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Food Standards

Amendment No. 249

The following instruments are separate instruments in the Federal Register of Legislation and are known collectively in the Food Standards Gazette as Amendment No. 249

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- **P1065 - Code Revision – 2025 Amendments (Compositional requirements for Special Medical Purpose Product for infants and other miscellaneous amendments)**

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Food Standards (Proposal P1065 – Code Revision – 2025 Amendments (Compositional requirements for Special Medical Purpose Product for infants and other miscellaneous amendments)) 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 22 April 2026



Jo Gardner
Delegate of the Board of Food Standards Australia New Zealand

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC 189 on 30 April 2026. 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 P1065 – Code Revision – 2025 Amendments (Compositional requirements for Special Medical Purpose Product for infants and other miscellaneous amendments)) Variation*.

2 Variation to Standards in the *Australia New Zealand Food Standards Code*

The Schedule varies Standards in the *Australia New Zealand Food Standards Code*.

3 Commencement

The variation commences on the date of gazettal.

4 Transitional arrangements for the variation made by Item [11] of the Schedule

- (1) Section 1.1.1—9 of Standard 1.1.1 does not apply to the variation made by Item [11] of the Schedule.
- (2) During the transition period, a food product may be sold if the product complies with one of the following:
 - (a) the Code as in force without the variations made by the instruments; or
 - (b) the Code as amended by the variations made by the instruments.
- (3) For the purposes of this clause:
 - (a) the *instruments* mean:
 - (ii) Item [11] of the Schedule; and
 - (iii) the *Food Standards (Proposal P1028 – Infant Formula) Variation*; and
 - (iv) the *Food Standards (Proposal P1028 – Infant Formula – Consequential Amendments) Variation*; and
 - (b) the *transition period* means the period commencing on the date of commencement of this instrument and ending on 13 September 2029.

Schedule

Standard 1.1.2 Definitions used throughout the Code

[1] Subsection 1.1.2—2(3) (subparagraph (a)(i) of the definition of *permitted flavouring substance*)

Repeal the subparagraph, substitute:

- (i) Generally Recognised as Safe (GRAS) lists of flavouring substances published by the Flavour and Extract Manufacturers' Association of the United States from 1960 to 2024 (edition 31);

[2] Paragraph 1.1.2—8(2)(d)

Repeal the paragraph, substitute:

- (d) the use of a food as a special medical purpose product for infants; does not constitute a history of human consumption in Australia or New Zealand in relation to that food for the purposes of this section.

Standard 1.2.8 Nutrition information requirements

[3] Subsection 1.2.8—6(1)

Omit:

- (1) A nutrition information panel must contain the following information:

Substitute:

- (1) A nutrition information panel must contain the following information:

[4] Paragraph 1.2.8—6(4)(d)

Repeal the paragraph, substitute:

- (d) *trans fatty acids.

Standard 2.9.1 Infant formula products

[5] Paragraph 2.9.1—7(1)(d)

Repeal the paragraph, substitute:

- (d) have an arachidonic acid (20:4 n-6) content of equal to or more than docosahexaenoic acid (22:6 n-3) content; and

[6] Paragraph 2.9.1—7(1)(f)

Repeal the paragraph, substitute:

- (f) for any long chain *polyunsaturated fatty acids that are present—have an eicosapentaenoic acid (20:5 n-3) content of no more than the docosahexaenoic acid (22:6 n-3) content; and

[7] Paragraph 2.9.1—7(2)(a)

Repeal the paragraph, substitute:

- (a) contain predominantly the saturated fatty acids designated by 8:0 and 10:0; and

[8] Section 2.9.1—31 (heading)

Repeal the heading, substitute:

2.9.1—31 Restriction on the sale of special medical purpose product for infants

[9] Paragraph 2.9.1—34(1)(d)

Repeal the paragraph, substitute:

- (d) have an arachidonic acid (20:4 n-6) content of equal to or more than docosahexaenoic acid (22:6 n-3) content; and

[10] Paragraph 2.9.1—34(1)(f)

Repeal the paragraph, substitute:

- (f) for any long chain *polyunsaturated fatty acids that are present in the product—have an eicosapentaenoic acid (20:5 n-3) content of no more than the docosahexaenoic acid (22:6 n-3) content; and

[11] Subsection 2.9.1—34(2)

Repeal the subsection, substitute:

- (2) A special medical purpose product for infants may only contain medium chain triglycerides that:
 - (a) contain predominantly the saturated fatty acids designated by 8:0 and 10:0; and
 - (b) are one of the following:
 - (i) a natural constituent of a milk-based ingredient of that product; or
 - (ii) for a fat soluble vitamin that is specified in the table to section S29—5—a substance that was *used as a processing aid in the preparation of that permitted fat soluble vitamin for use in the product.

