

# Standard 1.1.1 Structure of the Code and general provisions

**Note 1** This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the *Australia New Zealand Food Standards Code*. See also section 1.1.1—3.

**Note 2** The provisions of the Code that apply in New Zealand are incorporated in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.

## Division 1 Preliminary

### 1.1.1—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 1.1.1 – Structure of the Code and general provisions*.

**Note** Commencement:

This Standard commences on 1 March 2016, being the date specified as the commencement date in notices in the *Gazette* and the *New Zealand Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

### 1.1.1—2 Structure of the Code

- (1) All the standards of the Code are read together as a single instrument.
- (2) The standards of the Code are arranged into Chapters, Parts and a set of Schedules as shown below:

**Note** The Chapters cover the following material:

- (a) Chapter 1:
    - (i) preliminary material; and
    - (ii) provisions that apply to all foods;
  - (b) Chapter 2—provisions that apply only to particular foods;
  - (c) Chapter 3—food hygiene (applies in Australia only);
  - (d) Chapter 4—the primary production and processing of food (applies in Australia only);
- Schedules 1 to 29 follow Chapter 4.

## Chapter 1 Introduction and standards that apply to all foods

### Part 1.1 Preliminary

Standard 1.1.1 Structure of the Code and general provisions

Standard 1.1.2 Definitions used throughout the Code

### Part 1.2 Labelling and other information requirements

Standard 1.2.1 Requirements to have labels or otherwise provide information

Standard 1.2.2 Information requirements – food identification

Standard 1.2.3 Information requirements – warning statements, advisory statements and declarations

Standard 1.2.4 Information requirements – statement of ingredients

Standard 1.2.5 Information requirements – date marking of food for sale

Standard 1.2.6 Information requirements – directions for use and storage

Standard 1.2.7 Nutrition, health and related claims

Standard 1.2.8 Nutrition information requirements

**Note** There is no Standard 1.2.9

Standard 1.2.10 Information requirements – characterising ingredients and components of food

### **Part 1.3 Substances added to or present in food**

Standard 1.3.1 Food additives

Standard 1.3.2 Vitamins and minerals

Standard 1.3.3 Processing aids

### **Part 1.4 Contaminants and residues**

Standard 1.4.1 Contaminants and natural toxicants

Standard 1.4.2 Agvet chemicals

**Note** Applies in Australia only

**Note** There is no Standard 1.4.3

Standard 1.4.4 Prohibited and restricted plants and fungi

### **Part 1.5 Foods requiring pre-market clearance**

Standard 1.5.1 Novel foods

Standard 1.5.2 Food produced using gene technology

Standard 1.5.3 Irradiation of food

### **Part 1.6 Microbiological limits and processing requirements**

Standard 1.6.1 Microbiological limits in food

Standard 1.6.2 Processing requirements for meat

**Note** Applies in Australia only

## **Chapter 2 Food standards**

### **Part 2.1 Cereals**

Standard 2.1.1 Cereal and cereal products

### **Part 2.2 Meat, eggs and fish**

Standard 2.2.1 Meat and meat products

Standard 2.2.2 Eggs and egg products

Standard 2.2.3 Fish and fish products

### **Part 2.3 Fruit and vegetables**

Standard 2.3.1 Fruit and vegetables

Standard 2.3.2 Jam

### **Part 2.4 Edible oils**

Standard 2.4.1 Edible oils

Standard 2.4.2 Edible oil spreads

### **Part 2.5 Dairy products**

Standard 2.5.1 Milk

Standard 2.5.2 Cream

Standard 2.5.3 Fermented milk products

- Standard 2.5.4 Cheese
- Standard 2.5.5 Butter
- Standard 2.5.6 Ice cream
- Standard 2.5.7 Dried milk, evaporated milk and condensed milk

## **Part 2.6 Non-alcoholic beverages**

- Standard 2.6.1 Fruit juice and vegetable juice
- Standard 2.6.2 Non-alcoholic beverages and brewed soft drinks
- Standard 2.6.3 Kava
- Standard 2.6.4 Formulated caffeinated beverages

