black, red, white	7
Agvet chemical: Folpet	
<i>Permitted residue: Folpet</i>	
Strawberry	T5

Agvet chemical: Halosulfuron-methyl	
<i>Permitted residue: Halosulfuron-methyl</i>	
Almonds	0.05
Eggs	*0.01
Agvet chemical: Imidacloprid	
<i>Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid</i>	
Spices [except ginger root]	0.05
Agvet chemical: Metalaxyl	
<i>Permitted residue: Metalaxyl</i>	
Berries and other small fruits [except cranberry; grapes; strawberry]	T0.5
Cacao beans	0.2
Strawberry	0.6
Agvet chemical: Oxathiapiprolin	
<i>Permitted residue: Oxathiapiprolin</i>	
Blackberry	0.5
Raspberries, red, black	0.5
Agvet chemical: Pendimethalin	
<i>Permitted residue: Pendimethalin</i>	
Parsley	T*0.05
Agvet chemical: Phosmet	
<i>Permitted residue: Sum of phosmet and its oxygen analogue, expressed as phosmet</i>	
Stone fruits [except cherries]	5

Agvet chemical: Phosphorous acid	
<i>Permitted residue: Phosphorous acid</i>	
Basil	T150
Fennel, leaf	T150
Parsley	T150
Agvet chemical: Propiconazole	
<i>Permitted residue: Propiconazole</i>	
Stone fruits [except plum (including prunes)]	4
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>	
Almonds	0.2
Agvet chemical: Tetraconazole	
<i>Permitted residue: Tetraconazole</i>	
Berries and other small fruits [except grapes]	0.2
Agvet chemical: Triadimenol	
<i>Permitted residue: Triadimenol</i>	
<i>see also Triadimefon</i>	
Anise myrtle leaves (dried)	T0.05
Lemon myrtle leaves (dried)	T0.05

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

Agvet chemical: Abamectin	
<i>Permitted residue: Avermectin B1a</i>	
Pome fruits	0.02

Agvet chemical: Acequinocyl	
<i>Permitted residue: Sum of acequinocyl and its metabolite 2-dodecyl-3-hydroxy-1,4-naphthoquinone, expressed as acequinocyl</i>	
Hops, dry	15

Agvet chemical: Chlorothalonil	
<i>Permitted residue—commodities of plant origin: Chlorothalonil</i>	
<i>Permitted residue—commodities of animal origin: 4-hydroxy-2,5,6-trichloroisophthalonitrile metabolite, expressed as chlorothalonil</i>	
Peanut	0.3

Agvet chemical: Difenoconazole	
<i>Permitted residue: Difenoconazole</i>	
Strawberry	2

Agvet chemical: Flonicamid	
<i>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]</i>	
Hops, dry	20

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

<i>Permitted residue—commodities of animal origin: Sum of fluopyram and 2-(trifluoromethyl)-benzamide, expressed as fluopyram</i>	
Peanut	0.2
Potato	0.1
Raspberries, red, black	5

Agvet chemical: Hexythiazox	
<i>Permitted residue: Hexythiazox</i>	
Hops, dry	20

Agvet chemical: Iprodione	
<i>Permitted residue: Iprodione</i>	
Grapes	60

Agvet chemical: Metalaxyl	
<i>Permitted residue: Metalaxyl</i>	
Hops, dry	20

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>	
Currants, black, red, white	3

[1.7] For the Agvet chemical: Clothianidin:

[1.7.1] omitting the chemical residue definition and substituting the following

Agvet chemical: Clothianidin

Permitted residue: Clothianidin

see also *Thiamethoxam*

[1.7.2] omitting the maximum residue limit for the food and substituting

Wine grapes

0.07

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 M1017 to consider amending 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 the proposed variation to Schedule 20 is to vary maximum residue limits (MRLs) for residues of agricultural and veterinary chemicals in food commodities. Section S20—3 currently lists the MRLs for agricultural and veterinary chemicals 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 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 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 and therefore agricultural and veterinary chemical use patterns and the legitimate residues in food associated with these uses may vary accordingly.

A risk assessment including a dietary exposure assessment is conducted before MRLs are varied to ensure that the 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 M1017 will include one round of public consultation following an assessment and the preparation of a draft Standard and associated assessment summary.

A Regulation Impact Statement was not required because the proposed variations to S20—3 are likely to have a minor impact on businesses and individuals.

5. Statement of compatibility with human rights

This instrument is exempt from the requirements for a statement of compatibility with human rights as it is a non-disallowable instrument under section 94 of the FSANZ Act.

6. Variation

Item [1] varies Schedule 20.

Item [1.1] omits all entries for listed chemicals.

Item [1.2] omits the current residue definition and substitutes a new residue definition.

Item [1.3] inserts chemicals not currently listed, in alphabetical order, including chemical name, residue definition, food commodity and new associated MRLs.

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

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

Item [1.6] omits the food commodities and associated MRLs for the chemicals listed, substituting them with new MRLs.

Item [1.7] amends the entry for the Agvet chemical 'Clothianidin' to:

- omit the current residue definition for the chemical and substitute it with a new residue definition; and
- omit the current MRL for the food commodity 'Wine grapes' for the chemical and substitute it with a new MRL.