Standard 2.10.4 Miscellaneous standards for other foods

[12] Section 2.10.4—2 (Note)

Repeal the Note, substitute:

Note In this Code (see section 1.1.2—3):

chocolate means a confectionery product that is characterised by:

- (a) the presence of
 - (i) cocoa bean derivatives; and
 - (ii) no more than 50 g/kg of edible oils, other than cocoa butter or dairy fats; and
- (b) preparation from a minimum of 200 g/kg of cocoa bean derivatives.

cocoa means the powdered product prepared from cocoa beans from which a portion of the fat may have been removed, with or without salt or spices added.

coffee means the product prepared by roasting, grinding, or both roasting and grinding, coffee beans.

decaffeinated coffee means coffee from which most of the caffeine has been removed.

decaffeinated tea means tea from which most of the caffeine has been removed.

gelatine means a protein product prepared from animal skin, bone or other collagenous material, or any combination of those things.

instant coffee means the dried soluble solids prepared from the water extraction of coffee.

instant tea means dried soluble solids prepared from the water extraction of tea.

peanut butter means a peanut based spread.

tea means the product made from the leaves and leaf buds of one or more of varieties and cultivars of *Camellia sinensis* (L.) O. Kuntz.

Schedule 3 Identity and purity

[13] Subparagraph S3—2(1)(b)(xvi)

Repeal the subparagraph, substitute:

- (xvi) FAO JECFA Monographs 26 (2021);
- (xvii) FAO JECFA Monographs 27 (2022);
- (xviii) FAO JECFA Monographs 30 (2022);
- (xix) FAO JECFA Monographs 31 (2023);
- (xx) FAO JECFA Monographs 32 (2024);
- (xxi) FAO JECFA Monographs 34 (2025); or

[14] Paragraph S3—2(1)(c)

Repeal the paragraph, substitute:

- (c) United States Pharmacopeial Convention (2024) Food chemicals codex, 14th ed, United States Pharmacopeial Convention, Rockville, MD; or

[15] Paragraph S3—3(j)

Repeal the paragraph, substitute:

- (j) the International Oenological Codex (2025), Organisation Internationale de la Vigne et du Vin (OIV).

Schedule 4 Nutrition, health and related claims

[16] Section S4—2 (Note stating *Sugars** is relevant for claims about no added sugar)

Repeal the Note.

[17] **Section S4—3 (table item related to ‘Sugar or sugars’, descriptor of ‘No added’ in column 3, paragraph (f) column 4, subparagraphs (xi)-(xiii))**

Repeal the subparagraphs, substitute:

- (xi) native bee honey;
- (xii) malt;
- (xiii) malt extracts;
- (xiv) any of the following unless the food for sale is a prescribed beverage:
 - (A) concentrated fruit juice;
 - (B) concentrated vegetable juice;
 - (C) deionised fruit juice;
 - (D) deionised vegetable juice.

Schedule 15 Substances that may be used as food additives

[18] **Section S15—5 (table, numbered heading “14.2.1 Beer and related products”, table item dealing with Sweet osmanthus ear glycolipids)**

Omit “where he”, substitute “where the”.

Schedule 17 Vitamins and minerals

[19] **Section S17—2**

Omit “minerals”, substitute “vitamins”.

Schedule 18 Processing aids

[20] **Section S18—3 (table entry for Dimethyldialkylammonium chloride)**

Omit:

Dimethyldialkylammonium chloride

GMP

substitute:

Dimethyldialkylammonium chloride

GMP

[21] **Subsection S18—9(3) (cell at table item dealing with Uridine diphosphate (UDP)-glucosyltransferase sourced from *Escherichia coli* K-12 containing the UDP-glucosyltransferase gene from *Oryza sativa*, column headed “Substance”)**

Repeal the cell, substitute:

Uridine diphosphate (UDP)
glucosyltransferase sourced from
Escherichia coli K-12 containing the
UDP glucosyltransferase gene from
Oryza sativa

Schedule 20 Maximum residue limits

[22] Section S20—3 (table entry for Agvet chemical: Abamectin)

Omit:

Chive, dry

substitute:

Chives, dried

[23] Section S20—3 (table entry for Agvet chemical: Acetamiprid)

Omit:

| | |
|---|-----|
| Fruiting vegetables other than cucurbits [except tomato] | 0.2 |
|---|-----|

| | |
|----------------------------------|-----|
| Fungi, edible (except mushrooms) | 0.2 |
|----------------------------------|-----|

| | |
|--------------|---|
| Goji berries | 2 |
|--------------|---|

substitute:

| | |
|--|-----|
| Fruiting vegetables, other than cucurbits [except goji berry; tomato] | 0.2 |
|--|-----|

| | |
|----------------------------------|-----|
| Fungi, edible (except mushrooms) | 0.2 |
|----------------------------------|-----|

| | |
|------------|---|
| Goji berry | 2 |
|------------|---|

[24] Section S20—3 (table entries for Agvet chemicals: Benzyladenine and Buprofezin)

Omit:

Walnut

substitute:

