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National Food Authority

**Amendment No. 23 to the
Food Standards Code**

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NATIONAL FOOD AUTHORITY

VARIATIONS TO THE FOOD STANDARDS CODE

(AMENDMENT No. 23)

1. Preamble

The variations set forth in the Schedule below are variations to the Food Standards Code (hereinafter called 'the Code') which was published by the National Health and Medical Research Council in the *Commonwealth of Australia Gazette*, No. P 27, on 27 August 1987, and which has been varied from time to time.

The Schedule contains variations adopted by the National Food Standards Council in December 1994.

These variations are published pursuant to section 32 of the *National Food Authority Act* 1991.

2. Citation

These variations may be collectively known as '*Amendment No. 23*' to the Code.

3. Commencement

These variations commence on the date of publication of this Gazette with the exception of items 1.4 and 11 which will commence on 22 December 1995.

SCHEDULE

[1.] *Standard A1* is varied by -

[1.1] omitting paragraph (10A)(e) and substituting -

"(e) no added sorbitol, mannitol, glycerol, xylitol, hydrogenated glucose syrup, isomalt or lactitol.";

[1.2] omitting clause (29) and substituting -

"(29) The label on or attached to a package containing a food to which isomalt, lactitol or polydextrose has been added otherwise than as a humectant shall include the statement 'EXCESS CONSUMPTION MAY HAVE A LAXATIVE EFFECT' in standard type of 3 mm.";

[1.3] omitting clause (29A) and substituting -

"(29A) If foods to which isomalt, lactitol or polydextrose has been added otherwise than as a humectant are displayed for retail sale other than in a package, there must be displayed in connection with the food, in standard type of 9 mm, a statement that the food contains isomalt, lactitol or polydextrose as the case may be, together with the statement 'EXCESS CONSUMPTION MAY HAVE A LAXATIVE EFFECT'.";

[1.4] inserting after clause (31) -

"(32) (a) In this clause, "standard drink" means the amount of a beverage which contains 10 grams of ethanol, measured at 20°C.

(b) Subject to subclause (c), the label on or attached to a package of a beverage which contains more than 5 mL/L of ethanol, measured at 20°C, must include a statement of the approximate number of standard drinks in the package -

- (i) in the case of packages containing 10 or less standard drinks, accurate to the first decimal place; or
- (ii) in the case of packages containing more than 10 standard drinks, accurate to the nearest whole number of standard drinks.

EXAMPLES:

For a 750 mL bottle of 12.5% wine:

'CONTAINS APPROXIMATELY 7.4 STANDARD DRINKS'

For a 750 mL bottle of 37% spirit:

'CONTAINS APPROXIMATELY 22 STANDARD DRINKS'

For a 375 mL can of 4.9% beer:

'CONTAINS APPROXIMATELY 1.4 STANDARD DRINKS'

(c) Subclause (b) does not apply to beverages packaged prior to 22 December 1995."; and

- [1.5] inserting in columns 1 and 2 respectively of Parts 1 and 2 of the Schedule -
- | | |
|------------------------------|-------|
| "Disodium 5'-ribonucleotides | 635"; |
| "Lactitol | 966". |
- [2.] **Standard A6** is varied by inserting after "thaumatin" in paragraph 13(1)(d) -
- ";
- (e) disodium 5'-ribonucleotides";
- [3.] **Standard A8** is varied by inserting, in alphabetical order, into the list in subclause (3)(b) -
- "lactitol".
- [4.] **Standard A11** is varied by -
- [4.1] inserting after paragraph (1)(zd) -
- "(ze) FNP (38) means 'Specifications for identity and purity of certain food additives. *FAO Food and Nutrition Paper 38*. FAO Rome (1988)'."; and
- [4.2] inserting in the Schedule, in Columns 1 and 2 respectively, in alphabetical order of Column 1 -
- | | |
|------------------------------|-----------------|
| "Disodium 5'-ribonucleotides | WHO(7) p99"; |
| "Lactitol | FNP (38) p117". |
- [5.] **Standard B3** is varied by inserting after subsubparagraph (1)(b)(v)(G) -
- "(H) 300 g/kg of lactitol;".
- [6.] **Standard B4** is varied by omitting clause (5) and substituting -
- "(5) Custard mix, dessert mix, custard powder and blanc mange powder, when made up as directed, and dairy based desserts may contain -
- (a) isomalt to a level not exceeding 140 g/kg;
- (b) lactitol to a level not exceeding 200 g/kg.".
- [7.] **Standard K1** is varied by omitting paragraph 1(1)(m) and substituting -
- "(m) sorbitol, mannitol, glycerol, xylitol, polydextrose, isomalt, hydrogenated glucose syrup or lactitol.".
- [8.] **Standard K3** is varied by -
- [8.1] inserting in subclause (1)(a) after the word "isomalt" -
- ";
- (iv) lactitol"; and
- [8.2] inserting in subclause (4)(a) after the word "isomalt" -
- ";
- (iv) lactitol".