## **Part 2.7 Alcoholic beverages**

- Standard 2.7.1 Labelling of alcoholic beverages and food containing alcohol
- Standard 2.7.2 Beer
- Standard 2.7.3 Fruit wine, vegetable wine and mead
- Standard 2.7.4 Wine and wine product
- Standard 2.7.5 Spirits

## **Part 2.8 Sugars and honey**

- Standard 2.8.1 Sugar and sugar products
- Standard 2.8.2 Honey

## **Part 2.9 Special purpose foods**

- Standard 2.9.1 Infant formula products
- Standard 2.9.2 Food for infants
- Standard 2.9.3 Formulated meal replacements and formulated supplementary foods
- Standard 2.9.4 Formulated supplementary sports foods
- Standard 2.9.5 Food for special medical purposes
- Standard 2.9.6 Transitional standard for special purpose foods (including amino acid modified foods)

**Note** Applies in New Zealand only

## **Part 2.10 Standards for other foods**

- Standard 2.10.1 Vinegar and related products
- Standard 2.10.2 Salt and salt products
- Standard 2.10.3 Chewing gum
- Standard 2.10.4 Miscellaneous standards for other foods

## **Chapter 3 Food safety standards**

**Note** Applies in Australia only

- Standard 3.1.1 Interpretation and Application
- Standard 3.2.1 Food Safety Programs
- Standard 3.2.2 Food Safety Practices and General Requirements

- Standard 3.2.2A Food Safety Management Tools
- Standard 3.2.3 Food Premises and Equipment
- Standard 3.3.1 Food Safety Programs for Food Service to Vulnerable Persons

## **Chapter 4 Primary production standards**

**Note** Applies in Australia only

- Standard 4.1.1 Primary Production and Processing Standards – Preliminary Provisions
- Standard 4.2.1 Primary Production and Processing Standard for Seafood
- Standard 4.2.2 Primary Production and Processing Standard for Poultry Meat
- Standard 4.2.3 Primary Production and Processing Standard for Meat
- Standard 4.2.4 Primary Production and Processing Standard for Dairy Products
- Standard 4.2.5 Primary Production and Processing Standard for Eggs and Egg Product
- Standard 4.2.6 Production and Processing Standard for Seed Sprouts
- Standard 4.5.1 Wine Production Requirements

## **Schedules**

- Schedule 1 RDIs and ESADDIs
- Schedule 2 Units of measurement
- Schedule 3 Identity and purity
- Schedule 4 Nutrition, health and related claims
- Schedule 5 Nutrient profiling scoring method
- Schedule 6 Required elements of a systematic review
- Schedule 7 Food additive class names (for statement of ingredients)
- Schedule 8 Food additive names and code numbers (for statement of ingredients)
- Schedule 9 Mandatory advisory statements and declarations
- Schedule 10 Generic names of ingredients and conditions for their use
- Schedule 11 Calculation of values for nutrition information panel
- Schedule 12 Nutrition information panels
- Schedule 13 Nutrition information required for food in small packages
- Schedule 14 Technological purposes performed by substances used as food additives
- Schedule 15 Substances that may be used as food additives
- Schedule 16 Types of substances that may be used as food additives
- Schedule 17 Vitamins and minerals
- Schedule 18 Processing aids
- Schedule 19 Maximum levels of contaminants and natural toxicants
- Schedule 20 Maximum residue limits

**Note** Applies in Australia only

- Schedule 21 Extraneous residue limits

**Note** Applies in Australia only

Schedule 22	Foods and classes of foods
Schedule 23	Prohibited plants and fungi
Schedule 24	Restricted plants and fungi
Schedule 25	Permitted novel foods
Schedule 26	Food produced using gene technology
Schedule 27	Microbiological limits in food
Schedule 28	Formulated caffeinated beverages
Schedule 29	Special purpose foods

## Division 2 Application and interpretation

**Note** Definitions that are used throughout the Code are contained in Standard 1.1.2.

### 1.1.1—3 Application of Code

- (1) Unless this Code provides otherwise, this Code applies to food that is:
- sold, processed or handled for sale in Australia or New Zealand; or
  - imported into Australia or New Zealand.