Walnuts

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

Omit:

| | |
|-------------|-----|
| Cotton seed | 0.3 |
|-------------|-----|

| | |
|----------------------------------|-----|
| Coriander (leaves, roots, stems) | T20 |
|----------------------------------|-----|

substitute:

| | |
|----------------------------------|-----|
| Coriander (leaves, roots, stems) | T20 |
|----------------------------------|-----|

| | |
|-------------|-----|
| Cotton seed | 0.3 |
|-------------|-----|

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

Omit:

| | |
|--|----|
| Cereal grains [except rice; sweet corns] | 10 |
|--|----|

substitute:

| | |
|--|----|
| Cereal grains [except rice; sweet corns] | 10 |
|--|----|

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

[27.1] Omit:

Fruiting vegetables other than cucurbits

substitute:

Fruiting vegetables, other than cucurbits

[27.2] Omit:

Pome fruit [except persimmon, Japanese]

substitute:

Pome fruits [except Persimmon, Japanese]

[28] Section S20—3 (table entry for Agvet chemical: Dieldrin)

Repeal the table entry.

[29] Section S20—3 (table entry for Agvet chemical: Fenhexamid)

Omit:

Currant, black, red, white

substitute:

Currants, black, red, white

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

Omit:

Citrus fruit

substitute:

Citrus fruits

[31] Section S20—3 (table entry for Agvet chemical: Fluopicolide)

Omit:

Brassica vegetables (except Brassica leafy vegetables)

substitute:

Brassica vegetables (except Brassica leafy vegetables)

[32] Section S20—3 (table entry for Agvet chemical: Isofetamid)

Omit:

Podded peas (young pods) (snow and sugar snap)

substitute:

Podded pea (young pods) (snow and sugar snap)

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

Omit:

Pome fruit

substitute:

Pome fruits

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

[34.1] Omit:

Barley, similar grains, and pseudocereals with husks (barley; buckwheat; oats)

substitute:

Barley, similar grains, and pseudocereals with husks

[34.2] Omit:

Chard (beet leaves)

substitute:

Chard (silver beet)

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

Omit:

Fruiting vegetables, cucurbits

substitute:

Fruiting vegetables, cucurbits

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

Omit:

Strawberries

substitute:

Strawberry

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

Omit:

Brassica leafy vegetables (except Broccoli, Chinese (Gai lan))

substitute:

Brassica leafy vegetables [except Broccoli, Chinese (Gai lan)]

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

Omit:

Brassica leafy vegetables (except broccoli, Chinese (Gai lan))

substitute:

Brassica leafy vegetables [except Broccoli, Chinese (Gai lan)]

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

Omit:

Brassica vegetables (except Brassica leafy vegetables)

substitute:

Brassica vegetables (except Brassica leafy vegetables)

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

Omit:

Berries and other small fruit [except Cane berries; cloudberry; cranberry; strawberry]

substitute:

Berries and other small fruits [except Cane berries; cloudberry; cranberry; strawberry]

[41] Section S20—3 (table entry for Agvet chemical: Pyriproxyfen)

Omit:

Peppers, chili, dried)

substitute:

Peppers, chili, dried

[42] Section S20—3 (table entry for Agvet chemical: Sethoxydim)

Omit:

Leafy vegetables [except lettuce, head; lettuce, leaf]

substitute:

Leafy vegetables [except lettuce, head; lettuce, leaf]

[43] Section S20—3 (table entry for Agvet chemical: Spirotetramat)

Omit:

Brassica vegetables (except Brassica leafy vegetables) [except Brussels sprouts; Chinese cabbage (Pe-tsai)]

substitute:

Brassica vegetables (except Brassica leafy vegetables) [except Brussels sprouts; Chinese cabbage (Pe-tsai)]

Schedule 22 Food and classes of food

[44] Subsection S22—5(7) (table item 1, column 2)

Omit "Fruit", substitute "Fruits".

[45] Subsection S22—5(7) (table item 1, column 3)

[45.1] Omit "Citrus Fruit", substitute "Citrus Fruits".

[45.2] Omit "Berries and other small fruit", substitute "Berries and other small fruits".

[45.3] Omit "Assorted Tropical and sub-tropical fruit—edible peel", substitute "Assorted tropical and sub-tropical fruits—edible peel".

[46] Subsection S22—5(8) (table item dealing with Fruit, column 1)

Omit "Fruit", substitute "Fruits".

[47] Subsection S22—5(8) (table item dealing with Fruit, column 2)

[47.1] Omit "Citrus Fruit", substitute "Citrus Fruits".

[47.2] Omit "Pome Fruit", substitute "Pome Fruits".

[47.3] Omit "Stone Fruit", substitute "Stone Fruits".

[47.4] Omit "Assorted Tropical and sub-tropical fruit—edible peel", substitute "Assorted tropical and sub-tropical fruits—edible peel".

Schedule 29 Special purpose foods

[48] Section S29—19 (table item dealing with L-carnitine, column 2)

Omit "2g", substitute "2 g".