

List of proposed amendments – Proposal P1051

Code Revision (2020)

1. STANDARD 1.1.1

Location: Paragraph 1.1.1—5(1)(b)

Issue: The 2019 compilation of the Code of Federal Regulations has been published and should be included in this paragraph.

Response: Update to include the 2019 compilation of the Code Federal Regulations.

2. STANDARD 1.1.2

Location: Subsection 1.1.2—2(3)

Issue: The 2019 (edition 29) of the Generally Recognised as Safe (GRAS) lists of flavouring substances has been published and should be included in the definition of *permitted flavouring* substance within the subsection.

Response: Update the definition of *permitted flavouring* substance to include the 2019 (edition 29) Generally Recognised as Safe (GRAS) lists of flavouring substances.

3. STANDARD 1.1.2

Location: Subsection 1.1.2—3(2)

Issue: There is a definition of *wheat flour* in Standard 2.1.1 however it is not present in Standard 1.1.2.

Response: Insert the definition of *wheat flour* into Standard 1.1.2.

4. STANDARD 1.2.1

Location: Subsection 1.2.1—2(3)

Issue: The reference to 'caterers' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).

Response: Include an asterisk.

5. STANDARD 1.2.1

Location: Subsection 1.2.1—6(1)(c)

Issue: The reference to 'fruit and vegetables' should be identified with an asterisk as it is a term defined in subsection 1.1.2—3(2).

Response: Include an asterisk.

6. STANDARD 1.2.1

Location: Subsection 1.2.1—8(1)(b)

Issue: The reference to 'lot identification' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).

Response: Include an asterisk.

7. STANDARD 1.2.1

Location: Subsection 1.2.1—8(1)(d)

Issue: The reference to 'warning statements' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).

Response: Include an asterisk.

- 8. STANDARD 1.2.1**
Location: Subsection 1.2.1—8(1)(k)
Issue: The reference to 'foods produced using gene technology' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk.
- 9. STANDARD 1.2.1**
Location: Subparagraph 1.2.1—8(1)(v)(i)
Issue: The reference to 'average quantities' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk.
- 10. STANDARD 1.2.1**
Location: Subsection 1.2.1—8(3)
Issue: The reference to 'warning statements' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk.
- 11. STANDARD 1.2.1**
Location: Section 1.2.1—10
Issue: The reference to 'caterer' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk
- 12. STANDARD 1.2.1**
Location: Paragraph 1.2.1—12(3)(b)
Issue: The reference to 'fruit and vegetables' should be identified with an asterisk as it is a term defined in subsection 1.1.2—3(2).
Response: Include an asterisk
- 13. STANDARD 1.2.1**
Location: Subsection 1.2.1—15(b)
Issue: The reference to 'lot identification' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk
- 14. STANDARD 1.2.1**
Location: Subsection 1.2.1—15(c)
Issue: The reference to 'warning statements' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk
- 15. STANDARD 1.2.1**
Location: Paragraph 1.2.1—20(2)(b)
Issue: The reference to 'lot identification' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk
- 16. STANDARD 1.2.1**
Location: Paragraph 1.2.1—20(3)(c)
Issue: The reference to 'transportation outer' should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk

- 17. STANDARD 1.2.5**
Location: Subsection 1.2.5—3(3)
Issue: The reference to ‘small package’ should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include an asterisk
- 18. STANDARD 1.2.8**
Location: Section 1.2.8—4
Issue: The definition of *average quantity* from Standard 1.1.2 is not present in this section.
Response: Insert the definition of *average quantity* from subsection 1.1.2—2(3) into section 1.2.8—4.
- 19. STANDARD 1.2.8**
Location: Paragraph 1.2.8—6(1)(b)
Issue: The subsection contains a typographical error. The reference to ‘average quantity of the food’ should not be identified with an asterisk.
Response: Remove the asterisk.
- 20. STANDARD 1.2.8**
Location: Subparagraph 1.2.8—6(1)(d)(ii)
Issue: The references to ‘average quantity’ should be identified with an asterisk as it is a term defined in subsection 1.1.2—2(3).
Response: Include the asterisks.
- 21. STANDARD 1.2.8**
Location: Subsection 1.2.8—6(7)
Issue: The reference to ‘unavailable carbohydrate’ should not be identified with an asterisk as it is not a term defined in subsection 1.1.2—2(3).
Response: Remove the asterisk.
- 22. STANDARD 1.6.1**
Location: Subsection 1.6.1—3(2)
Issue: The subsection contains a typographical error. The subsection should refer to Schedule S27—4 instead of Schedule S27—3.
Response: Replace the reference to Schedule S27—3 with a reference to Schedule S27—4.
- 23. STANDARD 2.2.3**
Location: Note 3
Issue: The Note requires amending as the second sentence is to be moved to paragraph 1, and the website links at paragraphs 1 and 3 no longer work and need updating.
Response: Move the second sentence to paragraph 1, and update the website links at both paragraphs 1 and 3.
- 24. STANDARD 2.6.3**
Location: Section 2.6.3—4
Issue: The section contains a typographical error. The section should refer to paragraph 1.2.1—9(3)(f) instead of paragraph 1.2.1—9(4)(c).
Response: Replace the reference to paragraph 1.2.1—9(4)(c) with a reference to paragraph 1.2.1—9(3)(f).

