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308-24

Call for submissions – Proposal M1022

2023 MRL Harmonisation Proposal

Food Standards Australia New Zealand (FSANZ) has assessed a proposal to consider amendments to the schedules for agricultural and veterinary (agvet) chemicals in the Australia New Zealand Food Standards Code. FSANZ has prepared a draft food regulatory measure with proposed amendments to Schedule 20 — Maximum residue limits. 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.

Submissions on this proposal need to be made through the [Consultation Hub](https://consultations.foodstandards.gov.au/) (<https://consultations.foodstandards.gov.au/>).

All submissions on applications and proposals will be published on the Consultation Hub. We will not publish material that we accept as confidential. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1982*. Submissions will be published following consultation and before the next stage in the statutory assessment process.

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 [Making a submission](#).

For information on how FSANZ manages personal information when you make a submission, see FSANZ's [Privacy Policy](#).

FSANZ also accepts submissions in hard copy to our Australia and/or New Zealand offices.

There is no need to send an email or hard copy of your submission if you have submitted it through the FSANZ Consultation Hub.

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 29 October 2024

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 a submission or application and proposal processes can be sent to standards.management@foodstandards.gov.au.

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SUPPORTING DOCUMENTS

The following document, which informed the assessment of this Proposal, is available on the FSANZ website at [M1022 - Maximum Residue Limits \(2023\)](https://www.foodstandards.gov.au/food-standards-code/proposals/m1022-2023-mrl-harmonisation-proposal)¹

SD1 M1022 Supporting document

1. www.foodstandards.gov.au/food-standards-code/proposals/m1022-2023-mrl-harmonisation-proposal. Accessed 10 July 2024.

Executive summary

Food Standards Australia New Zealand (FSANZ) is proposing amendments to Schedule 20 of the Australia New Zealand Food Standards Code (the Code) after consideration of maximum residue limits (MRLs):

- adopted at the 2023 Codex Alimentarius Commission meeting,
- requested by stakeholders seeking alignment with standards set by international trading partners, and
- to reflect changes in agricultural and veterinary (agvet) chemical usage in Australia as requested by the Australian Pesticides and Veterinary Medicines Authority.

Amendments are also being proposed to Schedule 20 to correct typographical and transcription errors, as well as updating commodity names and references to exceptions for certain chemical entries.

The proposal relates to Australia only. The *Agreement between the Government of Australia and the Government of New Zealand concerning the Joint Food Standards System* excludes MRLs for agvet chemicals in food from the system that sets joint food standards for both countries. MRLs for agvet chemical residues in food commodities are therefore developed independently and separately by Australia and New Zealand.

Following assessment, FSANZ has prepared a draft variation that amends Schedule 20 of the Code. If the draft variation is approved, the proposed MRL changes would permit the sale of foods containing legitimate residues of agvet chemicals at levels consistent with the effective control of pests and diseases and/or manage inadvertent presence of low-level pesticide residues in a plant commodity. Residues at these levels were assessed to be safe for human consumption.

FSANZ seeks submissions on this draft variation.

1 Introduction

1.1 The proposal

M1022 has been prepared to consider the variation of agricultural and veterinary (agvet) chemical maximum residue limits (MRLs) in Schedule 20 of the Australia New Zealand Food Standards Code (the Code). M1022 includes the consideration of MRL variations proposed by the Australian Pesticides and Veterinary Medicines Authority (APVMA), MRLs newly adopted by the Codex Alimentarius Commission ([CAC46](#)²), and MRL harmonisation requests from other interested parties. The objective is to promote consistency between domestic and international food regulatory measures and to remove non-tariff barriers to trade, without reducing public health and consumer protection safeguards. M1022 also seeks to rectify a small number of formatting and transcription errors in Schedule 20, including some identified by stakeholders.

The proposal relates to Australia only. 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 that sets joint food standards for both countries. MRLs for agvet chemical residues in food commodities are therefore developed independently and separately by Australia and New Zealand.

1.2 The current standards

Australian food laws require food for sale, whether domestically produced or imported, to comply with relevant requirements in the Code. The Code requirements relevant to this proposal are summarised below.

- Section 1.1.1—2(3) of the Code provides that, for Code purposes, an *agvet chemical* means ‘an agricultural chemical product or a veterinary chemical product, within the meaning of the Agvet Code’.³
- Paragraph 1.1.1—10(6)(c) of the Code provides that, unless expressly permitted by the Code, food for sale must not have, as an ingredient or component, a detectable amount of an agvet chemical or a metabolite or degradation product of an agvet chemical.
- Standard 1.4.2 and the associated Schedules 20 and 21 set out the relevant permissions and permitted maximum and extraneous residue limits for agvet chemicals in food for sale.
- These permissions and residue limits are set by reference to a particular food or food group. Standard 1.4.2 applies, together with, Schedules 20 and Schedule 21, to a particular food or food group as described in Schedule 22.
- Standard 1.4.2 also prescribes a method to calculate maximum and extraneous residue limits in a food commodity by reference to the portion of that commodity that is specified in Schedule 22.

State and Territory government regulators in Australia apply the above standards to food for sale that is produced in Australia. The Commonwealth Department of Agriculture, Fisheries and Forestry applies these standards to food imported for sale into Australia.

2. Codex Alimentarius Commission Meeting 46 (2023): www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CAC&session=46. Accessed 10 July 2024.

3. The Agvet Code is the Code set out in the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994*. The APVMA are responsible for development and administration of the AgVet Code.

Application of the current standards means that food products containing residues of an agvet chemical with no permitted residue limit set by the Code or which exceed a permitted limit set by the Code cannot be sold in Australia. The aim is to ensure that residues of agvet chemicals in food are kept as low as possible, are consistent with their approved uses and are at levels assessed to be safe for human consumption.

1.2.1 Maximum residue limits established by the APVMA

The APVMA regulates agvet chemical use within Australia. An agvet chemical product must be approved and registered by the APVMA before it can be manufactured, imported, supplied, sold or used in Australia⁴. In approving an agvet chemical product, the APVMA will establish MRLs for treated food commodities, if residues are to be expected. After undertaking public consultation, the APVMA will publish these MRLs in the [Agricultural and Veterinary Chemicals Code \(MRL Standard\) Instrument 2023](#)⁵. The APVMA will then amend Schedule 20 of the Code to align the domestic MRLs between both standards. These MRLs are used by Australian jurisdictions to regulate agvet chemical use at the point of food production.

1.2.2 FSANZ MRL harmonisation proposals

The MRLs set by the APVMA for domestic use of an agvet chemical may differ from those established by Australia's trading partners and Codex. Agvet chemical use by our trading partners will be dependent on the pests, diseases and environmental factors specific to their country. This means that residues in imported food may legitimately differ from domestically produced food. To meet the food for sale requirements in Australia and thus be permitted for importation, the MRL for the imported food must be listed in Schedule 20 of the Code. If no MRL exists in Schedule 20 or is below a trading partners MRL, then an amendment to the Code can be requested.

For this reason, FSANZ undertakes an annual MRL harmonisation proposal ('M' proposal) to consider requests by stakeholders to align MRLs listed in Schedule 20 with our trading partners. The APVMA may also request variations to Schedule 20 as part of the M proposal. The primary purpose is to facilitate the sale of imported foods containing residues of legally applied agvet chemicals and align domestic MRL standards. M1022 is such a proposal.

1.3 Reasons for preparing the proposal

This proposal was prepared in order to vary MRLs in Schedule 20 to align the Code with Codex and our trading partner standards for food commodities to be imported and legally sold in Australia. The proposal was raised after a two month call for requests period that closed on 22 September 2023.

FSANZ received 152 requests to amend 112 chemical listings in Schedule 20 from 13 stakeholders, of which six were Australian and seven international. The majority of stakeholders were food importers seeking the addition of a new or varied MRL for food commodities.

Requests were made by:

1. American Peanut Council
2. Australian Pesticides and Veterinary Medicines Authority
3. BASF SE
4. Bayer CropScience Pty Ltd

4. This requirement does not apply to agvet chemicals exempted by the Agvet Code.

5. Agricultural and Veterinary Chemicals Code (MRL Standard) Instrument 2023: <https://www.legislation.gov.au/F2023L01350/latest/versions> Accessed 10 July 2024.

5. California Fresh Fruit Association
6. Corteva Agriscience Australia
7. DormFresh Limited
8. McCormick Foods Australia Pty Ltd
9. Nestlé Australia Pty Ltd
10. North American Blueberry Council
11. Syngenta Australia Pty Ltd
12. United States Hop Industry Plant Protection Committee
13. United States National Potato Council.

FSANZ also considered MRL changes proposed by the Codex Committee for Pesticide Residues and adopted by CAC in 2023. The proposed MRL changes from Codex covered 29 chemicals and 252 chemical-food commodity combinations.

In total, FSANZ considered MRL changes to 124 chemicals and 403 chemical-commodity combinations in M1022. FSANZ's assessment is that the proposed MRLs arising from M1022 would permit the sale of foods containing agvet chemical residues, protect public health and safety, and minimise agvet chemical residues in foods consistent with the effective control of pests and diseases. The focus of FSANZ's scientific assessment was on the safety of the agvet chemical residues for Australian consumers. The proposed MRLs may minimise trade disruption and extend manufacturers and consumer choice for a range of commodities.

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 Appendix 1 of SD1, which provides a summary of dietary exposure estimates undertaken for Australian consumers for each agvet chemical and relevant food commodity. Appendix 2 of SD1 provides summary information on the assessment of the requested chemicals for suitability to set MRLs for *All other foods except animal food commodities* and lists chemicals for which MRLs already proposed by FSANZ have been supported by the APVMA.