**Note 1** The following provisions have not been incorporated by reference into a food standard under the *Food Act 2014* (NZ):

- Standard 1.4.2 (agvet chemicals);
- Standard 1.6.2 (processing requirements for meat);
- section 2.1.1—5 (requirement for thiamin in bread);
- section 2.2.1—12 (bovine must be free from bovine spongiform encephalopathy);
- Standard 2.2.2 (eggs);
- subsection 2.4.2—3(2) and subsection 2.4.2—3(4) (requirement for food sold as table edible oil spreads and table margarine);
- Chapter 3 (food safety standards) and Chapter 4 (primary production and processing standards).

**Note 2** Standard 2.9.6 (Transitional standard for special purpose foods (including amino acid modified foods)) does not apply in Australia.

- (2) Subsection (1) does not apply to wine that:
- has a shelf life of more than 12 months; and
  - was bottled before 20 December 2002; and
  - complies with all food standards in the case of Australia and all food standards in the case of New Zealand, that would have applied on the date of bottling; and
  - is labelled with a 2002 vintage date or earlier.

### 1.1.1—4 Application of interpretation legislation

This Code is to be interpreted in accordance with the rules of interpretation:

- in Australia—the *Acts Interpretation Act 1901* (Cth); and
- in New Zealand—the *Interpretation Act 1999* (NZ).

### 1.1.1—5 References to other instruments

- (1) In this Code:
- a reference to an Act, including an Act of a State or Territory or of New Zealand, includes any instruments made under that Act; and
  - a reference to the Code of Federal Regulations, or CFR, is a reference to the 2022 compilation of the United States Code of Federal Regulations.

**Note** In this Code, the Code of Federal Regulations is cited in the following format:  
[title number] CFR § [section number]

- (2) Guidelines developed by FSANZ in accordance with paragraph 13(1)(c) of the FSANZ Act are to assist in the interpretation of this Code and are not legally binding.

### 1.1.1—6 **How average quantity is to be calculated**

- (1) This section applies where this Code requires an \*average quantity of a substance to be declared in the labelling of a food for sale, whether as a percentage or as the amount of the substance in a serving or other amount of the food.

**Note** The term **average quantity** is defined in section 1.1.2—2.

**Example** The Code requires the 'average quantity' of a variety of substances to be listed in the nutrition information about a food for sale, for example protein, carbohydrate and sugars.

- (2) The \*average quantity is to be calculated by the manufacturer or producer using whichever of the methods in subsection (3) the manufacturer or producer considers to best represent the average quantity, taking into account any factors that would cause the actual amount of the substance in the food to vary from lot to lot, including seasonal variability.
- (3) The methods are:
  - (a) the amount that the manufacturer or producer of the food determines, based on an analysis, to be the average amount of the substance in a serving or other amount of the food; or
  - (b) the calculation of the actual amount of the substance, or the calculation of the average amount of the substance, in the ingredients used for the food; or
  - (c) the calculation from generally accepted data relevant to that food.

### 1.1.1—7 **Units of measurement**

- (1) A symbol of measurement used in this Code has the meaning assigned to it by the table in Schedule 2.
- (2) If a symbol is not assigned a meaning by the table, it has the meaning assigned to it:
  - (a) in Australia—by the *National Measurement Act 1960* (Cth); or
  - (b) in New Zealand—by the *Weights and Measures Act 1987* (NZ).
- (3) If a symbol is not assigned a meaning by the table or subsection (2), it has the meaning assigned to the symbol by the Systeme Internationale d'Unités.
- (4) Where a unit of measurement is referred to in the heading of a table in this Code, the amounts specified in the table are to be measured according to those units unless a different unit of measurement is specified in relation to a particular item in the table.

