Standard 1.4.4

Prohibited and Restricted Plants and Fungi

Purpose

This standard regulates plants and fungi. It lists the species of plants and fungi that must not be added to food or offered for sale as food. It also lists the species of plants and fungi that may not be used in food except as a source of a flavouring substance.

Table of Provisions

1 Prohibited plants and fungi

2 Restricted plants and fungi

Schedule 1 Prohibited plants and fungi

Schedule 2 Restricted plants and fungi

Clauses

1 Prohibited plants and fungi

(1) A plant or fungus, or a part or a derivative of a plant or fungus listed in Schedule 1, or any substance derived therefrom, must not be intentionally added to food or offered for sale as food.

(2) *Eurythroxylum coca* (coca bush) or any substance derived therefrom must not be present in a food unless the cocaine has been removed.

**Editorial note:**

Subclause (1) is not intended to prohibit the natural presence of plants and fungi in food; or the unintentional addition of plants and fungi to food that occur within the bounds of recognised acceptable Good Agricultural Practice or Good Manufacturing Practice. If a public health and safety concern is identified because of the presence of such substances, they will be addressed through the setting of a limit on these substances in final food products. Standard 1.4.1 establishes maximum limits for some natural toxicants in food.

2 Restricted plants and fungi

A plant or fungus, or a part or a derivative of a plant or fungus listed in Schedule 2, or any substance derived there from, may only be added to or be present in a food if it complies with the requirements for natural toxicants from the addition of a flavouring substance in the Table to clause 4 of Standard 1.4.1.

Editorial Note:

Clause 4 of Standard 1.4.1 imposes maximum levels of natural toxicants arising from the use of certain flavouring substances.

Standard 1.3.1 regulates food additives, including the addition and presence of flavourings in food.