2.1 Risk assessment

Chemicals under review by the APVMA

Requests were received for commodity MRLs for diazinon, diquat, fenitrothion and paraquat. A review of these chemicals by the APVMA is currently in progress. Therefore the MRL requests were excluded from this M proposal. Once the APVMA have published and implemented the final regulatory decisions, requestors are encouraged to resubmit their requests, if still applicable.

Requests that did not meet the MRL harmonisation requirements

Requests were received for commodity MRLs for 44 chemicals where the chemical was not approved for use in the country where the food was to be sourced for importation into Australia. The most likely reason for the existence of the MRLs in the MRL source country was that the MRL permitted importation and sale of food in that country. FSANZ deems these to be import MRLs and therefore the requests do not meet the requirements stipulated in section 4.2.1 in the [Guide to submitting requests for maximum residue limit \(MRL\) harmonisation proposals](#)⁶. FSANZ will only consider requests to harmonise MRLs in the Code where the MRL has been set by the chemical regulatory authority setting permissions of use in the country or jurisdiction where the food commodity is grown or produced. As a result, these MRL harmonisation requests were excluded from this M proposal.

Toxicological and microbiological review of new chemicals

Commodity MRLs for three chemicals currently not listed in Schedule 20 were requested for consideration in M1022 (1,4-dimethylnaphthalene, flufenoxuron, fluindapyr). FSANZ confirmed that these chemicals had been reviewed by the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR). JMPR establishes toxicological health-based guidance values (HBGVs) and suitable residue definitions that meet FSANZ requirements.

The JMPR assessment of these chemicals considered the need for, but did not establish, microbiological HBGVs. The JMPR also did not identify any data for antimicrobial activity or impact on the human gut microbiome.

FSANZ's own assessment did not identify any additional toxicological hazards. Nor did FSANZ identify evidence in the scientific literature of more conservative HBGVs that had considered microbiological effects or further evidence of the need for microbiological HBGVs.

Therefore, as a competent authority has considered both toxicological and microbiological effects in setting the HBGVs and no evidence was found to refute the need for microbiological HBGVs, the toxicological HBGVs proposed by the JMPR were accepted as sufficient to mitigate risk based on the currently available scientific knowledge.

The requests for MRL harmonisation associated with these three chemicals proceeded to the dietary exposure assessment (DEA) stage.

Consideration of MRLs adopted by Codex

FSANZ considered food commodity MRLs adopted at [CAC46](#)⁷. Not all of these Codex MRLs will be included in the Schedule 20 variation as existing or other requested MRLs may be more appropriate. With the implementation of a routine consideration of Codex MRLs in the harmonisation proposal process in 2020, FSANZ applied a standardised screening process to the Codex MRLs adopted by CAC and only considered those for inclusion in M1022 if the MRL:

- was higher than the relevant existing Schedule 20 MRL
- was higher than an existing *All other foods except animal food commodities* MRL
- was higher than a request to align with a third country MRL

6. FSANZ's Guide to submitting requests for maximum residue limit (MRL) harmonisation proposals: <https://www.foodstandards.gov.au/publications/Guide-for-Submitting-Requests-for-MRL-Proposals>. Accessed 10 July 2024.

7. Codex Alimentarius Commission Meeting 46 (2023): www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CAC&session=46. Accessed 10 July 2024.

- was at the same limit as a temporary ('T') status MRL existing in Schedule 20 for the same commodity/group
- was acceptable based on the outcome of a DEA using Australian food consumption data, and
- received APVMA support.

Once a chemical was determined suitable for inclusion in the proposal, it proceeded through the same assessment process as all other requests.

Consideration of MRLs for antibiotics

No antibiotics were considered as part of this proposal.

Dietary exposure assessment

The presence of low levels of residues from registered and approved agvet chemicals in food commodities is not considered to present an unacceptable risk to public health and safety when used according to label instructions. To ensure 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 by FSANZ to confirm that the estimated exposures are unlikely to exceed relevant HBGVs for an agvet chemical⁸. 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 relevant HBGVs are the acceptable daily intake (ADI) and the acute reference dose (ARfD).

In Australia, the ADI and ARfD for agvet chemicals are currently set by the APVMA⁹ following an assessment of the toxicity of each chemical. In cases where an Australian ADI or ARfD has not been set, the ADI and, where appropriate, the ARfD adopted by JMPR is 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 other HBGVs in the DEA that have been set by the trading partner's government agency responsible for instituted MRLs.

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 unacceptable risk for the Australian population or a population subgroup.

The steps undertaken in conducting a DEA are to:

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

The dietary exposure estimates for this proposal indicate that the proposed MRLs pose negligible chronic and acute health and safety risks to Australian consumers.

8. For further information on how DEAs are carried out please visit the Dietary exposure and intake assessment webpage: <https://www.foodstandards.gov.au/science-data/dietaryexposureandintakeassessments>. Accessed 19 June 2024.

9. On 1 July 2016, the task of establishing HBGVs was transferred to the Australian Pesticide and Veterinary Medicines Authority (APVMA).

2.2 Risk management

FSANZ is committed to ensuring that residues of agvet chemicals that may occur in food commodities following their approved use in food production are safe for consumers. FSANZ maintains Schedules 20, 21 and 22 of the Code to ensure that such food may be legally and safely sold on the Australian market. The safety of the consumption of any residues in the context of the Australian diet is a key consideration.

2.2.1 Differences in chemical names used across jurisdictions

FSANZ received harmonisation requests for lambda-cyhalothrin and gamma-cyhalothrin, which are captured in Schedule 20 by the existing entry for cyhalothrin. This difference in the chemical names is due to the potential presence within the pesticide mix of multiple isomers. For the purpose of these chemicals listed in Schedule 20, the isomers do not need to be differentiated because the residue definition is for the sum of both isomers.

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

The APVMA requested 22 amendments to MRLs in Schedule 20. All of these amendments can be identified by the text 'APVMA' under the column 'Origin of MRL requested' in the table in Appendix 1 of SD1. The amendments include deleting or reducing MRLs, removal of the temporary ("T") prefix (this type of amendment is listed in the table as *No change* as the MRL itself has not changed) or substituting a single commodity MRL to a group or subgroup of commodities. The residue definition for cyhalofop-butyl is also being amended. The MRL amendments have been requested by the APVMA because:

- of changes in domestic use patterns
- the agvet chemical is no longer required for domestic production of a food, or
- of the results following a chemical review.

If an *All other foods except animal food commodities* MRL exists for the agvet chemical being amended, it will be amended accordingly.

An important consideration for FSANZ is to ensure that MRL variations which are safe do not adversely affect trade. If stakeholders identify a proposed MRL deletion or reduction that could potentially impact the importation of a food, FSANZ can consider delaying the implementation of the proposed variation after consultation with the APVMA ([see also section 2.4.1.1](#)). Where appropriate, FSANZ will not progress the proposed variation of the MRL to allow time for a request to be made for the next scheduled M proposal. The request must provide supporting data, demonstrating that the MRL meets the requirements of section 4.2.1 in the [Guide to submitting requests for maximum residue limit \(MRL\) harmonisation proposals](#)¹⁰ and likely to be present in imported food. If no request is received for the next M proposal(s), the deletions/reductions will be progressed on gazettal of that M proposal.

FSANZ requests comment on any possible ramifications of the APVMA proposed deletions and reductions to MRLs listed in Schedule 20, for imported foods. Where applicable, supporting evidence should be provided.

10. FSANZ's Guide to submitting requests for maximum residue limit (MRL) harmonisation proposals: <https://www.foodstandards.gov.au/publications/Guide-for-Submitting-Requests-for-MRL-Proposals>. Accessed 10 July 2024.

2.2.3 Review of the oilseed entries in Schedule 20

An M1022 stakeholder notified FSANZ that the current oilseed entries in Schedule 20 did not clearly differentiate which entries were aligned to Codex and which were aligned to the US. This is important because Codex entries could include a peanut MRL, whereas a US alignment does not capture peanuts. A preliminary review by FSANZ confirmed that the identification of which oilseed MRL entry captured peanuts was unclear. FSANZ therefore undertook a thorough review of the oilseed and peanut entries in Schedule 20 in collaboration with the APVMA, and is proposing a series of changes outlined in tables 2–6 of SD1. The proposed changes will also bring Schedule 20 in closer alignment to the updated Schedule 22 – Foods and classes of foods. Schedule 22 was updated through proposal M1019 to accommodate the recent updates to the Codex Class A – Primary Food Commodities of Plant Origin classification adopted at the 2022 CAC meeting.

FSANZ is committed to ensuring the implications of MRL variations proposed in the M proposal do not adversely affect trade. If stakeholders identify an MRL deletion or reduction that could potentially impact the importation of a food, FSANZ could consider delaying the implementation of the proposed variation should evidence be provided demonstrating that the *residues are legitimate*¹¹ and likely to occur in imported food. A subsequent M proposal request to FSANZ seeking alignment to the *legitimate MRL*¹¹ would be required to ensure continued entry in the Code. If no request is received in the next scheduled M proposal, the deletions/reductions will be progressed upon gazettal of that M proposal.

FSANZ requests comment on any possible ramifications of the oilseed review proposed deletions and reductions to MRLs listed in Schedule 20 for imported foods. Supporting evidence must be provided in order to maintain the MRL in the Code.

2.2.4 Review and establishment of an *All other foods except animal food commodities* MRLs

FSANZ reviewed 120 of the 509 agvet chemicals listed in Schedule 20, to determine whether setting an *All other foods except animal food commodities* MRL for any of these chemicals may be warranted. These are set as a risk management response to address inadvertent presence of agvet chemicals in food. FSANZ will consider establishing an *All other foods except animal food commodities* MRL after a DEA has confirmed that such an MRL for inadvertent low-level residues would not pose public health and safety concerns.