### 1.1.1—8 **Compliance with requirements for mandatory statements or words**

- (1) If a provision of this Code requires a warning statement or specific words to be used, the warning statement or words must be expressed in the words set out in this Code without modification.
- (2) If a provision of this Code requires a statement other than a warning statement to be used:
  - (a) that statement may be modified; and
  - (b) any modification must not contradict or detract from the effect of the statement.

## Division 3 Effect of variations to Code

### 1.1.1—9 Effect of variations to Code

- (1) Unless this Code, or an instrument varying this Code, provides otherwise, if:
  - (a) this Code is varied; and
  - (b) a food was compliant for a kind of sale immediately before the variation commenced;

the food is taken to be compliant for that kind of sale for a period of 12 months beginning on the date of the variation.
- (2) In this section, a food is **compliant** for a kind of sale if:
  - (a) when a labelling requirement of this Code applies to the kind of sale—the labelling of the food complies with the requirement; and
  - (b) when a packaging requirement of this Code applies to the kind of sale—the packaging of the food complies with the requirement; and
  - (c) the food complies with any provisions of this Code relating to the composition of food of that kind.

## Division 4 Basic requirements

**Note 1** In Australia, the Code is enforced under application Acts in each State and Territory, and under Commonwealth legislation dealing with imported food. In outline, this scheme operates as follows:

- (1) The application Acts comprise a uniform legislative scheme based on Model Food Provisions that are annexed to the *Food Regulation Agreement*, an agreement between the Commonwealth, States and Territories. Under those Acts, a person:
  - (a) must comply with any requirement imposed on the person by a provision of this Code in relation to:
    - (i) the conduct of a food business; or
    - (ii) food intended for sale; or
    - (iii) food for sale; and
  - (b) must not sell any food that does not comply with any requirement of this Code that relates to the food; and
  - (c) must not sell or advertise any food that is packaged or labelled in a manner that contravenes a provision of this Code; and
  - (d) must not sell or advertise for sale any food in a manner that contravenes a provision of this Code; and
  - (e) must not, for the purpose of effecting or promoting the sale of any food in the course of carrying on a food business, cause the food to be advertised, packaged or labelled in a way that falsely describes the food.
- (2) For paragraph (1)(e), food is falsely described if:
  - (a) it is represented as being of a particular nature or substance; and
  - (b) the Code provides a prescribed standard for such food; and
  - (c) the food does not comply with the prescribed standard.
- (3) The relevant Acts are:
  - (a) *Food Act 2003* (New South Wales)
  - (b) *Food Act 1984* (Victoria)
  - (c) *Food Act 2006* (Queensland)
  - (d) *Food Act 2008* (Western Australia)
  - (e) *Food Act 2001* (South Australia)
  - (f) *Food Act 2003* (Tasmania)
  - (g) *Food Act 2001* (Australian Capital Territory)
  - (h) *Food Act 2004* (Northern Territory).
- (4) Under the *Imported Food Control Act 1992* (Cth), a person is prohibited from:
  - (a) importing into Australia food that does not meet applicable standards of this Code, other than those relating to information on labels of packaged food; and
  - (b) dealing with imported food that does not meet applicable standards relating to information on labels of packaged food.

**Note 2** In New Zealand, under the *Food Act 2014* (NZ) a person commits an offence if the person breaches or fails to comply with:

- (a) a requirement in an adopted joint food standard or a domestic food standard;
- (b) ...

### 1.1.1—10 Requirements relating to food for sale

(1) This section applies in relation to food for sale.