SCHEDULE 1

Prohibited Plants and Fungi

| Column 1 | Column 2 |
| --- | --- |
| Species name | Common name |
| *Abrus cantoniensis* |  |
| *Abrus precatorius* | Jequirity seeds |
| *Acokanthera schimperi* | Arrow poison tree |
| *Aconitum* spp*.* | Aconite |
| *Acorus calamus* | Calamus oil |
| *Adonis vernalis* | False hellebore, Spring adonis |
| *Aesculus hippocastanum* | Horse chestnut, Buckeye |
| *Alocasia macrorrhiza* | Cunjevoi, Elephant ear, Kape, ‘Ape, Ta’amu |
| *Alstonia constricta* | Alstonia |
| *Amanita muscaria* | Agaricus, Fly agaric |
| *Amanita* spp*.* | Amanita Mushroom |
| *Ammi visnaga* | Bisnaga, Khella |
| *Anadenanthera peregrina* | Cohoba yope, Niopo |
| *Anchusa officinalis* | Bugloss |
| *Apocynum androsaemifolium* | Bitter root, Spreading dogbane |
| *Apocynum cannabinum* | Canadian hemp, Dogbane, Indian hemp |
| *Areca catechu* nut | Betel nut |
| *Argyreia nervosa* | Woolly morning glory |
| *Aristolochia* spp*.* | Birthwort, Snakeroot |
| *Arnica* spp*.* | Arnica |
| *Atropa belladonna* | Deadly nightshade, Dwale |
| *Banisteriopsis* spp*.* | Banisteria, Caapi |
| *Borago officinalis* | Borage |
| *Brachyglottis* spp*.* | Rangiora |
| *Brunfelsia uniflora* | Manaca, Mercury |
| *Bryonia alba* | European white bryony |
| *Bryonia dioica* | White bryony |
| *Cacalia* spp*.* |  |
| *Calotropis* spp*.* | Calotropis |
| *Cannabis* spp*.* | Hemp, Marijuana |
| *Catha edulis* | Khat, Chat |
| *Catharanthus* spp*.* | Periwinkle |
| *Cestrum nocturnum* | Queen of the night, Night blooming jessamine |
| *Chelidonium majus* | Common celandine, Greater celandine |
| *Chenopodium ambrosioides* | Wormseed, Mexican goosefoot, Pigweed, America wormseed |
| *Cicuta virosa* | Cowbane, European water hemlock |
| *Clitocybe* spp*.* | Fungi |
| *Colchicum autumnale* | Autumn crocus, Meadow saffron |
| *Conium maculatum* | Hemlock |
| *Conocybe* spp*.* |  |
| *Convallaria majalis* | Lily of the Valley |
| *Copelandia* spp. | Fungi |
| *Coprinus atramentarius* | Common ink cap |
| *Coriaria* spp*.* | Tutu, Tuupaakihi, Puuhou, Toot |
| *Cornyocarpus laevigatus* seed | Karaka kernel, New Zealand laurel |
| *Coronilla* spp*.* | Crown vetch |
| *Cortinarius* spp. | Fungi |
| *Coryanthe yohimbe* | Yohimbe |
| *Crotolaria* spp*.* | Crotolaria |
| *Croton tiglium* | Croton, Purging croton |
| *Cycas media* | Zamia palm |
| *Cynoglossum officinale* | Hound’s tongue, Beggar’s lice |
| *Cytisus scoparius* (see *Sarothamnus scoparius*) |  |
| *Daphne* spp*.* | Daphne, Mezereum, Spurge laurel |
| *Datura stramonium* | Jimson weed, Datura, Thornapple |
| *Delphinium* spp*.* | Larkspur, Stavesacre |
| *Digitalis purpurea* | Foxglove |
| *Dryopteris filix-mas* | Male fern |
| *Duboisia* spp. | Corkwood, Pituri |
| *Echium plantagineum* | Patterson’s curse, Salvation Jane |
| *Echium vulgare* | Viper’s bugloss |
| *Entoloma sinuatus* | Fungus |
| *Ephedra sinica* | Ma-huang |
| *Erysimum canescens* |  |
| *Euonymus europaeus* | Spindle tree, Skewer wood |
| *Eupatorium rugosum* | White snakeroot |
| *Euphorbia* spp*.* | Euphorbia, Milkweed, Spurge, Pennyroyal oil |
| *Farfugium japonicum* |  |
| *Galanthus nivalis* | Snowdrop |
| *Galerina* spp*.* | Fungi |
| *Gelsemium sempervirens* | Yellow Jessamine, Gelsemium |
| *Gymnopilus* spp*.* | Fungi |
| *Gyromitra esculenta* | False morel |
| *Haemadictyon amazonica* | Yage |
| *Heliotropium* spp*.* | Heliotrope |
| *Helleborous niger* | Black hellebore, Christmas rose |
| *Hemerocallis fulva* | Pale day lily |
| *Hippomane mancinella* | Manzanillo |
| *Homeria breyniana* (see *Homeria collina*) |  |
| *Homeria collina* | One-leaved cape tulip |
| *Homeria miniata* | Two-leaved cape tulip |
| *Hydrastis canadensis* | Goldenseal root or its extract |
| *Hydnocarpus anthelmentica* | Chalmoogra seed |
| *Hyoscyamus niger*  *Hypholoma fasciculare* | Black henbane, Stinking nightshade  Sulphur tuft |
| *Ilex aquifolium* | Holly, English holly |
| *Inocybe* spp*.* | Fungi |
| *Ipomoea burmanni* | Morning glory |
| *Ipomoea hederacea* | Morning glory |
| *Ipomoea tricolor* (see *Ipomoea violacea*) |  |
| *Ipomoea violacea* | Morning glory |
| *Juniperus sabina oil* | Savin oil |
| *Kalmia latifolia* | Calico bush, Mountain Laurel, Ivy Bush |
| *Laburnum anagyroides* | Laburnum, Golden chain, Golden rain, Bean tree |