Three new *All other foods except animal food commodities* MRLs are proposed. A reduction in an existing *All other foods except animal food commodities* MRL is also proposed. A list of the outcome of the review of existing and 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 Appendix 2 to SD1.

11. *Residues are legitimate* and *legitimate MRL* are defined as residues that would potentially be present in food because the agvet chemical is permitted for use in the country from where the food is sourced.

2.2.5 Conclusion

Following assessment, FSANZ's decision was to prepare a draft variation to amend Schedule 20.

FSANZ will only consider varying MRLs in the Code where the risk assessment concludes that the estimated dietary exposures do not exceed 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 increase the level of concern about the risk to public health.

As outlined in [section 2.1](#), the dietary exposure estimates undertaken for each of the proposed MRLs indicate that they pose negligible chronic and/or acute safety risks from agvet chemical residues to Australian consumers.

For the reasons outlined in this call for submissions, FSANZ considers the preparation of the draft variation as the appropriate risk management approach.

2.3 Risk communication

2.3.1 Consultation

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

As part of the public consultation process, the community and interested parties are notified of the proposed changes and given the opportunity to comment via the FSANZ Notification Circular, media release, social media channels and our Food Standards News digital newsletter.

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.

As identified in [section 2.2.2](#) and [section 2.2.3](#), FSANZ requests specific comment on the proposed reductions and deletions to MRLs (a) as requested by the APVMA and (b) resulting from the FSANZ oilseed review.

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 not substantially the same as existing international standards and the proposed measure may have a significant effect on trade.

Amending the MRLs in Schedule 20 may impact international trade. An MRL constitutes a mandatory requirement and applies to all food products of a particular class, 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 Agreement on the Application of Sanitary and Phytosanitary Measures* (SPS 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 the food regulatory measures, 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

FSANZ has considered the costs and benefits of amendments to the Schedules for agvet chemicals in the Code (the amendments), as required by the FSANZ Act. A Regulatory Impact Statement (RIS) has not been prepared for the reasons explained below.

FSANZ expects that the benefits that would arise from the food regulatory measures developed or varied as a result of this proposal would outweigh the costs. This assessment is discussed in more detail below.

The costs and benefits of the amendments are limited to Australia because Schedule 20 does not apply in New Zealand.

Changes to regulation impact statement requirements

Impact analysis arrangements are no longer required to be finalised with the Office of Impact Analysis (OIA) as a result of changes made to the impact analysis requirements¹². These changes mean FSANZ is responsible for deciding whether a RIS should be developed for proposals to amend the Code.

Prior to these changes, in 2010 the then Office of Best Practice Regulation (OBPR) provided FSANZ with a standing exemption from preparing a RIS for MRL proposals and applications, due to them being machinery in nature (OBPR ID 12065).

On this basis, and having regard to the nature of the proposed amendments, FSANZ's assessment is that a RIS is not required for the 2023 MRL harmonisation proposal amendments (M1022).

While a RIS has not been prepared, FSANZ is still required by the FSANZ Act to assess the costs and benefits of the amendments. This assessment is presented in the next section.

Impacts on industry

If the proposed draft variations are approved, some of the amendments will harmonise Australian agricultural and food standards with international standards. Harmonisation simplifies compliance with MRLs when Australian requirements are the same as export markets and import countries. These amendments would benefit Australian based growers, primary producers and food importers through lower compliance costs.

The proposed amendments include increases or decreases to MRLs (depending on the chemical), which will have a mixed impact on industry. Industry may be prevented from importing some products where there is exceedance of an MRL. Conversely, industry may be able to import other products that presently cannot be imported due to exceedance of the current MRL.

12. Regulatory Impact Analysis Guide for Ministers' Meetings and National Standard Setting Bodies | The Office of Impact Analysis: <https://oia.pmc.gov.au/resources/guidance-impact-analysis/regulatory-impact-analysis-guide-ministers-meetings-and-national>. Accessed 24 June 2024.

Impacts on consumers

The proposed amendments ensure the safety of food for sale in Australia, which benefits consumers.

As noted above, there is a mixed impact on imported food. However, in total, risk will be better managed, meaning the food is likely to have a higher value to many consumers.

Impacts on governments

Achieving consistency between agriculture and food legislation assists in the efficient enforcement of regulations. Setting MRLs within the Code allows food exceeding safe levels to be recalled from sale, providing an effective and efficient method of limiting exposure to unsafe food and protecting public health and safety.

Conclusions from cost and benefit assessment

FSANZ's assessment is that the direct and indirect benefits that would arise from the proposed amendments most likely outweigh the associated costs.

The primary benefits are a reduction in compliance costs for industry and enforcement costs for governments. It is expected that the impact of restricting imports for some products will be balanced by less restriction on other products.

FSANZ will consider all information received from the call for submissions and update the assessment of the costs and benefits if required. This may result in FSANZ arriving at a different conclusion.

2.4.1.2 Other measures

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

2.4.1.3 Any relevant New Zealand standards

The Treaty excludes MRLs for agvet chemicals in food from the system that sets joint food standards. Australia and New Zealand therefore independently 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](#)¹³ and amendments. Agvet chemical residues in food must comply with the specific MRLs listed in the New Zealand Food Notice including the 'default' MRL of 0.1 mg/kg where no specific MRL is listed. Otherwise, if a food is imported and no domestic MRL has been set, 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.

13. MRLs for Agricultural Compounds in New Zealand: <https://www.mpi.govt.nz/agriculture/agricultural-compounds-vet-medicines/maximum-residue-levels-agricultural-compounds/>. Accessed 16 July 2024.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

2.4.2. Subsection 18(1)

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

2.4.2.1 Protection of public health and safety

FSANZ conducted DEAs to assess the suitability of adopting increased or new MRLs requested by both the APVMA and other parties.

As part of this proposal, in consultation with the APVMA, FSANZ has also considered antimicrobial resistance implications for variations requested for fungicides and veterinary chemicals such as antibiotics.

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) 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 undertakes formal legislative reviews or reconsideration of domestically approved chemicals. This involves scientifically reassessing the risks associated with agvet chemicals to ensure they are used safely and effectively. FSANZ and the APVMA liaise closely with regard to the outcomes of these chemical reviews and amendments to MRLs in Schedule 20 are made accordingly.

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

The proposed changes remove identified inconsistencies between agricultural and food standards and assist to align the Code with trading partner standards and Codex. The consideration of recently adopted Codex MRLs through the annual harmonisation proposal process promotes consistency between domestic and international food regulatory measures without reducing the safeguards that apply to public health and consumer protection.

- **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 Food Ministers' Meeting on Food Regulation**

FSANZ has had regard to the Food Ministers' Meeting [Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food](#)¹⁴. 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 variations

The draft variation to Schedule 20 of the Code is at Attachment A and, if approved, is intended to take effect on gazettal.

A draft explanatory statement for the variation to Schedule 20 is at Attachment B. An explanatory statement is required to accompany an instrument if it is lodged on the Federal Register of Legislation.

The qualifier *subgroup* has been added to certain commodity names in the draft variation to Schedule 20, where a subgroup commodity name has similarity to a single commodity name. For example Oranges, sweet, sour is the subgroup name in Schedule 22 and there are commodities Orange, sweet and Orange, sour. To minimise misinterpretation, Oranges (subgroup) has been used to replace Oranges, sweet, sour.

Attachments

- A. Draft variation to the Australia New Zealand Food Standards Code – Schedule 20
- B. Draft Explanatory Statement – Schedule 20

14. The policy guideline is available on the Food Regulation Secretariat website: <https://www.foodregulation.gov.au/resources/publications/policy-guideline-regulation-residues-agricultural-and-veterinary-chemicals-food>. Accessed 16 July 2024.

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



Food Standards (Proposal M1022 – Maximum Residue Limits (2023) – Schedule 20) 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 the Delegate]

[Insert Delegate's name and position title]

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 M1022 – Maximum Residue Limits (2023) – Schedule 20) 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

This variation commences on the date of gazettal.

Schedule

Schedule 20 Maximum residue limits

[1] Section S20—3

Repeal all entries for the following chemical:

Methidathion

[2] Section S20—3

Insert in alphabetical order the following chemicals, the corresponding residue definition(s), food commodities and associated maximum residue limits:

Agvet Chemical: 1,4-dimethylnaphthalene

Permitted residue — commodities of plant origin:
1,4-dimethylnaphthalene

Permitted maximum residue — commodities of animal origin, except milk: sum of 1,4-dimethylnaphthalene and metabolite 4-methyl-1-naphthoic acid (M23), expressed as 1,4-dimethylnaphthalene

Potato	20
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Agvet Chemical: Flufenoxuron

Permitted residue: Flufenoxuron

Oranges (subgroup)	0.4
Tea, green, black	20

Agvet Chemical: Fluindapyr

Permitted residue — commodities of plant origin: sum of fluindapyr and 3-(difluoromethyl)-N-[7-fluoro-1-(hydroxymethyl)-1,3-dimethyl-2,3-dihydro-1H-inden-4-yl]-1-methyl-1H-pyrazole-4-carboxamide (1-OH-Met-fluindapyr) and its conjugates, expressed as fluindapyr