#### *Compositional requirements*

- (2) Subject to this section, food for sale may consist of, or have as an ingredient, any food.
- (3) Food for sale must comply with any provisions of this Code relating to the composition of food of that kind (including provisions relating to the presence of other substances in food of that kind).
- (4) Where a compositional requirement permits the use of 'other foods' or 'other ingredients' as ingredients, the permission does not extend to the addition of a food or a substance that is otherwise not permitted to be added to food, or to the specified food, under this Code.
- (5) Unless expressly permitted by this Code, food for sale must not be any of the following:
- (a) a \*prohibited plant or fungus, a \*restricted plant or fungus, or coca bush;
  - (b) if the food is for retail sale—a \*novel food;
  - (c) a \*food produced using gene technology;
  - (d) a food that has been irradiated;
  - (e) kava or any substance derived from kava;
  - (f) if the food is for retail sale—raw apricot kernels;
  - (g) if the food is for retail sale—a food in which caffeine is present at a concentration of:
    - (i) 5% or greater—if the food is a solid or semi-solid food; and
    - (ii) 1% or greater—if the food is a liquid food.
- (6) Unless expressly permitted by this Code, food for sale must not have as an ingredient or a component, any of the following:
- (a) a substance that was \*used as a food additive;
  - (b) a substance that was \*used as a nutritive substance;
  - (c) a substance that was \*used as a processing aid;
  - (d) in Australia—a detectable amount of:
    - (i) an \*agvet chemical; or
    - (ii) a metabolite or degradation product of an agvet chemical;
  - (e) a \*prohibited plant or fungus, a \*restricted plant or fungus, or coca bush;
  - (f) if the food is for retail sale—a \*novel food;
  - (g) a \*food produced using gene technology;
  - (h) a food that has been irradiated;
  - (i) kava or any substance derived from kava;
  - (j) raw apricot kernels.

**Note 1** Relevant permissions for subsections (5) and (6) are contained in various standards. See in particular:

- food additives—Standard 1.3.1;
- nutritive substances—Standard 1.3.2, Standard 2.6.2, Standard 2.9.1, Standard 2.9.2, Standard 2.9.3, Standard 2.9.4, and Standard 2.9.5;
- processing aids—Standard 1.3.3;
- agvet chemical residues—Standard 1.4.2;
- prohibited plants and fungi—Standard 1.4.4;

- novel foods—Standard 1.5.1;
- food produced using gene technology—Standard 1.5.2;
- irradiated food—Standard 1.5.3;
- kava—Standard 2.6.3.

**Note 2** There is an overlap between some of these categories. For example, some substances may be used as a food additive or as a nutritive substance. For such substances, there will be different provisions permitting use of the substance for different purposes.

**Note 3** In some cases, a provision refers to the total amount of a substance added to a food. In these cases, the total amount applies irrespective of whether the substance was used as a food additive, used as a processing aid or used as a nutritive substance.

**Note 4** Relevant permissions for raw apricot kernels are contained in Standard 1.4.4.

- (7) Subsection (6) does not apply to a substance that is in a food for sale, or in an ingredient of a food for sale, by natural occurrence.

#### *Labelling requirements*

- (8) If a labelling requirement of this Code applies to the sale of food, the labelling must comply with the requirement.

#### *Information requirements*

- (9) If an information requirement of this Code applies to the sale of food, the information must be provided as required.

#### *Packaging requirements*

- (10) If a packaging requirement of this Code applies to the sale of food, the packaging must comply with the requirement.

- (11) Any packaging, and any article or material in the packaging or in contact with the food, must not, if taken into the mouth:

- be capable of being swallowed or obstructing any alimentary or respiratory passage; or
- be otherwise likely to cause bodily harm, distress or discomfort.

**Example** Articles or materials include any materials in contact with food, including packaging materials that contain other items such as moisture absorbers, mould inhibitors, oxygen absorbers, promotional materials, writing or other graphics.

### **1.1.1—11 Microbiological requirements for lot of a food**

A \*lot of a food must not have an unacceptable level of microorganisms as determined in accordance with Standard 1.6.1.