25. STANDARD 3.2.3

Location: Subsection 3.2.3—3(d)
Issue: The subsection contains a typographical error. There is a second paragraph 3(d)(ii) that should be 3(d)(iii).
Response: Replace the second occurring paragraph 3(d)(ii) to 3(d)(iii).

26. STANDARD 4.2.3

Location: Table of Provisions
Issue: The Table contains a typographical error. The 2B row should refer to “retail sale activities” instead of “retail sail activities”.
Response: Amend to correct this typographical error.

27. STANDARD 4.2.4

Location: Subsection 4.2.4—15(1) Editorial Note
Issue: The second sentence “The provision concerning an applicable law of a State or Territory is a temporary one and will be reviewed by FSANZ under another proposal” is no longer applicable.
Response: Omit the second sentence.

28. SCHEDULE 2

Location: Section S2—2
Issue: The Mouse Unit (MU) measurement is missing from the table to this section.
Response: Insert the measurement into the table.

29. SCHEDULE 3

Location: Paragraph S3—2(1)(b)
Issue: The FAO JECFA Monographs 22 (2018) and FAO JECFA Monographs 23 (2019) have been published and should be included in this paragraph.
Response: Update to include FAO JECFA Monographs 22 (2018) and FAO JECFA Monographs 23 (2019).

30. SCHEDULE 3

Location: Paragraph S3—2(1)(c)
Issue: The Food chemicals codex has now been updated to the 12th edition (2020).
Response: Update the Food chemicals codex to the 12th edition (2020).

31. SCHEDULE 3

Location: Subsection S3—2(2)
Issue: Both sections S3—31 and S3—32 are being repealed (refer to item 34 below) and the references to these sections in the table to subsection S3—2(2) are to be removed.
Response: Update the table to remove the entries for sections S3—31 and S3—32.

32. SCHEDULE 3

Location: Subsection S3—3(b)
Issue: The United States Pharmacopeial Convention (2020) United States Pharmacopeia (43) and the National Formulary (38), (USP 43-NF 38) has been published and should be included in this subsection.
Response: Update the publication in this subsection.

- 33. SCHEDULE 3**
Location: Subsection S3—3(i)
Issue: The Specifications and Standards for Food Additives has now been updated to the 9th edition (2018).
Response: Update the Specifications and Standards for Food Additives to the 9th edition (2018).
- 34. SCHEDULE 3**
Location: Sections S3—31 and S3—32
Issue: Repeal these obsolete sections as they are captured by the updates described in item 29 above (FAO JEFCA Monographs 22 (2018) and FAO JECFA Monographs 23 (2019)).
Response: Repeal the sections.
- 35. SCHEDULE 3**
Location: Section S3—35
Issue: First, paragraph S3—35(2)(a) is now obsolete as it is captured by the updates described in item 29 above (FAO JEFCA Monographs 22 (2018) and FAO JECFA Monographs 23 (2019)). Second, the title of the section requires amending to accommodate the change with paragraph S3—35(2)(a). Third, the references to ‘EC 2.4.1.17’ in subparagraphs S3—35(2)(b)(i) and S3—35(2)(c)(i) are to be repealed.
Response: Amend the title of the section, repeal subparagraph S3—35(2)(a), and omit the references to ‘EC 2.4.1.17’ in subparagraphs S3—35(2)(b)(i) and S3—35(2)(c)(i).
- 36. SCHEDULE 11**
Location: Subsection S11—2(1)
Issue: Subsection S11—2(1) refers incorrectly to ‘average amount’. The reference should be to ‘*average quantity’.
Response: Omit ‘average amount’ and substitute ‘*average quantity’.
- 37. SCHEDULE 13**
Location: Section S13—2
Issue: The column 2 entry for ‘Dietary fibre, sugars or any other *carbohydrate’ in the table to this subsection contains a typographical error. The entry is missing ‘fibre’ after the word ‘dietary’.
Response: Insert ‘fibre’ after the word ‘dietary’ in column 2 for the ‘Dietary fibre, sugars or any other *carbohydrate’ entry.
- 38. SCHEDULE 15**
Location: Section S15—5 (table entry 2.2.2 Oil emulsions (<80% oil))
Issue: The table entry for ‘2.2.2 Oil emulsions (<80% oil)’ contains typographical errors. The first three entries directly under the title ‘2.2.2 Oil emulsions (<80% oil)’ should be capitalised.
Response: Amend to correct these typographical errors.
- 39. SCHEDULE 15**
Location: Section S15—5 (table entry 13.2 Food for infants)
Issue: The table entry for ‘13.2 Food for infants’ contains formatting errors. Four food additive permissions (307b, 322, 330 331 332 333, and 380) under this entry have been duplicated.
Response: Remove the duplicated entries.