Permitted residue — commodities of animal origin: sum of fluindapyr, 4-(3-(difluoromethyl)-1-methyl-1H-pyrazole-4-carboxamido)-7-fluoro-1,3-dimethyl-2,3-dihydro-1H-indene-1-carboxylic acid (1-COOH-fluindapyr), 3-(difluoromethyl)-N-[7-fluoro-1-(hydroxymethyl)-1,3-dimethyl-2,3-dihydro-1H-inden-4-yl]-1-methyl-1H-pyrazole-4-carboxamide (1-OH-Met-fluindapyr), 3-(difluoromethyl)-N-[7-fluoro-1-(hydroxymethyl)-1,3-dimethyl-2,3-dihydro-1H-inden-4-yl]-1H-pyrazole-4-carboxamide (1-OH-Met-NDesMet-fluindapyr) and their conjugates, and 3-(difluoromethyl)-N-(7-fluoro-1,1,3-trimethyl-2,3-dihydro-1H-inden-4-yl)-1H-pyrazole-4-carboxamide (N-DesMet-fluindapyr), expressed as fluindapyr

Maize cereals (subgroup)	*0.01
Sorghum (subgroup)	1
Sweet corn (corn-on-the-cob; kernels)	*0.01

Tree nuts	0.04
Wheat (subgroup)	0.4

[3] Section S20—3 (table entry for Agvet chemical: Acibenzolar-S-methyl)

Insert:

Marjoram (oregano)	0.3
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[4] Section S20—3 (table entry for Agvet chemical: Aclonifen)

Insert:

Marjoram (oregano)	0.8
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[5] Section S20—3 (table entry for Agvet chemical: Afidopyropen)

Insert:

Sorghum, grain	0.2
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[6] Section S20—3 (table entry for Agvet chemical: Afidopyropen)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	0.2	0.3
2	Poultry fats	*0.01	0.015

[7] Section S20—3 (table entry for Agvet chemical: Azoxystrobin)

Repeal each of the following food commodities and associated maximum residue limits:

Beetroot	T*0.005
Carrot	0.2
Horseradish	0.5
Radish	0.5

[8] Section S20—3 (table entry for Agvet chemical: Azoxystrobin)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Papaya	4
Root and tuber vegetables [except potato; sugar beet]	1
Sugar beet	4

[9] Section S20—3 (table entry for Agvet chemical: Azoxystrobin)

Repeal the following food commodity and associated maximum residue limit:

Mango	0.5
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substitute:

Mango	4
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[10] Section S20—3 (table entry for Agvet chemical: Benzovindiflupyr)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Maize	0.02
Popcorn	0.02

[11] Section S20—3 (table entry for Agvet chemical: Bifenthrin)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Avocado	T0.1	0.5
2	Peppers, chili, dried	5	4

[12] Section S20—3 (table entry for Agvet chemical: Boscalid)

Repeal the following food commodity and associated maximum residue limit:

Palm nuts 3.5

substitute:

Palm nuts 1

[13] Section S20—3 (table entry for Agvet chemical: Broflanilide)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

All other foods except animal food commodities	0.004
Cabbages, head	2
Cereal grains [except rice]	*0.001
Coffee bean	0.01
Maize flour	0.002
Mammalian fats (except milk fats)	0.15
Poultry fats	0.15
Poultry meat	*0.02
Radish, Japanese	0.01
Tuberous and corm vegetables	0.04
Wheat germ	0.002

[14] Section S20—3 (table entry for Agvet chemical: Broflanilide)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	*0.02	0.03
2	Eggs	*0.02	0.03
3	Meat (mammalian) (in the fat)	*0.02	0.15
4	Milk fats	*0.02	0.4
5	Milks	*0.002	0.015
6	Poultry, edible offal of	*0.02	0.03

[15] Section S20—3 (table entry for Agvet chemical: Broflanilide)

Omit:

Brassica vegetables (except Brassica leafy vegetables)

substitute:

Brassica vegetables (except Brassica leafy vegetables) [except cabbages, head]

[16] Section S20—3 (table entry for Agvet chemical: Buprofezin)

Insert:

Table olives	5
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[17] Section S20—3 (table entry for Agvet chemical: Buprofezin)

Omit:

Oilseeds [except cotton seed]

substitute:

Oilseeds (subgroup) [except cotton seed]

[18] Section S20—3 (table entry for Agvet chemical: Carbendazim)

Omit:

Blackberry

substitute:

Blackberries

[19] Section S20—3 (table entry for Agvet chemical: Carbofuran)

Repeal the following food commodity and associated maximum residue limit:

Sunflower seed	0.1
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substitute:

Sunflower seed	*0.1
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[20] Section S20—3 (table entry for Agvet chemical: Chlorantraniliprole)

Insert:

Tea, green, black	80
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[21] Section S20—3 (table entry for Agvet chemical: Chlorfenapyr)

Repeal each of the following food commodities and associated maximum residue limits:

Brassica leafy vegetables [except Chinese cabbage (Pak-choi)]	T3
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Mizuna	T3
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Onion, Welsh	T1
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Rucola (rocket)	T5
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Shallot	T1
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Spring onion	T1
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[22] Section S20—3 (table entry for Agvet chemical: Chlormequat)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

All other foods except animal food commodities	0.02
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Mammalian fats (except milk fats)	0.1
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Poultry fats	*0.04
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Wheat bran, unprocessed	10
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Wheat germ	20
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[23] Section S20—3 (table entry for Agvet chemical: Chlormequat)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Barley	T2	2
2	Eggs	0.1	0.2
3	Poultry, edible offal of	0.1	0.2

[24] Section S20—3 (table entries for Agvet chemical: Cyantraniliprole)

Repeal the following food commodity and associated MRL:

Palm nuts 1.5

[25] Section S20—3 (table entry for Agvet chemical: Cyantraniliprole)

Repeal the following food commodity and associated MRL:

Peanut 1.5

[26] Section S20—3 (table entry for Agvet chemical: Cyflufenamid)

Insert:

Marjoram (oregano) *0.02

[27] Section S20—3 (table entry for Agvet chemical: Cyflumetofen)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Cherries (subgroup) 1.5
Peaches (subgroup) 0.4
Plums (subgroup) 0.3

[28] Section S20—3 (table entry for Agvet chemical: Cyhalofop-butyl)

Insert:

Marjoram (oregano) *0.05

[29] Section S20—3 (table entry for Agvet chemical: Cyhalofop-butyl)

Omit:

Permitted residue: Sum of cyhalofop-butyl, cyhalofop and metabolites expressed as cyhalofop-butyl

substitute:

Permitted residue: Sum of cyhalofop-butyl and cyhalofop acid, expressed as cyhalofop-butyl

[30] Section S20—3 (table entry for Agvet chemical: Cyhalothrin)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Marjoram (oregano) 0.7
Pistachio nut 0.05

[31] Section S20—3 (table entry for Agvet chemical: 2,4-D)

Omit:

Oilseed

substitute:

Oilseeds and oilfruits [except oilfruits]

[32] Section S20—3 (table entry for Agvet chemical: Dichlorprop-P)

Insert:

Marjoram (oregano) *0.05

[33] Section S20—3 (table entry for Agvet chemical: Dichlorvos)

Omit:

Oilseed [except peanut]

substitute:

Oilseeds and oilfruits [except oilfruits]

[34] Section S20—3 (table entry for Agvet chemical: Diclofop-methyl)

Repeal the following food commodity and associated MRLs:

Poppy seed 0.1

[35] Section S20—3 (table entry for Agvet chemical: Difenconazole)

Insert in alphabetical order:

Ginger root 0.2

Ginger root, dried 1.5

Goji berry 5

Goji berry, dried 15

[36] Section S20—3 (table entry for Agvet chemical: Difenconazole)

Omit:

Fruiting vegetables, other than cucurbits

substitute:

Fruiting vegetables, other than cucurbits [except goji berry]

[37] Section S20—3 (table entry for Agvet chemical: Diflubenzuron)

Repeal:

Stone fruits [except cherries; jujube, Chinese] 0.07

[38] Section S20—3 (table entry for Agvet chemical: Diflubenzuron)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Peaches (subgroup) 0.5

Plums (subgroup) 0.5

[39] Section S20—3 (table entry for Agvet chemical: Dimethoate)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Brussels sprouts	0.1
Mammalian fats (except milk fats)	0.03
Poultry fats	*0.001
Wheat germ	0.2

[40] Section S20—3 (table entry for Agvet chemical: Dimethoate)

Repeal the following food commodity and associated maximum residue limit:

Cherries	T0.2
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substitute:

Cherries (subgroup)	*0.01
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[41] Section S20—3 (table entry for Agvet chemical: Dimethoate)

Repeal the following food commodity and associated maximum residue limit:

Mango	1
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substitute:

Mango	0.5
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[42] Section S20—3 (table entry for Agvet chemical: Dimethoate)

Each food commodity name in the entry and that is listed in the following table, is amended as set out in the table:

Amendments relating to commodity names		
Item	Omit	Substitute
1	Currant, black, red, white	Currants, black, red, white
2	Oilseed [except cotton seed; peanut]	Oilseeds (subgroup) [except cotton seed]

[43] Section S20—3 (table entries for Agvet chemical: Diuron)

Repeal the following food commodity and associated MRL:

Palm nuts	0.5
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[44] Section S20—3 (table entry for Agvet chemical: Diuron)

Repeal the following food commodity and associated MRL:

Peanut	0.5
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[45] Section S20—3 (table entry for Agvet chemical: Dodine)

Omit:

All other foods, except animal food commodities

substitute:

All other foods except animal food commodities

[46] Section S20—3 (table entry for Agvet chemical: Emamectin)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Basil leaves	0.06
Basil leaves, dried	0.4
Cherries (subgroup)	0.09
Chives	0.01
Chives, dried	0.05
Mammalian fats (except milk fats)	0.02
Meat (mammalian)	0.005
Pistachio nut	0.02
Walnuts	0.02