**Note** For the meaning of *lot*, see section 1.1.2—2.

### **1.1.1—12 Applicable standards for importation of food**

- The provisions of this Code relating to labelling are applicable to food that is imported with the labelling with which it is intended to be sold.
- The provisions of this Code relating to packaging are applicable to food that is imported in the packaging in which it is intended to be sold.
- The provisions of this Code, other than those relating to packaging and labelling, are applicable to food that is imported.

**Note** This provision is relevant to the *Imported Food Control Act 1992* (Cth), and the provisions of the *Food Act 2014* (NZ) that relate to importation of food.

### **1.1.1—13 Food sold with a specified name or representation**

- This section applies where a provision of this Code that provides that a food that is sold as a named food, whether or not the name is in quotation marks, must satisfy certain requirements (usually that the food being sold must satisfy the definition of the food in this Code).

**Example** The provisions in Chapter 2 headed 'Requirement for food sold as ...', e.g.  
2.1.1—3 Requirement for food sold as bread

A food that is sold as bread must be bread.

In this example bread is the food and is not in quotation marks.

- (2) If the provision specifies the name of the food in quotation marks, any requirement that must be satisfied applies only if that name is used in connection with the sale.

**Note** The foods to which a requirement that must be satisfied applies only if the name of the food is used include: butter, chocolate, cider, cocoa, coffee, cream, decaffeinated coffee, decaffeinated instant coffee, decaffeinated instant tea, decaffeinated soluble tea, gelatine, ice cream, imitation vinegar, instant tea, iodised reduced sodium salt mixture, iodised salt, margarine, mead, milk, peanut butter, perry, processed cheese, salt, skim milk, soluble coffee, soluble tea, table margarine, tea, vinegar, white sugar, wholegrain, wholemeal and yoghurt. These are foods that are identified in quotation marks in provisions to which subsection (1) applies.

**Example** A cocoa-based confectionery that is not sold as a chocolate confectionery; or a water-based beverage that contains fruit but is not sold as fruit juice, need not satisfy a requirement about chocolate or fruit juice.

- (3) If the provision specifies the name of the food without quotation marks, any requirement that must be satisfied applies to any sale in which a purchaser is likely to assume that the food being sold was the food.

**Note** A requirement that must be satisfied applies to any sale in which a purchaser is likely to assume that the food being sold is, for example: ale, beer, brandy, bread, cheese, condensed skim milk, condensed whole milk, dried skim milk, dried whole milk, edible oil spread, electrolyte drink, electrolyte drink mix, evaporated skim milk, evaporated whole milk, fermented milk, fruit drink, fruit juice, fruit wine, fruit wine product, jam, lager, liqueur, meat pie, pilsener, porter, sausage, spirit, stout, table edible oil spread, vegetable juice, vegetable wine, vegetable wine product, wine and wine product. These are foods that are not identified in quotation marks in provisions to which subsection (1) applies. Use of the name could be an element of a representation about the identity of the food.

**Example 1** Bread sold as sourdough; a cheese or processed cheese sold as cheddar or processed cheddar; or a sausage sold as bratwurst. Jam may be sold as conserve.

**Example 2** Steak pie or lamb pie must contain no less than 250 g/kg of meat flesh.

- (4) If a food name is used in connection with the sale of a food (for example in the labelling), the sale is taken to be a sale of the food as the named food unless the context makes it clear that this is not the intention.

**Examples** Section 2.7.2—3, relating to beer, does not prevent the use of 'ginger beer' in relation to the soft drink. Such a product is not beer for the purposes of the Code.

Section 2.1.1—3, relating to 'bread', does not prevent the use of 'shortbread' or 'crispbread' in relation to those foods, or 'unleavened bread' to describe the food made without the yeast that would be required for it to be sold as 'bread'. Those products are not bread for the purposes of the Code.

The context within which foods such as soy milk or soy ice cream are sold is indicated by use of the name soy; indicating that the product is not a dairy product to which a dairy standard applies.

## 1.1.1—14 Other requirements relating to food

### *Requirements for handling of food*

- (1) If this Code sets requirements for the handling of food, the food must be handled in accordance with those requirements.