- 40. SCHEDULE 18**
Location: Subsection S18—9(3)
Issue: The references to 'EC 2.4.1.17' in this subsection are to be repealed.
Response: Omit the references to 'EC 2.4.1.17'.
- 41. SCHEDULE 19**
Location: Paragraph S19—7(2)(c)
Issue: Paragraph S19—7(2)(c) contains a typographical error. It incorrectly states '(a) of (b)' instead of '(a) or (b)'.
Response: Amend the typographical error.
- 42. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Aminocyclopyrachlor)
Issue: The reference to 'Mammalian fats [except poultry fats]' is incorrect as poultry is not mammalian.
Response: Amend the entry to read 'Mammalian fats [except milk fats]'.
- 43. SCHEDULE 20**
Location: Section S20—3 (table entries for Agvet chemicals: Clodinafop acid and Clodinafop-propargyl)
Issue: The entries for Agvet chemicals 'Clodinafop acid' and 'Clodinafop-propargyl' are not listed in alphabetical order in this section and need to be re-ordered.
Response: Amend the entries for Agvet chemicals 'Clodinafop acid' and 'Clodinafop-propargyl' to be listed in alphabetical order.
- 44. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Difenconazole)
Issue: The entry contains a typographical error. The permitted residue for 'Carrot' should be '0.2mg/kg' instead of '2mg/kg'.
Response: Amend the typographical error.
- 45. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Flumioxazin)
Issue: The entry duplicates a commodity with references to both 'Stone fruits' and 'Cherries'. Stone fruits encompasses cherries.
Response: Remove 'Cherries 0.02'.
- 46. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Kresoxim-methyl)
Issue: The entry contains a typographical error. It lists the commodity 'Egg plant' twice.
Response: Remove the second reference to 'Egg plant 0.6'.
- 47. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Phosphine)
Issue: The entry contains a typographical error. The permitted residue for 'Citrus fruits' should be '*0.01mg/kg' instead of '0.01mg/kg'.
Response: Amend the typographical error.
- 48. SCHEDULE 20**
Location: Section S20—3 (table entry for Agvet chemical: Pirimicarb)
Issue: The entry contains a formatting error. 'All other foods except animal food commodities' has an extra line underneath it.
Response: Remove the extra line.

49. SCHEDULE 25

Location: Section S25—2 (table entry for *Phytosterols, phytostanols and their esters)
Issue: Paragraphs 3A and 3B are to be repealed as they are no longer applicable.
Paragraph 3(c) is to be amended to accommodate their removal.
Response: Repeal paragraphs 3A and 3B and amend paragraph 3(c).

50. SCHEDULE 27

Location: Note 1
Issue: The note is missing the reference to section 1.6.1—4.
Response: Include the reference to section 1.6.1—4.

51. SCHEDULE 27

Location: Section S27—4
Issue: The text under the heading for this section is not required as the table refers to every clause of Standard 1.6.1.
Response: Remove 'For section 1.6.1—2, the table is:' from under the heading.

52. SCHEDULE 29

Location: Section S29—7
Issue: The heading of this section is missing the reference to 'formulated meal replacements (vitamin K)'. Also, the text under the heading is missing the reference to subparagraph '2.9.3—3(2)(c)(iii)'.
Response: Insert the reference to 'formulated meal replacements (vitamin K)' in the heading, and the reference to subparagraph '2.9.3—3(2)(c)(iii)' in the text under the heading.