[47] Section S20—3 (table entry for Agvet chemical: Emamectin)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	0.02	0.1
2	Milks	*0.001	0.003
3	Tea, green, black	*0.02	0.1

[48] Section S20—3 (table entry for Agvet chemical: Etoxazole)

Insert:

Peaches (subgroup)	1
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[49] Section S20—3 (table entry for Agvet chemical: Etoxazole)

Omit:

Stone fruits [except cherries (subgroup)]

substitute:

Stone fruits [except cherries (subgroup); peaches (subgroup)]

[50] Section S20—3 (table entry for Agvet chemical: Famoxadone)

Repeal:

Raspberries, red, black	10
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[51] Section S20—3 (table entry for Agvet chemical: Famoxadone)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Bulb onions (subgroup)	0.4
Cane berries	10
Fruiting vegetables, cucurbits - cucumbers and summer squashes	0.6
Peppers, chili	5
Peppers, chili, dried	50
Peppers, sweet	5
Potato	*0.02
Tomato	2

[52] Section S20—3 (table entry for Agvet chemical: Fenazaquin)

Repeal:

Raspberries, red, black 10

[53] Section S20—3 (table entry for Agvet chemical: Fenazaquin)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Apple	0.3
Avocado	0.15
Bush berries	0.8
Cane berries	0.7
Citrus oil, edible	40
Eggplants (subgroup)	0.3
Fruiting vegetables, cucurbits	0.3
Low growing berries	2
Mammalian fats (except milk fats)	*0.02
Marjoram (oregano)	*0.02
Peppers (subgroup)	0.3
Peppers, chili, dried	3
Prunes, dried	3
Small fruit vine climbing	0.7
Tomatoes (subgroup)	0.3

[54] Section S20—3 (table entry for Agvet chemical: Fenazaquin)

Repeal the following food commodity and associated maximum residue limit:

Dried grapes (currants, raisins and sultanas) 0.8

substitute:

Dried grapes 1.5

[55] Section S20—3 (table entry for Agvet chemical: Fenpicoxamid)

Insert:

Marjoram (oregano) *0.02

[56] Section S20—3 (table entry for Agvet chemical: Fenvalerate)

Omit:

Oilseed [except peanut]

substitute:

Oilseeds and oilfruits [except oilfruits; peanut]

[57] Section S20—3 (table entry for Agvet chemical: Flazasulfuron)

Insert:

Marjoram (oregano) *0.02

[58] Section S20—3 (table entry for Agvet chemical: Florasulam)

Insert:

Marjoram (oregano) *0.02

[59] Section S20—3 (table entry for Agvet chemical: Fluazaindolizine)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Carrot	0.4
Mammalian fats (except milk fats)	*0.01
Milk fats	*0.01
Peppers, chili, dried	0.3
Poultry fats	*0.01
Tomato, dried	0.5

[60] Section S20—3 (table entry for Agvet chemical: Fluazaindolizine)

The maximum residue limit for each food commodity listed in the following table is varied as follows:

Variations relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	*0.01	0.01
2	Poultry, edible offal of	*0.01	0.02

[61] Section S20—3 (table entry for Agvet chemical: Fludioxonil)

Repeat each of the following food commodities and associated maximum residue limits:

Almonds	0.2
Brassica leafy vegetables [except radish leaves]	15
Chick-pea (dry)	0.3
Common bean (pods and/or immature seeds)	0.7
Fats (mammalian)	0.02
Lentils (dry)	0.3
Peas (pods and succulent, immature seeds)	0.5
Pulses [except chick-pea (dry); lentil (dry), soya bean (dry)]	T0.1
Soya bean (dry)	0.2
Strawberry	5

[62] Section S20—3 (table entry for Agvet chemical: Fludioxonil)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Almond oil	0.3
Banana	2
Beans with pods [except soya beans]	0.8
Dry beans (subgroup)	0.3
Dry peas (subgroup)	0.3
Mammalian fats (except milk fats)	0.02
Peas with pods	0.8
Sugar beet	4
Tree nuts [except canarium nut; chestnuts; Chilean hazelnut; pistachio nut]	0.3

[63] Section S20—3 (table entry for Agvet chemical: Fludioxonil)

Omit:

Leafy vegetables [except broccoli,
Chinese (Gai lan); witloof chicory]

substitute:

Leafy vegetables [except witloof chicory
(sprouts)]

[64] Section S20—3 (table entry for Agvet chemical: Fludioxonil)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	0.1	0.15
2	Mango	3	7
3	Papaya	T5	5
4	Rape seed (canola)	T2	*0.01

[65] Section S20—3 (table entry for Agvet chemical: Fluensulfone)

Repeal the following food commodity and associated maximum residue limit:

Oilseeds 0.05

substitute:

Oilseeds (subgroup) 0.05

[66] Section S20—3 (table entry for Agvet chemical: Fluensulfone)

Repeal the following food commodity and associated MRL:

Peanut 0.05

[67] Section S20—3 (table entry for Agvet chemical: Flumioxazin)

Omit:

Oilseed

substitute:

Oilseeds and oilfruits [except oilfruits]

[68] Section S20—3 (table entry for Agvet chemical: Flumioxazin)

Repeal the following food commodity and associated maximum residue limit:

Peanut *0.1

substitute:

Peanut *0.02

[69] Section S20—3 (table entries for Agvet chemicals: Fluopyram)

Repeal the following food commodity and associated MRL:

Palm nuts 0.03

[70] Section S20—3 (table entry for Agvet chemical: Flupyradifurone)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Pineapple	0.3
Sesame seed	3
Sunflower seeds (subgroup)	0.8

[71] Section S20—3 (table entry for Agvet chemical: Flupyradifurone)

Omit:

Blueberry

substitute:

Blueberries

[72] Section S20—3 (table entry for Agvet chemical: Flutianil) (table entry heading 'Flutianil')

Relocate the table entry to its appropriate alphabetical position, determined on a letter-by-letter basis.

[73] Section S20—3 (table entry for Agvet chemical: Flutianil) (table entry heading 'Flutianil')

Repeal the heading, substitute:

Agvet chemical: Flutianil

[74] Section S20—3 (table entry for Agvet chemical: Flutianil)

Insert:

Marjoram (oregano)	*0.02
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[75] Section S20—3 (table entry for Agvet chemical: Flutolanil)

Insert:

Marjoram (oregano)	*0.02
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[76] Section S20—3 (table entry for Agvet chemical: Flutriafol)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Almonds	0.8
Mammalian fats (except milk fats)	0.02
Meat (mammalian) (in the fat)	0.02
Poultry fats	0.03
Poultry meat (in the fat)	0.03

[77] Section S20—3 (table entry for Agvet chemical: Flutriafol)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	All other foods except animal food commodities	0.5	0.1
2	Barley	0.2	1.5
3	Edible offal (mammalian)	0.5	1

[78] Section S20—3 (table entry for Agvet chemical: Flutriafol)

Omit:

Oilseed [except mustard seeds; peanut; rape seed (canola)]

substitute:

Oilseeds and oilfruits [except mustard seeds; oilfruits; peanut; rape seed (canola)]

[79] Section S20—3 (table entry for Agvet chemical: Fluxapyroxad)

Repeal each of the following food commodities and associated maximum residue limits:

Brussels sprouts	4
Cabbages, head	4
Oilseed [except cotton; peanut]	0.9

[80] Section S20—3 (table entry for Agvet chemical: Fluxapyroxad)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Barley bran, processed	4
Flowerhead Brassicas	4
Head Brassicas	4
Oilseeds and oilfruits [except oilseeds (subgroup); peanut]	0.8
Oilseeds (subgroup) [except cotton seed]	0.9
Parsnip	1
Soya bean (young pod)	1.5
Stem brassicas	2
Wheat bran, unprocessed	1

[81] Section S20—3 (table entry for Agvet chemical: Fluxapyroxad)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Oats	T0.2	2
2	Soya bean (immature seeds)	0.15	0.5

[82] Section S20—3 (table entry for Agvet chemical: Fluxapyroxad)

Omit:

Root and tuber vegetables [except sugar beet]

substitute:

Root and tuber vegetables [except parsnip; sugar beet]

[83] Section S20—3 (table entry for Agvet chemical: Fluxapyroxad)

Repeal the following food commodity and associated maximum residue limit:

Pome fruits [except Persimmon, Japanese]	0.8
--	-----

substitute:

Pome fruits	0.9
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[84] Section S20—3 (table entry for Agvet chemical: Folpet)

Repeal:

Peppers, sweet, chili	*0.03
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[85] Section S20—3 (table entry for Agvet chemical: Folpet)

Insert in alphabetical order:

Marjoram (oregano)	*0.06
Peppers, chili	*0.03
Peppers, sweet	*0.03

[86] Section S20—3 (table entry for Agvet chemical: Fosetyl-aluminium)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Banana	2
Marjoram (oregano)	400
Pome fruits	50
Pulses	2
Quinoa	2

[87] Section S20—3 (table entry for Agvet chemical: Glufosinate and Glufosinate-ammonium)

Omit:

Oilseed [except cotton seed; mustard seeds; rape seed (canola)]

substitute:

Oilseeds (subgroup) [except cotton seed; mustard seeds; rape seed (canola)]

[88] Section S20—3 (table entry for Agvet chemical: Glufosinate and Glufosinate-ammonium)

Repeal the following food commodity and associated MRL:

Peanut	*0.1
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[89] Section S20—3 (table entry for Agvet chemical: Glyphosate)

Repeal each of the following food commodities and associated maximum residue limits:

Mustard seeds	20
Oilseed [except cotton seed; linseed; mustard seeds; peanut; poppy seed; rape seed (canola); safflower seed; sesame seed; sunflower seed]	T*0.1
Poppy seed	20
Rape seed (canola)	20
Sesame seed	20