[9.] **Standard L1** is varied by -

[9.1] omitting subclause (2A)(ca) and substituting -

"(ca) Reduced fat ice cream may contain:

- (i) not more than 110 g/kg of polydextrose;
- (ii) not more than 160 g/kg of isomalt;
- (iii) not more than 200 g/kg of lactitol; and
- (iv) artificial sweetening substances in accordance with Standard A8.";

[9.2] omitting subclause (2B)(d) and substituting -

"(d) Low fat ice cream may contain:

- (i) not more than 110 g/kg of polydextrose;
- (ii) not more than 160 g/kg of isomalt;
- (iii) not more than 200 g/kg of lactitol; and
- (iv) artificial sweetening substances in accordance with Standard A8.";

[9.3] inserting after the word "isomalt" in subsubparagraph (3)(b)(ii)(H) -

";
(I) not more than 200 g/kg of lactitol";

[9.4] inserting after the word "isomalt" in subparagraph (5)(b)(viii) -

";
(ix) not more than 200 g/kg of lactitol"; and

[9.5] inserting after the word "isomalt" in subsubparagraph (7)(d)(ii)(G) -

";
(H) not more than 200 g/kg of lactitol".

[10.] **Standard P2** is varied by omitting subclause 7(10) and substituting -

"(10) (a) The label on or attached to a package containing a food standardised in this Standard, save fruit wine, vegetable wine and mead which contains less than 11.5 mL/L of ethanol, must include a statement of the proportion of ethanol per litre, expressed to the first decimal place and -

- (i) in the case of cider and perry, accurate to within 3 mL/L;
- (ii) in the case of fruit wine, vegetable wine and mead which contains not less than 11.5 mL/L and not more than 65 mL/L of ethanol and fortified fruit wine, fortified vegetable wine and fortified mead, accurate to within 5 mL/L;
- (iii) for all other products, accurate to within 15 mL/L.

(b) The label on or attached to a package containing fruit wine, vegetable wine and mead which contains less than 11.5 mL/L of ethanol, must include a statement of the maximum proportion of ethanol per litre, expressed to the first decimal place."

[11.] **Standard P3** is varied by inserting after subclause (12)(f) -

"(g) (i) For the purpose of this subclause a 'geographical indication' is any indication, whether express or implied, which identifies a spirit as originating in a particular country, locality or region, where a given quality, reputation or other characteristic of the spirit is essentially attributable to its origin in that particular country, locality or region.

(ii) A geographical indication must not be used in relation to a spirit, where the spirit does not originate in the country, locality or region in question, even where the true origin of the spirit is indicated or the geographical indication is used in translation or accompanied by expressions such as 'kind', 'type', 'style', 'imitation' or the like."

[12.] **Standard R2** is varied by -

[12.1] inserting in the table in clause (2) -

"1 g of lactitol yields 9kJ";

[12.2] inserting in clause (3) after the word "isomalt" -

";
(k) lactitol"; and

[12.3] inserting in subclause (6)(b) after the word "isomalt" -

";
(vii) lactitol".

[13.] **Standard R3** is varied by -

[13.1] inserting in subclause (2)(a) after the word "isomalt," -

"lactitol,";

[13.2] inserting in subclause (3)(a) after the word "isomalt," -

"lactitol,";

[13.3] inserting in subclause (4)(a) after the word "isomalt," -

"lactitol,";

[13.4] inserting in clause (5) after the word "isomalt." -

"lactitol."; and

[13.5] inserting in alphabetical order into the list in subparagraph (6)(b)(i) -

"(here state number of parts) % LACTITOL".