

## Food Standards (Proposal P1026 – Lupin as an Allergen) Variation

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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 variation commences on the date specified in clause 3 of this variation.

Dated 22 May 2017



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 112 on 25 May 2017. This means that this date is the gazettal date for the purposes of clause 3 of the variation.

## 1 Name

This instrument is the *Food Standards (Proposal P1026 – Lupin as an Allergen) Variation*.

## 2 Variation to standards in the *Australia New Zealand Food Standards Code*

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

## 3 Commencement

The variation commences on the date of gazettal.

### Schedule

#### [1] Standard 1.2.3 is varied by

[1.1] inserting after section 1.2.3—1

#### 1.2.3—1A Transitional arrangements for prescribed variations

(1) For the purposes of this section:

**prescribed variation** means the amendment made by the Variation to paragraph 1.2.3—4(1)(b).

**transitional period** means the period commencing on the Variation's date of commencement and ending 12 months after the commencement.

**the Variation** means the *Food Standards (Proposal P1026 – Lupin as an Allergen) Variation*.

(2) Section 1.1.1—9 of Standard 1.1.1 does not apply to the prescribed variation.

(3) During the transitional period, a food product may comply with either:

- (a) the Code as in force without the prescribed variation; or
- (b) the Code as amended by the prescribed variation;

but not a combination of both.

[1.2] omitting from paragraph 1.2.3—4(1)(b)

- (ix) tree nuts, other than coconut from the fruit of the palm *Cocos nucifera*.

substituting

- (ix) tree nuts, other than coconut from the fruit of the palm *Cocos nucifera*;
- (x) lupin.

#### [2] Schedule 10 is varied by

[2.1] omitting “1.2.4—4(b)(i)” from Note 1, substituting “1.2.4—4(b)(iii)”

[2.2] inserting after section S10—1

#### S10—1A Transitional arrangements for prescribed variations

(1) For the purposes of this section:

**prescribed variation** means the amendment made by the Variation to paragraph (a) under the entry for “fats or oils” in the table to section S10—2.

**transitional period** means the period commencing on the Variation's date of commencement and ending 12 months after the commencement.

**the Variation** means the *Food Standards (Proposal P1026 – Lupin as an Allergen) Variation*.

(2) Section 1.1.1—9 of Standard 1.1.1 does not apply to the prescribed variation.

(3) During the transitional period, a food product may comply with either:

- (a) the Code as in force without the prescribed variation; or
- (b) the Code as amended by the prescribed variation;

but not a combination of both.

[2.3] omitting from paragraph (a) under the entry for “fats or oils” in the table to section S10—2

(ii) if the source of oil is peanut or sesame—the specific source name; and

substituting

(ii) if the source of oil is lupin, peanut or sesame—the specific source name; and