[90] Section S20—3 (table entry for Agvet chemical: Glyphosate)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Small seed oilseeds (subgroup) [except linseed]	20
Hempseed	T*0.1

[91] Section S20—3 (table entry for Agvet chemical: Indaziflam)

Insert:

Hops, dry	0.06
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[92] Section S20—3 (table entry for Agvet chemical: Indoxacarb)

Repeal each of the following food commodities and associated maximum residue limits:

Beans [except broad bean; soya bean]	0.9
Walnuts	T0.02

[93] Section S20—3 (table entry for Agvet chemical: Indoxacarb)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Beans with pods	0.9
Beetroot	0.5
Mammalian fats (except milk fats)	2
Tree nuts	0.07

[94] Section S20—3 (table entry for Agvet chemical: Indoxacarb)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian) [except kidney]	0.02	0.05
2	Milk fats	2	6
3	Milks	0.1	0.2

[95] Section S20—3 (table entry for Agvet chemical: Inpyrfluxam)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

All other foods except animal food commodities	0.02
Apple	4
Maize	*0.01
Mammalian fats (except milk fats)	*0.02
Peanut	0.01
Popcorn	*0.01
Poultry fats	*0.02
Rice, husked	*0.01
Soya bean (dry)	*0.01
Sugar beet	*0.01
Sweet corn (corn-on-the-cob; kernels)	*0.01

[96] Section S20—3 (table entry for Agvet chemical: Isoprothiolane)

Relocate the table entry to its appropriate alphabetical position, determined on a letter-by-letter basis.

[97] Section S20—3 (table entry for Agvet chemical: Isoprothiolane) (table entry heading 'Isoprothiolane')

Repeal the heading, substitute:

Agvet chemical: Isoprothiolane

[98] Section S20—3 (table entry for Agvet chemical: Mandipropamid)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Basil leaves, dried	200
Eggplants (subgroup)	0.7
Ginseng, dried including red ginseng	4
Peppers (subgroup)	0.7
Tomatoes (subgroup)	1

[99] Section S20—3 (table entry for Agvet chemical: Mandipropamid)

Repeal the following food commodity and associated maximum residue limit:

Basil	T30
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substitute:

Basil leaves	30
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[100] Section S20—3 (table entry for Agvet chemical: Mandipropamid)

Repeal the following food commodity and associated maximum residue limit:

Peppers, chili, dried	10
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substitute:

Peppers, chili, dried	7
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[101] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Repeal each of the following food commodities and associated maximum residue limits:

Citrus fruit [except kumquat; lemon; lime]	0.6
Dried grapes (raisin)	4
Fruiting vegetables, other than cucurbits	1
Grapes	1.5
Kumquat	1
Lemon	1
Lime	1
Melons (including watermelon)	0.5
Rape seed	1

[102] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Avocado	1
Banana	1.5
Barley bran, unprocessed	15
Barley, flour	15
Coffee bean	0.4
Dry beans (subgroup) [except soya bean (dry)]	0.07
Dry peas (subgroup) [except lentil (dry)]	0.15
Eggplants (subgroup)	1.5
Elderberries	5
Guelder rose	5
Lemons and Limes (subgroup)	1.5
Mammalian fats (except milk fats)	1.5
Mandarins (subgroup)	1.5
Mango	0.6
Melons, except watermelon	0.5
Oranges (subgroup)	1.5
Papaya	0.5
Peppers (subgroup)	1.5
Peppers, chili, dried	15
Poultry fats	0.2
Pummelos and Grapefruits (subgroup)	0.6
Raisins	4
Rice	5
Rice, husked	1.5
Small seed oilseeds	1
Table grapes	1.5
Tomato, dried	7
Tomatoes (subgroup)	1
Watermelon	0.5
Wheat bran, unprocessed	1.5
Wheat germ	0.5
Wine grapes	2

[103] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	T0.3	2
2	Eggs	*0.01	0.04
3	Milks	*0.01	0.1
4	Potato	0.04	0.05
5	Poultry, edible offal of	0.02	0.7
6	Poultry meat (in the fat)	*0.01	0.03
7	Prunes, dried	4	7
8	Sweet corn (corn-on-the-cob; kernels)	0.03	0.04
9	Tree nuts	0.2	0.06

[104] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Repeal the following food commodity and associated maximum residue limit:

Cherries 4

substitute:

Cherries (subgroup) 5

[105] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Repeal the following food commodity and associated maximum residue limit:

Citrus oil 15

substitute:

Citrus oil, edible 70

[106] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Repeal the following food commodity and associated maximum residue limit:

Peaches (including nectarines and apricots) 1.5

substitute:

Peaches (subgroup) 2

[107] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Repeal the following food commodity and associated maximum residue limit:

Wheat, similar grains, and pseudocereals without husks 0.3

substitute:

Wheat (subgroup) 0.4

[108] Section S20—3 (table entry for Agvet chemical: Mefentrifluconazole)

Each food commodity name in the entry and that is listed in the following table is amended as set out in the table:

Amendments relating to commodity names		
Item	Omit	Substitute
1	Dried grapes (equals currants; sultanas)	Dried grapes [except raisins]
2	Fruiting vegetables, cucurbits [except melons]	Fruiting vegetables, cucurbits [except melons, excluding watermelon; watermelon]
3	Lentils, dry	Lentil (dry)
4	Rice Cereals	Rice cereals [except rice; rice, husked]

[109] Section S20—3 (table entry for Agvet chemical: Mesosulfuron-methyl)

Insert:

Marjoram (oregano) *0.02

[110] Section S20—3 (table entry for Agvet chemical: Metaflumizone)

Insert:

Marjoram (oregano) *0.04

[111] Section S20—3 (table entry for Agvet chemical: Metalaxyl)

Insert:

Ginseng, dried including red ginseng *0.06

[112] Section S20—3 (table entry for Agvet chemical: Metaldehyde)

Repeal the following food commodity and associated MRL:

Peanut 1

[113] Section S20—3 (table entry for Agvet chemical: Metamitron)

Insert:

Marjoram (oregano) 0.15

[114] Section S20—3 (table entry for Agvet chemical: Metazachlor)

Omit:

Oilseeds

substitute:

Oilseeds (subgroup)

[115] Section S20—3 (table entry for Agvet chemical: Metazachlor)

Repeal the following food commodity and associated MRL:

Peanut *0.03

[116] Section S20—3 (table entry for Agvet chemical: Metconazole)

Insert:

Marjoram (oregano) *0.05

[117] Section S20—3 (table entry for Agvet chemical: Metconazole)

Omit:

Maize (not including sweet corn)

substitute:

Maize

[118] Section S20—3 (table entry for Agvet chemical: Metconazole)

Omit:

Peaches (including apricots;
nectarines)

substitute:

Peaches (subgroup)

[119] Section S20—3 (table entry for Agvet chemical: Milbemectin)

Insert:

Marjoram (oregano) *0.05

[120] Section S20—3 (table entry for Agvet chemical: Norflurazon)

Insert:

Blueberries 0.2

[121] Section S20—3 (table entry for Agvet chemical: Omethoate)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Brussels sprouts	0.03
Cherries (subgroup)	*0.01
Mammalian fats (except milk fats)	0.003
Poultry fats	*0.001
Wheat germ	0.06

[122] Section S20—3 (table entry for Agvet chemical: Omethoate)

Omit:

Oilseed [except cottonseed; peanut]

substitute:

Oilseeds and oilfruits [except cotton seed; oilfruits; peanut]

[123] Section S20—3 (table entry for Agvet chemical: Oxathiapiprolin)

Insert:

Ginseng, dried including red ginseng 0.15

[124] Section S20—3 (table entry for Agvet chemical: Oxathiapiprolin)

Omit:

Hops, dried cones

substitute:

Hops, dry

[125] Section S20—3 (table entry for Agvet chemical: Pendimethalin)

Omit:

Oilseed

substitute:

Oilseeds and oilfruits [except peanut]

[126] Section S20—3 (table entry for Agvet chemical: Pinoxaden)

Insert:

Marjoram (oregano) *0.06

[127] Section S20—3 (table entries for Agvet chemical: Piperonyl butoxide)

Repeat the following food commodity and associated MRL:

Palm nuts 8

[128] Section S20—3 (table entry for Agvet chemical: Piperonyl butoxide)

Repeat the following food commodity and associated maximum residue limit:

Peanut 8

substitute:

Peanut 1

[129] Section S20—3 (table entry for Agvet chemical: Prohexadione-calcium)

Insert:

Marjoram (oregano) *0.02

[130] Section S20—3 (table entry for Agvet chemical: Prosulfocarb)

Insert:

Marjoram (oregano) 20

[131] Section S20—3 (table entry for Agvet chemical: Pydiflumetofen)

Repeal each of the following food commodities and associated maximum residue limits:

Brassica leafy vegetables [except
broccoli, Chinese (Gai lan)] 15
Cereal grains [except maize cereals;
sweet corns (subgroup)] T3
Fungi, edible (except mushrooms) T0.7
Legume vegetables [except beans with
pods; peas with pods (subgroup)] T0.5
Popcorn T0.02

[132] Section S20—3 (table entry for Agvet chemical: Pydiflumetofen)

Insert:

Tomato T0.7

[133] Section S20—3 (table entry for Agvet chemical: Pydiflumetofen)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Fruiting vegetables, cucurbits	T0.5	0.4
2	Fruiting vegetables, other than cucurbits	T0.7	0.5
3	Potato	T0.05	*0.01
4	Rape seed (canola)	T0.07	0.05