| *Lantana camara* | Lantana |
| *Laurelia nova-zelandiae* | Pukatea |
| *Lepiota morgani* | Fungus |
| *Lithospermum spp.* |  |
| *Lobelia inflata* | Indian tobacco, Lobelia |
| *Lophophora spp.* | Peyote |
| *Lycium ferocissimum* | Boxthorn, African boxthorn |
| *Mahonia aquifolium* | Oregon grape or Mountain grape root or its extract |
| *Mandragora officinarum* | European mandrake |
| *Manihot esculenta Crantz* (other than Sweet Cassava) | Cassava |
| *Melia azedarach* | White cedar, Indian bead tree, Chinaberry |
| *Menispermum canadense* | Yellow parilla, Moonseed |
| *Myoporum laetum* | Ngaio, Kaio |
| *Narcissus jonquille* | Narcissus, Daffodil, Jonquil |
| *Narcissus poeticus* | Narcissus, Daffodil, Jonquil |
| *Narcissus pseudonarcissus* | Narcissus, Daffodil, Jonquil |
| *Nerium oleander* | Oleander |
| *Nicotiana* spp*.* | Tobacco |
| *Oenanthe aquatica* (see *Oenanthe phellandrium*) |  |
| *Oenanthe phellandrium* | Water fennel, Water dropwort |
| *Omphalotus* spp*.* | Fungi |
| *Opuntia cylindrica* | San Pedro cactus, Cane cactus |
| *Panaeolus* spp*.* | Fungi |
| *Papaver bracteatum* | Oriental poppy |
| *Papaver somniferum* (other than seeds) | Opium poppy |
| *Pausinystalia yohimbe* (see *Coryanthe yohimbe*) |  |
| *Peganum harmala* | Wild rue |
| *Petasites* spp*.* | Butterbur |
| *Peumus boldus* | Boldo |
| *Phoradendron flavascens* (see *Viscum flavescens*) |  |
| *Phoradendron serotinum* (s*ee Viscum flavescens*) |  |
| *Phoradendron tomentosum* (*see Viscum flavescens*) |  |
| *Physostigma venenosum* | Calabar bean, Ordeal bean |
| *Phytolacca decandra* | Red pokeweed, Poke root |
| *Phytolacca americana* (see *Phytolacca decandra*) |  |
| *Phytolacca octandra* | Inkweed, Red ink plant, Dyeberry |
| *Pilocarpus spp.* |  |
| *Piptadenia macrocarpa* | Cebil colorado, Cura pag |
| *Piptadenia peregrina* | Cohoba, Coxoba, Yoke |
| *Pithomyces chartarum* | Fungus |
| *Pluteus* spp*.* | Fungi |
| *Podophyllum peltatum* | American mandrake, Mayapple, Podophyllum |
| *Prestonia amazonica* (see *Haemodictyon amazonica*) |  |
| *Prunus laurocerasus* | Cherry laurel |
| *Psoralea corylifolia* | Malay tea |
| *Psylocybe* spp. | Fungi |
| *Pteridium aquilinum* | Bracken Fern |
| *Pulmonaria* spp*.* | Lungwort |
| *Punica granatum* stem and root bark | Pomegranate |
| *Rauwolfia* spp. | Devil pepper, Rauwolfia |
| *Ricinus communis* | Castor bean, Castor oil plant |
| *Robinia pseudoacacia* | Black locust, False acacia |
| *Sanguinaria canadensis* | Bloodroot, Bloodwort |
| *Sarothamnus scoparius* | Common broom |
| *Scopolia carniolica* | Scopolia |
| *Senecio spp.* | Ragwort |
| *Solanum aviculare* | Poroporo, Pooporo, Kohoho, Bullibulli |
| *Solanum diflorum* | False Jerusalem cherry |
| *Solanum dulcamara* | Bittersweet twigs, Blue bindweed, Woody nightshade, Nightshade |
| *Solanum laciniatum* (see *Solanum aviculare*) |  |
| *Solanum linnaenum* (see *Solanum sodomeum*) |  |
| *Solanum nigrum* | Black nightshade |
| *Solanum pseudocapsicum* | Jerusalem cherries |
| *Solanum sodomeum* | Apple of Sodom |
| *Sophora microphylla* | Kowhai |
| *Sophora secundiflora* | Mescal bean |
| *Spartium junceum* | Spanish broom |
| *Spigela marilandica* | Pinkroot, Worm grass |
| *Strophanthus gratus* | Strophanthus |
| *Strophanthus kombe* | Strophanthus |
| *Stropharia cubensis* | Fungus |
| *Strychnos gautheriana* | Hoang nan |
| *Strychnos ignatii* | Ignatious bean |
| *Strychnos malaccensis* (see *Strychnos gautheriana*) |  |
| *Strychnos nux-vomica* | Poison nut, Nux vomica |
| *Symphytum asperum* | Prickly comfrey |
| *Symphytum officinale* | Common comfrey |
| *Symphytum x uplandicum* | Russian comfrey |
| *Tamus communis* | Blackeye root, Black bryony |
| *Taxus baccata* | Yew, European yew, Common yew |
| *Thevetia neriifolia* (see *Thevetia peruviana*) |  |
| *Thevetia peruviana* | Snake nut |
| *Trichodesma africana* |  |
| *Tricholoma muscarium* | Fungus |
| *Tussilago farfara* | Coltsfoot |
| *Veratrum spp.* | Hellebore |
| *Vinca spp.* | Periwinkle |
| *Virola sebifera* | Cuajo negro, Camaticaro |
| *Viscum album* | European mistletoe berries |
| *Viscum flavescens* | American mistletoe |
| *Xysmalobium undulatum* | Uzara, Thornbush |
| *Zamia integrifolia* | Coonties, Florida arrowroot |