**Note** This subsection relates to requirements in Chapter 3 and has application in Australia only.

### *Requirements for record-keeping*

- (2) If this Code sets requirements for record-keeping in relation to food, those requirements must be complied with.

## 1.1.1—15 Identity and purity

- (1) This section applies to the following substances when added to food in accordance with this Code, or sold for use in food:

- (a) a substance that is \*used as a food additive;
- (b) a substance that is \*used as a processing aid;
- (c) a substance that is \*used as a nutritive substance;
- (d) a \*novel food.

- (2) The substance must comply with any relevant specification set out in Schedule 3.

**1.1.1—16 Use of asterisks to identify terms defined in subsection 1.1.2—2(3)**

- (1) Many of the terms in this Code are defined in subsection 1.1.2—2(3).
- (2) Most of the terms that are defined in subsection 1.1.2—2(3) are identified by an asterisk appearing at the start of the term: as in ‘\*carbohydrate’.
- (3) An asterisk usually identifies the first occurrence of a term in a section (if not divided into subsections), subsection or definition. Later occurrences of the term in the same provision are not usually asterisked.
- (4) Terms are not asterisked in headings, notes, examples, explanatory tables, guides, outline provisions or diagrams.
- (5) If a term is not identified by an asterisk, disregard that fact in deciding whether or not to apply to that term a definition or other interpretation provision.
- (6) The following basic terms used throughout the Code are not identified with an asterisk:

**Terms defined in subsection 1.1.2—2(3) that are not identified with asterisks**

<i>Item</i>	<i>Term</i>
1	claim
2	Code
3	fat
4	food
5	food additive
6	fruit
7	infant
8	label
9	labelling
10	nutrition content claim
11	package
12	serving
13	statement of ingredients
14	sugars

## Application, saving and transitional provisions

The table below details information on application, saving or transitional provisions in instruments affecting this Standard.

<b>Food Standards (Proposal P1044 – Plain English Allergen Labelling) Variation</b>				
<b>Instrument items affected</b>	<b>A'ment No.</b>	<b>FRLI registration Gazette</b>	<b>Instrument's transitional provision</b>	<b>Description of transitional arrangement</b>
Item [1] of the Schedule	197	F2021L00145 24 Feb 2021 FSC138 25 Feb 2021	Clause 4	<p>Clause 4 a transitional arrangement for variations to the Code made by Item [1] of the Schedule.</p> <p><b>The transition period is the period of time that commences on 25 February 2021 and ends on 25 February 2024.</b></p> <p><b>The post-transition period is the period of time that commences 26 February 2024 and ends on 26 February 2026.</b></p> <p>Subclause 4(1) provides that section 1.1.1—9 of the Code does not apply to the variations.</p> <p>Subclause 4(2) provides that during the transition period a food product may be sold if the product complies with one of the following:</p> <ul style="list-style-type: none"> <li>(a) the Code as in force without the above variations;</li> <li>(b) the Code as amended by the above variations.</li> </ul> <p>Subclause 4(3) provides that a food product packaged and labelled before the end of the transition period may be sold during the post-transition period if the product complies with one of the following:</p> <ul style="list-style-type: none"> <li>(a) the Code as in force without the above variations;</li> <li>(b) the Code as amended by the above variations.</li> </ul>

## 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 compilation No. 11 of Standard 1.1.1 as in force on **8 December 2023** (up to Amendment No. 223). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **8 December 2023**.