[134] Section S20—3 (table entry for Agvet chemical: Pydiflumetofen)

Repeal the following food commodity and associated maximum residue limit:

Leafy vegetables [except brassica leafy
vegetables; witloof chicory] T30

substitute:

Leafy vegetables 15

[135] Section S20—3 (table entry for Agvet chemical: Pydiflumetofen)

Repeal the following food commodity and associated maximum residue limit:

Pome fruits [except Persimmon,
Japanese] T0.2

substitute:

Pome fruits [except persimmon,
Japanese] 0.2

[136] Section S20—3 (table entry for Agvet chemical: Pyraclostrobin)

Repeal each of the following food commodities and associated maximum residue limits:

Broccoli, Chinese (Gai lan)	T1
Sunflower seed	T0.3

[137] Section S20—3 (table entry for Agvet chemical: Pyraclostrobin)

Each food commodity name in the entry and that is listed in the following table is amended as set out in the table:

Amendments relating to commodity names		
Item	Omit	Substitute
1	Flowerhead brassicas (including broccoli; broccoli, Chinese (Gai lan); cauliflower)	Flowerhead brassicas
2	Oilseed [except peanut]	Oilseeds and oilfruits [except oilfruits; peanut; poppy seed]

[138] Section S20—3 (table entry for Agvet chemical: Pyraflufen-ethyl)

Insert:

Potato	0.02
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[139] Section S20—3 (table entry for Agvet chemical: Pyraziflumid)

Relocate the table entry to its appropriate alphabetical position, determined on a letter-by-letter basis.

[140] Section S20—3 (table entry for Agvet chemical: Pyraziflumid) (table entry heading 'Pyraziflumid')

Repeal the heading, substitute:

Agvet chemical: Pyraziflumid

[141] Section S20—3 (table entry for Agvet chemical: Pyrethrins)

Repeal the following food commodity and associated maximum residue limit:

Peanut	1
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substitute:

Peanut	0.5
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[142] Section S20—3 (table entry for Agvet chemical: Pyridate)

Insert:

Marjoram (oregano)	*0.05
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[143] Section S20—3 (table entry for Agvet chemical: Pyrimethanil)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Carrot	1
Common bean	3
Field pea (dry)	0.5

[144] Section S20—3 (table entry for Agvet chemical: Pyrimethanil)

Omit:

Almond

substitute:

Almonds

[145] Section S20—3 (table entry for Agvet chemical: Rimsulfuron)

Insert:

Potato

0.1

[146] Section S20—3 (table entry for Agvet chemical: Saflufenacil)

Each food commodity name in the entry and that is listed in the following table is amended as set out in the table:

Amendments relating to commodity names		
Item	Omit	Substitute
1	Oilseed [except cotton seed; linseed; mustard seed; rapeseed; sunflower seed]	Oilseeds (subgroup) [except cotton seed; linseed; mustard seed; rape seed (canola); sunflower seed]
2	Rapeseed	Rape seed (canola)

[147] Section S20—3 (table entry for Agvet chemical: Saflufenacil)

Repeal the following food commodity and associated maximum residue limit:

Peanut

*0.03

substitute:

Peanut

*0.01

[148] Section S20—3 (table entry for Agvet chemical: Simazine)

Insert:

Blueberries

0.2

[149] Section S20—3 (table entry for Agvet chemical: Simazine)

Omit:

Fruit [except citrus fruits]

substitute:

Fruit [except blueberries; citrus fruits
[except kumquats]; cranberry]

[150] Section S20—3 (table entry for Agvet chemical: Spiromesifen)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Beans with pods	0.5
Dry beans (subgroup)	*0.03
Edible offal (mammalian)	0.3
Eggs	0.02
Mammalian fats (except milk fats)	0.15
Mango	0.5
Meat (mammalian)	0.15
Milks	0.015
Orange oil, edible	30
Oranges (subgroup)	0.15
Papaya	0.7
Poultry, edible offal of	0.05
Poultry fats	0.02
Poultry meat	0.02
Soya bean oil, crude	*0.03
Succulent beans without pods	*0.15

[151] Section S20—3 (table entry for Agvet chemical: Spiropidion)

Relocate the table entry to its appropriate alphabetical position, determined on a letter-by-letter basis.

[152] Section S20—3 (table entry for Agvet chemical: Spiropidion) (table entry heading '*Spiropidion*')

Repeal the heading, substitute:

Agvet chemical: Spiropidion

[153] Section S20—3 (table entry for Agvet chemical: Sulfoxaflor)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Artichoke, globe	0.9
Sunflower seeds (subgroup)	0.4

[154] Section S20—3 (table entry for Agvet chemical: Sulfoxaflor)

Repeal the following food commodity and associated maximum residue limit:

Wine grapes	*0.01
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substitute:

Wine grapes	2
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[155] Section S20—3 (table entry for Agvet chemical: Teflubenzuron)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Grapes	0.7
Papaya	0.4

[156] Section S20—3 (table entry for Agvet chemical: Tetraniliprole)

Repeal each of the following food commodities and associated maximum residue limits:

Grapes	0.5
Macadamia nuts	*0.01

[157] Section S20—3 (table entry for Agvet chemical: Tetraniliprole)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Brassica leafy vegetables	15
Cabbages, head	2
Dried grapes	2
Flowerhead brassicas	0.5
Fruiting vegetables, other than cucurbits	0.4
Lemons and Limes (subgroup)	1.5
Mammalian fats (except milk fats)	0.15
Mandarins (subgroup)	1
Orange oil, edible	5
Oranges (subgroup)	0.5
Peppers, chili, dried	4
Poultry fats	*0.01
Pummelos and Grapefruits (subgroup)	0.9
Small fruit vine climbing	1.5
Soya bean (dry)	0.2
Tomato, puree (tomato paste)	1.5
Tree nuts [except almonds]	0.03

[158] Section S20—3 (table entry for Agvet chemical: Tetraniliprole)

The maximum residue limit for each food commodity listed in the following table is amended as set out in the table:

Amendments relating to maximum residue limits			
Item	Food commodity	Omit	Substitute
1	Edible offal (mammalian)	0.7	1
2	Milks	0.1	0.15

[159] Section S20—3 (table entry for Agvet chemical: Tetraniliprole)

Repeal the following food commodity and associated maximum residue limit:

Cherries	1
substitute:	
Cherries (subgroup)	1.5

[160] Section S20—3 (table entry for Agvet chemical: Trichlorfon)

Repeal:

Fish muscle	T*0.01
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[161] Section S20—3 (table entry for Agvet chemical: Triflumuron)

Repeal:

Hops, dry	50
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[162] Section S20—3 (table entry for Agvet chemical: Triflumuron)

Insert each of the following food commodities and associated maximum residue limits in alphabetical order:

Mammalian fats (except milk fats)	*0.1
Soya bean (dry)	0.1

[163] Section S20—3 (table entry for Agvet chemical: Triflumuron)

Repeat the following food commodity and associated maximum residue limit:

Meat (mammalian) [except sheep meat (in the fat)] *0.05

substitute:

Meat (mammalian) (in the fat) [except sheep meat (in the fat)] *0.1

[164] Section S20—3 (table entry for Agvet chemical: Trinexapac-ethyl)

Insert:

Marjoram (oregano) *0.02

[165] Section S20—3 (table entry for Agvet chemical: Valifenalate)

Insert:

Marjoram (oregano) *0.02

[166] Section S20—3 (table entry for Agvet chemical: Zoxamide)

Insert in alphabetical order:

Marjoram (oregano) 30
Potato 0.06

[167] Section S20—3 (table entries for Agvet chemicals: Amitrole, Bixafen, Buprofezin, Butoxydim, Fipronil)

Repeat the following food commodity and associated MRL:

Palm nuts *0.01

[168] Section S20—3 (table entries for Agvet chemicals: Carbaryl, Deltamethrin, Diclofop-methyl, EPTC, Triallate)

Repeat the following food commodity and associated MRL:

Palm nuts 0.1

[169] Section S20—3 (table entries for Agvet chemicals: 2,4-D, Pendimethalin, Propaquizafop)

Repeat the following food commodity and associated MRL:

Palm nuts *0.05

[170] Section S20—3 (table entries for Agvet chemicals: Fluensulfone, Omethoate)

Repeat the following food commodity and associated MRL:

Palm nuts 0.05

[171] Section S20—3 (table entries for Agvet chemicals: Flumioxazin, Glufosinate and Glufosinate-ammonium)

Repeat the following food commodity and associated MRL:

Palm nuts *0.1

[172] Section S20—3 (table entries for Agvet chemicals: Metaldehyde, Pyrethrins)

Repeat the following food commodity and associated MRL:

Palm nuts 1

[173] Section S20—3 (table entries for Agvet chemicals: Metazachlor, Saflufenacil)

Repeal the following food commodity and associated MRL:

Palm nuts *0.03

[174] Section S20—3 (table entries for Agvet chemicals: Amitrole, Buprofezin, Butoxydim, Fipronil)

Repeal the following food commodity and associated MRL:

Peanut *0.01

[175] Section S20—3 (table entries for Agvet chemicals: Carbaryl, Deltamethrin, Diclofop-methyl, EPTC, Triallate)

Repeal the following food commodity and associated MRL:

Peanut 0.1

[176] Section S20—3 (table entries for Agvet chemicals: 2,4-D, Propaquizafop)

Repeal the following food commodity and associated MRL:

Peanut *0.05

[177] Section S20—3 Amendments of listed entries – Oilseed

Omit “Oilseed”, substitute “Oilseeds (subgroup)” in the table entries for the following Agvet chemicals

