

Proposal to Amend Standard 1.4.2 of the Australia New Zealand Food Standards Code

In the previous notice, the APVMA gazetted particular amendments which it has approved varying maximum residue limits (MRLs) for substances contained in agricultural and veterinary chemical products as set out as in the APVMA's *MRL Standard*.

Under Section 82 of the *Food Standards Australia New Zealand Act 1991* the APVMA is proposing to incorporate these variations (numbered 30) to MRLs into Standard 1.4.2 - Maximum Residue Limits of the Australia New Zealand Food Standards Code.

MRLs contained in Standard 1.4.2 provide the limits for residues of agricultural and veterinary chemicals that may legitimately occur in foods. By this means, Standard 1.4.2 permits the sale of treated foods and protects public health and safety by minimising residues in foods consistent with the effective control of pests and diseases.

The APVMA is satisfied, based on dietary exposure assessments and current health standards, that the proposed limits are not harmful to public health.

The Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System, excludes MRLs for agricultural and veterinary chemicals in food from the system setting joint food standards. Australia and New Zealand independently and separately develop MRLs for agricultural and veterinary chemicals in food.

Food Standards Australia New Zealand (FSANZ) will make a Sanitary and Phytosanitary (SPS) notification to the World Trade Organization (WTO).

The APVMA invites comment on these proposals. Details on how to make a submission appear near the end of this Notice, below the details of the proposed amendment.

The APVMA will consider any public comments made in response to this proposal. If the APVMA decides to proceed with the proposal, it will further notify any variations it makes to Standard 1.4.2 in the *APVMA Gazette*. The variations will take effect as from the date of that subsequent notice.

DRAFT VARIATIONS TO THE AUSTRALIA NEW ZEALAND FOOD STANDARDS CODE

Note: The following amendments are in a format that accords with the proposed amending Legislative Instrument which, in turn, has to be consistent with the existing format of Standard 1.4.2 (Maximum Residue Limits) of the *Australia New Zealand Food Standards Code*.

PROPOSED AMENDMENT NO. 30

Note: Subsection 82(2) of the *Food Standards Australia New Zealand Act 1991* provides that variations to standards are legislative instruments, but are not subject to disallowance or sunseting.

To commence: on gazettal of variation

Standard 1.4.2 of the *Australia New Zealand Food Standards Code* is varied by –

1. inserting in alphabetical order in Schedule 1, the foods and associated MRLs for each of the following chemicals –

Azoxystrobin Azoxystrobin	
Rice	T7
Metsulfuron-methyl Metsulfuron-methyl	
Poppy seed	T*0.01
Triclopyr Triclopyr	
Poppy seed	T*0.01

2. omitting from Schedule 1, under the entries for the following chemicals, the maximum residue limit for the food, substituting –

Chlorothalonil <i>Commodities of plant origin:</i> chlorothalonil <i>Commodities of animal origin:</i> 4-hydroxy-2,5,6-trichloroisophthalonitrile metabolite expressed as chlorothalonil	
Papaya (pawpaw)	10
Difenoconazole Difenoconazole	
Papaya (pawpaw)	1
Toltrazuril Sum of toltrazuril, its sulfoxide and sulfone, expressed as toltrazuril	
Eggs	*0.03

(i)

INVITATION FOR SUBMISSIONS

Written submissions are invited from interested individuals and organisations to assist the APVMA in considering the proposal to vary Standard 1.4.2 - Maximum Residue Limits of the *Australia New Zealand Food Standards Code*. Submissions should be strictly confined to relevant matters that the APVMA must consider (such as public health and safety) which are associated with the occurrence of the proposed residues in foods. Comments received outside these grounds will not be considered by the APVMA. Claims made in submissions should be supported wherever possible by

referencing or including relevant studies, research findings, trials, surveys etc. Technical information should be in sufficient detail to allow independent scientific assessment.

Please note that FSANZ will make a SPS notification to the WTO and submissions related to impacts on international trade should be made to FSANZ in response to that notification.

All personal and *confidential commercial information* (CCI)¹ material contained in submissions to the APVMA will be treated confidentially.

Submissions must be made in writing and should be clearly marked as a 'submission on the proposed amendment to Standard 1.4.2' and quote the correct amendment number.

DEADLINE FOR PUBLIC SUBMISSIONS: 6pm (Canberra time) 17th October 2011

SUBMISSIONS RECEIVED AFTER THIS DEADLINE WILL ONLY BE CONSIDERED BY PRIOR ARRANGEMENT

Submissions received after this date will only be considered if agreement for an extension has been given prior to this closing date. Agreement to an extension of time will only be given if extraordinary circumstances warrant an extension to the submission period.

For further information please contact:

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¹ A full definition of "confidential commercial information" is contained in the Agricultural and Veterinary Chemicals Code (Agvet Code), which is scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994*.