

***Australia New Zealand Food Standards Code* – Transitional Variation 2015 (Proposal P1035 – Gluten Claims about Foods containing Alcohol)**

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 2 of the variation.

Dated 28 August 2015



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

**Note:**

This variation will be published in the Commonwealth of Australia Gazette No. FSC 99 on 3 September 2015.

**1 Name of instrument**

This instrument is the *Australia New Zealand Food Standards Code – Transitional Variation 2015 (Proposal P1035 – Gluten Claims about Foods containing Alcohol).*

**2 Commencement**

 This instrument commences on 1 March 2016 immediately after the commencement of Standard 5.1.1 – Revocation and transitional provisions — 2014 Revision.

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

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

**Schedule**

**[1] Standard 1.1.2** is varied by

[1.1] omitting subparagraph (b)(ii) of the definition of **claim requiring nutrition information** in subsection 1.1.2—2(3) and substituting

 “(ii) an endorsement; or

 (iii) a \*prescribed beverage gluten free claim.”

[1.2] inserting in subsection 1.1.2—2(3) in the appropriate alphabetical position

“***prescribed beverage*** means:

 (a) a \*standardised alcoholic beverage; or

 (b) a beverage containing no less than 0.5% alcohol by volume.”

*“****prescribed beverage gluten free claim*** means a nutrition content claim in relation to the gluten content of a \*prescribed beverage that uses the descriptor ‘free’ in conjunction with gluten, or a synonym of that descriptor.”

**[2] Standard 1.2.7** is varied by omitting from section 1.2.7—4 “energy content or carbohydrate content”, and substituting “energy content, carbohydrate content or gluten content”

**[3] Standard 1.2.8** is varied by omitting the definition of ***claim requiring nutrition information*** from the first Note to section 1.2.8—4 and substituting

 “***claim requiring nutrition information***:

 (a) means:

 (i) a nutrition content claim; or

 (ii) a health claim; and

 (b) does not include:

 (i) a declaration that is required by an application Act; or

 (ii) an endorsement; or

 (iii) a \*prescribed beverage gluten free claim.”