

**Australia New Zealand Food Standards Code – Transitional Variation 2015 (P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol)**

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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 Standard commences on the date specified in clause 2 of the variation.

30 November 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 101 on 7 December 2015.

## 1 Name of instrument

This instrument is the *Australia New Zealand Food Standards Code – Transitional Variation 2015 (P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol)*.

## 2 Commencement

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

## 3 Variation of Standards

The Schedule varies a Standard and a Schedule of the *Australia New Zealand Food Standards Code*.

### Schedule

[1] **Standard 1.2.7** is varied by deleting subsections 1.2.7—4(1) and (2), substituting

A \*nutrition content claim or \*health claim must not be made about:

- (a) kava; or
- (b) an infant formula product; or
- (c) a food that contains more than 1.15% alcohol by volume, other than a \*nutrition content claim about:
  - (i) energy content, carbohydrate content or gluten content; or
  - (ii) salt or sodium content about a food that is not a beverage.

[2] **Schedule 4** is varied by

[2.1] inserting the following at the beginning of section S4—2

In this Schedule:

**maximum claimable amount** means the maximum claimable amount as prescribed by section 1.3.2—4 or 1.3.2—5.

**reference quantity** means the reference quantity specified for the food in the Table to section S17—4.

[2.2] deleting Column 2 of the entry for “Vitamin or mineral (not including potassium or sodium)” from the table to section S4—3, and substituting

- (a) The vitamin or mineral is mentioned in Column 1 of the table to section S1—2 or S1—3; and
- (b) a serving of the food contains at least 10% \*RDI or \*ESADDI for that vitamin or mineral; and
- (c) a claim is not for more of the particular vitamin or mineral than the amount permitted by section 1.3.2—4 or 1.3.2—5; and
- (d) the food is not any of the following:
  - (i) a formulated caffeinated beverage;
  - (ii) food for infants;
  - (iii) a formulated meal replacement;
  - (iv) a formulated

- supplementary food;
- (v) a formulated  
supplementary sports  
food.

Paragraph (b) does not apply  
where:

- (i) a maximum claimable  
amount applies in  
relation to the mineral  
or vitamin; and
- (ii) the serving size is less  
than the reference  
quantity; and
- (iii) the reference quantity  
contains at least 10%  
\*RDI or \*ESADDI for  
the vitamin or mineral;  
and
- (iv) the maximum  
claimable amount is  
less than 10% \*RDI or  
\*ESADDI per serving.

For food for infants, the food  
satisfies the condition for  
making a claim under  
subsection 2.9.2—10(2).

For a formulated meal  
replacement, the food meets the  
condition for making a claim  
under subsection 2.9.3—4(2).

For a formulated supplementary  
food, the food meets the  
conditions for making a claim  
under subsection 2.9.3—6(2).

For a formulated supplementary  
food for young children, the food  
meets the conditions for making  
a claim under 2.9.3—8(2).