

Standard 1.4.2 Agvet chemicals

- 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** This Standard is the Maximum Residue Limits Standard for the purposes of the FSANZ Act.
- Note 3** This Standard applies in Australia only. In New Zealand, maximum residue limits for agricultural compounds are set out in a Maximum Residue Limits Standard issued under the *Food Act 2014*.
- Note 4** The application Acts provide that food is unsuitable if the food contains, among other things, a chemical agent that is foreign to the nature of the food. Food is not unsuitable if, when it is sold, it does not contain an agvet chemical in an amount that contravenes the Code.

Paragraph 1.1.1—10(6)(d) provides that a food for sale must not have, as an ingredient or a component, a detectable amount of an agvet chemical or a metabolite or a degradation product of the agvet chemical; unless expressly permitted by this Code.

Sections 1.4.2—4 and 1.4.2—5 and associated Schedules set out the relevant permissions. Permitted residues are identified in section S20—3.

1.4.2—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 1.4.2 – Agvet chemicals*.

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

1.4.2—2 Purpose of Standard

The purpose of this Standard and Schedule 20, Schedule 21 and Schedule 22 is to set out the maximum residue limits and extraneous residue limits for agricultural or veterinary chemicals that are permitted in foods for sale.

Note Maximum residue limits have been determined:

- (a) by the amount of residues of such chemicals that could be present in food when they are used at the minimum effective level and using Good Agricultural Practice (GAP); and
- (b) after an assessment of the potential risk to public health and safety at that level.

1.4.2—3 Definitions and interpretation

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

agvet chemical means an agricultural chemical product or a veterinary chemical product, within the meaning of the Agvet Code.

Note The Agvet Code is the Code set out in the Schedule to the *Agricultural and Veterinary Chemicals Code Act 1994* (Cth). See subsection 4(1) of the FSANZ Act.

extraneous residue limit or **ERL**, for an agvet chemical in a food, means the amount identified in Schedule 21 for the permitted residue of that agvet chemical in that food.

maximum residue limit or **MRL**, for an agvet chemical in a food, means the amount identified in Schedule 20 for the permitted residue of that agvet chemical in that food.

(1) In this Standard:

permitted residue, of an *agvet chemical, means a chemical that is identified in Schedule 20 or Schedule 21 as being a permitted residue in relation to the agvet chemical.

(2) When calculating the amount of a permitted residue in a food:

- (a) only calculate the amount that is in the portion of the commodity that is specified in Schedule 22; and
- (b) if the permitted residue consists of more than 1 chemical, calculate the amount of all such chemicals that are present in the food.

(3) Unless a maximum amount of a permitted residue of an *agvet chemical is specified for a processed food, the same maximum amount applies to both the processed and the unprocessed food.

- (4) In this Standard, and in Schedule 20 and Schedule 21, a reference to a particular food is to the food as described in Schedule 22.

1.4.2—4 **Maximum residue limit of agvet chemicals in foods**

- (1) A food for sale may contain a permitted residue of an *agvet chemical if:
- (a) the agvet chemical is listed in Schedule 20; and
 - (b) the food consists of, or has as an ingredient, a food that is listed in relation to that agvet chemical in Schedule 20; and
 - (c) the amount of the permitted residue of the agvet chemical in the food complies with subsection (2) or subsection (3), as appropriate.
- (2) For a food for sale that consists of a food that is listed in relation to that *agvet chemical in Schedule 20, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount identified in relation to that food for that agvet chemical in Schedule 20.
- (3) For a food for sale that has 2 or more ingredients, 1 or more of which is a food that is listed in relation to the *agvet chemical in Schedule 20, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount **MRL** calculated in accordance with the following equation:

$$MRL = \sum_{j=1}^N \frac{Weight(j)}{Weight} \times MRL(j)$$

where:

N is the number of ingredients of the food that are listed in Schedule 20 in relation to that agvet chemical.

Weight(j) is the weight of the j^{th} such ingredient.

Weight is the total weight of the food.

MRL(j) is the amount identified in relation to the j^{th} ingredient for a permitted residue of that agvet chemical in Schedule 20.

1.4.2—5 **Extraneous residue limit of agvet chemicals in foods**

- (1) A food for sale may contain a permitted residue of an *agvet chemical if:
- (a) the agvet chemical is listed in Schedule 21; and
 - (b) the food consists of, or has as an ingredient, a food that is listed in relation to that agvet chemical in Schedule 21 and
 - (c) the amount of the permitted residue of the agvet chemical in the food complies with subsection 1.4.2—4(2) or subsection 1.4.2—4(3), as appropriate; and
 - (d) the presence of the permitted residue of the agvet chemical in the food arose from environmental sources, and not from direct or indirect use of an agvet chemical on food.
- (2) For a food for sale that consists of a food that is listed in relation to that *agvet chemical in Schedule 21, the amount of the permitted residue of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount identified in relation to that food for that agvet chemical in Schedule 21.
- (3) For a food for sale that has 2 or more ingredients, 1 or more of which is a food that is listed in relation to the *agvet chemical in or Schedule 21, the amount of the agvet chemical in the food complies with this subsection if the amount is not greater than the amount **MRL** calculated in accordance with the following equation:

$$MRL = \sum_{j=1}^N \frac{Weight(j)}{Weight} \times MRL(j)$$

where:

N is the number of ingredients of the food that are listed in Schedule 21 in relation to that agvet chemical.

Weight(j) is the weight of the j^{th} such ingredient.

Weight is the total weight of the food.

MRL(j) is the amount identified in relation to the j^{th} ingredient for that agvet chemical in Schedule 21.

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 1.4.2 as in force on **1 March 2016** (up to Amendment No. 161). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **1 March 2016**.

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 1.4.2 was published in the Food Standards Gazette No. FSC96 on 10 April 2015 as part of Amendment 154 (F2015L00415 — 31 March 2015) and has since been amended as follows:

Section affected	A'ment No.	FRLI registration Gazette	Commencement (Cessation)	How affected	Description of amendment
Std heading	161	F2016L00120 18 Feb 2016 FSC103 22 Feb 2016	1 March 2016	am	Correction of typographical error in Note 3.