Standard 1.3.2 Vitamins and minerals

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.

Note 3 Paragraph 1.1.1—10(4)(b) provides that a food for sale must not have as an ingredient or a component, a substance used as a nutritive substance unless expressly permitted by this Code. This Standard deals with vitamins and minerals used as nutritive substances.

Note 4 This Standard limits the claims that can be made about the vitamin and mineral content of foods. Standard 1.2.7 relates to the claims that can be made about nutrition content, including the presence of vitamins and minerals in food. There are also provisions in other standards that affect claims about specific foods. See for example:

- Standard 2.1.1 (cereal and cereal products);
- Standard 2.4.2 (edible oil spreads);
- 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)).

1.3.2—1 Name

This Standard is *Australia New Zealand Food Standards Code* – Standard 1.3.2 – Vitamins and minerals.

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.

1.3.2—2 Definitions and interpretation

Note In this Code (see section 1.1.2—2):

meet the NPSC means that the *nutrient profiling score of a food described in Column 1 of the table to section S4—6 is less than the number specified for that food in Column 2 of that table.

NPSC means the nutrient profiling scoring criterion (see section S4—6).

nutrient profiling score means the final score calculated pursuant to the method referred to in section 1.2.7—25.

property of food means a *component, ingredient, constituent or other feature of food.

RDI—see section 1.1.2—10.

reference quantity means:

(a) for a food listed in the table to section S17—4, either:

(i) the amount specified in the table for that food; or

(ii) for a food that requires dilution or reconstitution according to directions—the amount of the food that, when diluted or reconstituted, produces the quantity referred to in subparagraph (i); or

(b) for all other foods:

(i) a normal serving; or

(ii) for a food that requires dilution, reconstitution, draining or preparation according to directions—the amount of the food that, when diluted, reconstituted, drained or prepared produces a normal serving.

used as a nutritive substance—see section 1.1.2—12.

1.3.2—3 Listed vitamins and minerals may be used as nutritive substance in foods

Unless this Code provides otherwise, a vitamin or mineral may be *used as a nutritive substance in a food if:

(a) the vitamin or mineral is in a permitted form specified in section S17—2 or section S17—3; and

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(b) the vitamin or mineral is listed in relation to that type of food in section S17—4; and

(c) the total amount of the naturally occurring and added vitamin or mineral present in a *reference quantity of the food is no more than the amount (if any) specified in relation to that vitamin or mineral in section S17—4.

1.3.2—4 Restrictions on claims in relation to vitamins and minerals added to foods

(1) This section applies if a vitamin or mineral has been *used as a nutritive substance in a food listed in section S17—4.

(2) A claim must not be made that the percentage *RDI of the vitamin or mineral (including the amount added and the amount naturally present) in a *reference quantity of the food is greater than the percentage that is specified as the maximum percentage RDI claim for that vitamin or mineral in the table to section S17—4.

1.3.2—5 Calculation of maximum amount of a vitamin or mineral which may be claimed in a reference quantity of food

(1) If:

(a) a food for sale contains more than one ingredient; and

(b) at least one ingredient contains a vitamin or mineral that has been *used as a nutritive substance in accordance with this Standard;

the maximum claim permitted in relation to that vitamin or mineral in a *reference quantity of the food is calculated in accordance with this section.

(2) First, the maximum amount permitted to be claimed in a *reference quantity of the food, M_{rq}, is calculated using the following equation:

$$M_{rq} = Q_1 + Q_2 + ... + Q_i$$

where:

Q_i, for a particular ingredient that contains that vitamin or mineral, is:

(a) for an unfortified ingredient—the *average quantity of the vitamin or mineral present in the amount of the ingredient in a *reference quantity of the food; and

(b) for a fortified ingredient—the maximum amount that may be claimed for that vitamin or mineral in the reference quantity of the ingredient adjusted to the amount of the ingredient in a reference quantity of the food.

(3) Then, M_{rq} is rounded to the nearest 2 significant figures.

1.3.2—6 Use of Vitamin D as a nutritive substance in breakfast cereal

Vitamin D must not be used as a nutritive substance in breakfast cereal unless the breakfast cereal as purchased *meets the NPSC.

1.3.2—7 Labelling requirements for breakfast cereals that contain vitamin D

(1) This section applies to breakfast cereals that contain vitamin D that has been used as a nutritive substance in that food in accordance with this Standard.

(2) For the labelling provisions:

(a) the particulars of a *property of food in relation to a breakfast cereal must be declared in the *nutrition information panel if:

(i) the property of food, other than fvnl, is relied upon to *meet the NPSC; and

(ii) the particulars are not otherwise required to be included in the

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nutrition information panel; and

(b) if a breakfast cereal scores V points under section S5—4, the percentage of each element of fvnl that is relied on to meet the NPSC must be declared.

Note The labelling provisions are set out in Standard 1.2.1.

(3) In this section:

fvnl is as defined in section S5—4 for the purpose of calculating V points.

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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. 1 of Standard 1.3.2 as in force on **12 January 2017** (up to Amendment No. 166). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **12 January 2017**.

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
am = amended
exp = expired or ceased to have effect
rep = repealed
rs = repealed and substituted

Standard 1.3.2 was published in the Food Standards Gazette No. FSC96 on 10 April 2015 as part of Amendment 154 (F2015L00402 –- 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
1.3.2—2	166	F2017L00023 5 Jan 2017 FSC108 12 Jan 2017	12 Jan 2017	am	Inclusion of additional definition references. In the Note.
1.3.2—6	166	F2017L00023 5 Jan 2017 FSC108 12 Jan 2017	12 Jan 2017	ad	New section relating to the use of vitamin D as a nutritive substance in breakfast cereals.
1.3.2—7	166	F2017L00023 5 Jan 2017 FSC108 12 Jan 2017	12 Jan 2017	ad	New section relating labelling requirements for breakfast cereals that contain vitamin D.

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