### 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 Legislation 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  
exp = expired or ceased to have effect  
rs = repealed and substituted

am = amended  
rep = repealed

**Standard 1.1.1** was published in the Food Standards Gazette No. FSC96 on 10 April 2015 as part of Amendment 154 (F2015L00383 — 31 March 2015) and has since been amended as follows:

Section affected	A'ment No.	FRL registration Gazette	Commencement (Cessation)	How affected	Description of amendment
1.1.1— 2(2)	157	F2015L01391 1 Sept 2015 FSC99 3 Sept 2015	1 March 2016	am	Insertion of reference to new Standard 1.2.12.
1.1.1— 2(2)	157	F2015L01374 1 Sept 2015 FSC99 3 Sept 2015	1 March 2016	am	Corrections to names of standards.
1.1.1— 2(2)	161	F2016L00120 18 Feb 2016 FSC103 22 Feb 2016	(19 Jan 2017)	rep	Reference to Standard 1.2.12.
1.1.1— 2(2)	165	F2016L01367 30 Aug 2016 FSC107 1 Sept 2016	(1 July 2018)	rep	Reference to Standard 1.2.11.
Note to 1.1.1— 2(2)	168	F2017L00414 11 April 2017 FSC110 13 April 2017	13 April 2017	rs	To remove reference to Chapter 5.
1.1.1— 2(2)	168	F2017L00414 11 April 2017 FSC110 13 April 2017	13 April 2017	rs	To remove reference to Standard 4.2.4A and Chapter 5.

Section affected	A'ment No.	FRL registration Gazette	Commencement (Cessation)	How affected	Description of amendment
1.1.1—3(1)	165	F2016L01367 30 Aug 2016 FSC107 1 Sept 2016	(1 July 2018)	rs	Note 1 to subsection to remove reference to Standard 1.2.11.
1.1.1—6(1)	172	F2017L01142 6 Sept 2017 FSC114 7 Sept 2017	7 Sept 2017	am	Correction to typographical error.
1.1.1—6(2)	172	F2017L01142 6 Sept 2017 FSC114 7 Sept 2017	7 Sept 2017	am	Correction to typographical error.
1.1.1—10(5)	159	F2015L01913 2 Dec 2015 FSC101 7 Dec 2015	1 March 2016	ad	New paragraph (f) relating to raw apricot kernels.
1.1.1—10(6)	159	F2015L01913 2 Dec 2015 FSC101 7 Dec 2015	1 March 2016	ad	New paragraph (i) and Note 4 following the subsection relating to raw apricot kernels.
1.1.1—11	172	F2017L01142 6 Sept 2017 FSC114 7 Sept 2017	7 Sept 2017	am	Correction to typographical error.
1.1.1—13	157	F2015L01374 1 Sept 2015 FSC99 3 Sept 2015	1 March 2016	am	Correction of numbering errors in the notes and examples.
1.1.1—2(2)	182	F2018L01594 23 Nov 2018 FSC123 29 Nov 2018	29 Nov 2018	am	Omit note under Schedule 22
1.1.1—10(5)(f)	189	F2019L01607 11 Dec 2019 FSANZ Notification Circular 105- 19 (Urgent Proposal) 12 Dec 2019	12 Dec 2019	am	Omitting and substituting paragraph 10(5)(f)
1.1.1—2(2)	197	F2021L00145 24 Feb 2021 FSC138 25 Feb 2021	25 Feb 2021	am	Omitting the words 'Mandatory advisory statements' from subsection 1.1.1—2(2) and substituting 'Mandatory advisory statements and declarations'  <i>For application, saving and transitional provisions, see above table.</i>
1.1.1—5(1)(b)	200	F2021L00684 2 June 2021 FSC141 3 June 2021	3 June 2021	am	Omit '2014', substitute '2019'.
1.1.1—3(Note)(i ii)	220	F2023L01004 11 July 2023 FSC160 19 July 2023	19 July 2023	rs	Repeal and substitute Note 1 to subparagraph (iii)
1.1.1—5(1)(b)	220	F2023L01004 11 July 2023 FSC160 19 July 2023	19 July 2023	rs	Repeal and substitute Note 1 to subparagraph (iii)
1.1.1—2(2)	214	F2022L01586 8 Dec 2022 FSC 154 8 Dec 2022	8 December 2023	ad	Insertion of new Standards 3.2.2A Food Safety Management Tools