Editorial note:

Requirements relating to Kava (*Piper methysticum*) are contained in Standard 2.6.3 of this Code.

Sweet cassava is defined in Standard 1.1.2 and the requirements for it are contained in clause 2 of 1.2.1 and clause 3 of Standard 1.2.6

SCHEDULE 2

Restricted Plants and Fungi

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| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Species name | Common Name | Natural Toxicant |
| *Artemisia absinthium* | Common wormwood | Thujone, santonin |
| *Artemisia cina Berg* | Levant wormseed | Thujone, santonin |
| *Artemisia maritima* | Levant wormseed | Thujone, santonin |
| *Artemisia vulgaris* | Mugwort | Thujone, santonin |
| *Chrysanthemum balsamita* | Costmary | Thujone |
| *Chrysanthemum parthenium* (see *Tanacetum parthenium*) |  |  |
| *Cinchona* spp*.* | Cinchona | Quinine |
| *Cinnamomum camphora* | Camphor tree oil | Safrole, coumarin |
| *Cinnamomum micranthum* | Micranthum oil | Safrole, coumarin |
| *Hedeoma pulegioides* oil | American pennyroyal  White snakeroot oil | Pulegone |
| *Hypericum perforatum* | St John's wort | Hypericine |
| *Mentha pulegium* oil | European pennyroyal oil | Pulegone |
| *Sassafras albidum* | American sassafras oil | Safrole |
| *Sassafras officinale* (see *Sassafras albidum*) |  |  |
| *Tanacetum balsamita* (see *Chrysanthemum balsamita*) |  |  |
| *Tanacetum parthenium* | Feverfew | Santonin |
| *Tanacetum vulgare* | Tansy oil | Thujone |
| *Thuja occidentalis* | Thuja, White cedar | Thujone |

Amendment History

The Amendment History provides information about each amendment to the Standard. The information includes commencement or cessation information for relevant amendments.

These amendments are made under section 92 of the *Food Standards Australia New Zealand Act 1991* unless otherwise indicated. Amendments do not have a specific date for cessation unless indicated as such.

**About this compilation**

This is a compilation of Standard 1.4.4 as in force on **15 January 2015** (up to Amendment No. 152). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **15 January 2015.**

**Uncommenced amendments or provisions ceasing to have effect**

To assist stakeholders, the effect of any uncommenced amendments or provisions which will cease to have effect, may be reflected in the Standard as shaded boxed text with the relevant commencement or cessation date. These amendments will be reflected in a compilation registered on the Federal Register of Legislative Instruments including or omitting those amendments and provided in the Amendment History once the date is passed.

The following abbreviations may be used in the table below:

ad = added or inserted am = amended

exp = expired or ceased to have effect rep = repealed

rs = repealed and substituted

**Standard 1.4.4** was published in the *Commonwealth of Australia Gazette* No. P 30 on 20 December 2000 as part of Amendment 53 (F2008B00621 –- 30 September 2008) and has since been amended as follows:

| Clause affected | A’ment No. | FRLI registration  Gazette | Commencement  (Cessation) | How affected | Description of amendment |
| --- | --- | --- | --- | --- | --- |
| Table of Provs | 67 | F2008B00814  24 Dec 2008  FSC9  31 July 2003 | 31 July 2003 | am | Formatting errors in Schedule list.. |
| 1 | 152 | F2015L00037  14 Jan 2015  FSC94  15 Jan 2015 | 15 Jan 2015 | rs | Editorial note after clause. |
| Sch 1 | 62 | F2008B00807  19 Dec 2008  FSC4  17 Sept 2002 | 17 Sept 2002 | rep | Entries for *Artemisia absinthium*, *Artemisia cina Berg*, *Artemisia maritime*, *Artemisia vulgaris*. |
| Sch 1 | 62 | F2008B00807  19 Dec 2008  FSC4  17 Sept 2002 | 17 Sept 2002 | am | Typographical errors and omsissions. |
| Sch 1 | 72 | F2008B00819  24 Dec 2008  FSC14  20 May 2004 | 20 May 2004 | ad | Entry for *Manihot esculenta Crantz* and related Editorial note for sweet cassava following the Schedule. |
| Sch 1 | 74 | F2008B00821  24 Dec 2008  FSC16  14 Oct 2004 | 14 Oct 2004 | ad | Entry for *Nicotiana* species. |
| Sch 1 | 103 | F2008L03741  9 Oct 2008  FSC45  9 Oct 2008 | 9 Oct 2008 | rep | Entries for *Ammi visnaga*, *Conocybe siligineoides* and *Senecio aureus*. |
| Sch 1 | 111 | F2009L03145  13 Aug 2009  FSC53  13 Aug 2009 | 13 Aug 2009 | rs | Entry for *Ammi* spp. |
| Sch 1 | 124 | F2011L01450  8 July 2011  FSC66  11 July 2011 | 11 July 2011 | rs | Entry for *Pluteus* spp. to correct a typographical error. |
| Sch 1 | 124 | F2011L01450  8 July 2011  FSC66  11 July 2011 | 11 July 2011 | rep | Asterisked footnote. |
| Sch 2 | 62 | F2008B00807  19 Dec 2008  FSC4  17 Sept 2002 | 17 Sept 2002 | ad | Entries for *Artemisia absinthium*, *Artemisia cina Berg*, *Artemisia maritime*, *Artemisia vulgaris*. |
| Sch 2 | 124 | F2011L01450  8 July 2011  FSC66  11 July 2011 | 11 July 2011 | rep | Asterisked footnote. |