- | | |
|---------------------|------------------------|
| (a) Amitrole | (i) Fluopyram |
| (b) Boscalid | (j) Metaldehyde |
| (c) Butoxydim | (k) Piperonyl butoxide |
| (d) Deltamethrin | (l) Propaquizafop |
| (e) Diclofop-methyl | (m) Pyrethrins |
| (f) Diuron | (n) Triallate |
| (g) EPTC | (o) Trifluralin |
| (h) Fipronil | |

[178] Section S20—3 Amendments of listed entries – Oilseed [except cotton seed]

Omit “Oilseed [except cotton seed]”, substitute “Oilseeds (subgroup) [except cotton seed]” in the table entries for the following Agvet chemicals:

- (a) Bixafen
- (b) Carbaryl

[179] Section S20—3 Amendments of listed entries – Oilseed [except peanut]

Omit “Oilseed [except peanut]”, substitute “Oilseeds (subgroup)” in the table entries for the following Agvet chemicals:

- (a) Fluazifop-p-butyl
- (b) Phosphine
- (c) Trichlorfon

[180] Section S20—3 Amendments of listed entries – Olives

Omit “Olives”, substitute “Table olives” in the table entries for the following Agvet chemicals:

- (a) Flumioxazin
- (b) Glufosinate and Glufosinate-ammonium
- (c) Glyphosate
- (d) Pendimethalin

Attachment B: Explanatory Statement

EXPLANATORY STATEMENT

Food Standards Australia New Zealand Act 1991

Food Standards (Proposal M1022 – Maximum Residue Limits (2023) – Schedule 20) Variation

1. Authority

Section 13 of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act) provides that the functions of Food Standards Australia New Zealand (the Authority) include the development of standards and variations of standards for inclusion in the *Australia New Zealand Food Standards Code* (the Code).

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

The Authority prepared Proposal M1022 to propose certain amendments in Schedule 20 of the Code, which are related to maximum residue limits (MRLs) for residues of specific agricultural and veterinary (agvet) chemicals that may occur in food. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has approved the draft variation – the *Food Standards (Proposal M1022 – Maximum Residue Limits (2023) – Schedule 20) Variation* (the draft variation).

This Explanatory Statement accompanies the draft variation.

2. Variation will be a legislative instrument

If approved, the draft variation is a legislative instrument for the purposes of the *Legislation Act 2003* (see section 94 of the FSANZ Act) and be publicly available on the Federal Register of Legislation (www.legislation.gov.au).

If approved, this instrument would not be subject to the disallowance or sunset provisions of the *Legislation Act 2003*. Subsections 44(1) and 54(1) of that Act provide that a legislative instrument is not disallowable or subject to sunset if the enabling legislation for the instrument (in this case, the FSANZ Act): (a) facilitates the establishment or operation of an intergovernmental scheme involving the Commonwealth and one or more States; and (b) authorises the instrument to be made for the purposes of the scheme. Regulation 11 of the *Legislation (Exemptions and other Matters) Regulation 2015* also exempts from sunset legislative instruments a primary purpose of which is to give effect to an international obligation of Australia.

The FSANZ Act gives effect to an intergovernmental agreement (the Food Regulation Agreement) and facilitates the establishment or operation of an intergovernmental scheme (national uniform food regulation). The FSANZ Act also gives effect to Australia's obligations under an international agreement between Australia and New Zealand. For these purposes, the Act establishes the Authority to develop food standards for consideration and endorsement by the Food Ministers Meeting (FMM). The FMM is established under the Food Regulation Agreement and the international agreement between Australia and New Zealand; it consists of New Zealand, Commonwealth and State/Territory members. If endorsed by the FMM, food standards, once gazetted and registered, are incorporated into and become part of Commonwealth, State and Territory and New Zealand food laws. These standards or

instruments are then administered, applied and enforced by these jurisdictions' regulators as part of those food laws.

3. Purpose

The Authority has prepared a draft variation to Schedule 20 to vary MRLs for residues of specific agvet chemicals that may occur in food commodities and to correct certain typographical, formatting and transcription errors, updating commodity names and references to exceptions and correcting the alphabetical listing of commodities for certain chemical entries in Schedule 20.

4. Documents incorporated by reference

The draft variation does not incorporate any documents by reference.

5. Consultation

In accordance with the procedure in Division 2 of Part 3 of the FSANZ Act, the Authority's consideration of Proposal M1022 will include one round of public consultation following an assessment and the preparation of a draft variation and associated assessment summary. A call for submissions (including the draft variation) will be open for a six-week period in Australia, with a coinciding 60 day notification period to the WTO.

Changes have been made to the Impact Analysis requirements by the Office of Impact Analysis (OIA)^[1]. Impact analysis is no longer required to be finalised with the OIA. Prior to these changes, the OIA provided FSANZ with a standing exemption (ID 12065) from preparing a regulation impact statement for MRL proposals and applications, due to these being machinery in nature. Under the new approach, FSANZ's assessment is that a regulatory impact statement is not required for this proposal.

6. Statement of compatibility with human rights

If approved, this instrument would be exempt from the requirements for a statement of compatibility with human rights as it is a non-disallowable instrument under section 44 of the *Legislation Act 2003*.

7. Variation

Clause 1 of the variation provides that the name of the variation is the *Food Standards (Proposal M1022 – Maximum Residue Limits (2023) – Schedule 20) Variation*.

Clause 2 of the variation provides that the Code is amended by the Schedule to the variation.

Clause 3 of the variation provides that the variation will commence on the date of gazettal of the instrument.

Section S20—3 of the Code currently lists the MRLs for agvet chemicals which may occur in foods. If an MRL is not listed for a particular agvet chemical in that food, there must be no detectable residue of that chemical in that food. This general prohibition means that, in absence of the relevant MRL in the Code for a chemical, food may not be sold where there are detectable residues of that chemical.

MRLs in the draft variation are expressed as mg per kg. An asterisk (*) indicates that the MRL is set at the limit of determination for the relevant analytical method for the chemical and the symbol 'T' indicates that the MRL is a temporary MRL. This temporary categorisation

^[1]. Formerly known as the Office of Best Practice Regulation (OBPR)

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.

Each item and subitem in the Schedule to the draft variation amends section S20—3 as follows.

7.1 Removing chemicals and all entries for those chemicals

Item [1] repeals the whole entry for the chemical: methidathion.

7.2 Adding new chemicals and associated entries

Item [2] inserts, in alphabetical order, table entries for chemicals that are not currently listed in section S20—3. The new chemicals are: 1,4-dimethylnaphthalene, flufenoxuron and fluindapyr.

The new table entries include the new chemical's name, residue definition, food commodities and associated MRLs.

7.3 Adding new food commodities and associated MRLs for listed chemicals

The following items add new food commodities and associated MRLs into the table entries for the chemicals listed: Items [3], [4], [5], [8], [10], [13], [16], [20], [22], [26], [27], [28], [30], [32], [35], [38], [39], [46], [48], [51], [53], [55], [57], [58], [59], [62], [70], [74], [75], [76], [80], [85], [86], [90], [91], [93], [95], [98], [102], [109], [110], [111], [113], [116], [119], [120], [121], [123], [126], [129], [130], [132], [138], [142], [143], [145], [148], [150], [153], [155], [157], [162], [164], [165], and [166].

7.4 Removing food commodities and associated MRLs for listed chemicals

The following items remove food commodities and their associated MRLs from the table entry for the chemical listed: Items [7], [21], [24], [25], [34], [37], [43], [44], [50], [52], [61], [66], [69], [79], [84], [88], [89], [92], [101], [112], [115], [127], [131], [136], [156], [160], [161], [167], [168], [169], [170], [171], [172], [173], [174], [175] and [176].

7.5 Amending food commodities and associated MRLs for listed chemicals

The following items amend the table entries for the chemicals listed by changing: the amount of an MRL; the food commodity or commodities to which an MRL relates; or both: Items [6], [9], [11], [12], [14], [15], [17], [23], [31], [33], [36], [40], [41], [42], [47], [49], [54], [56], [60], [63], [64], [65], [67], [68], [77], [78], [81], [82], [83], [87], [94], [99], [100], [103], [104], [105], [106], [107], [108]-1, [108]-2, [108]-4, [114], [118], [122], [125], [128], [133], [134], [135], [137], [141], [146]-1, [147], [149], [154], [158], [159], and [163].

The following items correct formatting and typographical errors: Items [18], [19], [42]-1, [45], [71], [108]-3, [117], [124], [144], and [146]-2.

Item [29] amends the chemical definition of the permitted residue for the chemical cyhalofop-butyl.

Item [177] amends the table entry for each agvet chemical listed in that item by removing each reference in that entry to "Oilseed" and replacing it with "Oilseeds (subgroup)".

Item [178] amends the table entry for each agvet chemical listed in that item by removing

each reference in that entry to “Oilseed [except cotton seed]” and replacing it with “Oilseeds (subgroup) [except cotton seed]”.

Item [179] amends the table entry for each agvet chemical listed in that item by removing each reference in that entry to “Oilseed [except peanut]” and replacing it with “Oilseeds (subgroup)”.

Item [180] amends the table entry for each agvet chemical listed in that item by removing each reference in that entry to “Olives” and replacing it with “Table olives”.

7.6 Inserting the header “Agvet chemical” and relocating the whole chemical entry to the appropriate alphabetical position

The following items correct the location of the whole chemical entries for flutianil, isoprothiolane, pyraziflumid and spiropidion, to their appropriate alphabetical position: [72], [96], [139] and [151].

The following items correct the header for the chemical entries for flutianil, isoprothiolane, pyraziflumid and spiropidion, by adding the header “Agvet chemical:” before the chemical name: [73], [97], [140] and [152].