

29 June 2016
[16–16]

Call for submissions – Application A1117

Extension of Use of L-Cysteine as a Food Additive

FSANZ has assessed an Application made by Link Trading (Qld) Pty Ltd to extend the use of the food additive, L-cysteine, to limit enzymatic browning of peeled and cut avocado and banana and so extend the shelf life and has prepared a draft food regulatory measure. Pursuant to section 31 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act), FSANZ now calls for submissions to assist consideration of the draft food regulatory measure.

For information about making a submission, visit the FSANZ website at [information for submitters](#).

All submissions on applications and proposals will be published on our website. We will not publish material that is provided in-confidence, but will record that such information is held. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1991*. Submissions will be published as soon as possible after the end of the public comment period. Where large numbers of documents are involved, FSANZ will make these available on CD, rather than on the website.

Under section 114 of the FSANZ Act, some information provided to FSANZ cannot be disclosed. More information about the disclosure of confidential commercial information is available on the FSANZ website at [information for submitters](#).

Submissions should be made in writing; be marked clearly with the word 'Submission' and quote the correct project number and name. While FSANZ accepts submissions in hard copy to our offices, it is more convenient and quicker to receive submissions electronically through the FSANZ website via the link on [documents for public comment](#). You can also email your submission directly to submissions@foodstandards.gov.au.

There is no need to send a hard copy of your submission if you have submitted it by email or via the FSANZ website. FSANZ endeavours to formally acknowledge receipt of submissions within 3 business days.

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 10 August 2016

Submissions received after this date will not be considered unless an extension had been given before the closing date. Extensions will only be granted due to extraordinary circumstances during the submission period. Any agreed extension will be notified on the FSANZ website and will apply to all submitters.

Questions about making submissions or the application process can be sent to standards.management@foodstandards.gov.au.

Hard copy submissions may be sent to one of the following addresses:

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Supporting document

The following document which informed the assessment of this Application is available on the FSANZ website at <http://www.foodstandards.gov.au/code/applications/Pages/A1117-L-cysteineasaFA.aspx>

SD1 Risk and Technical Assessment Report

Executive summary

Link Trading (Qld) Pty Ltd submitted an Application seeking to extend the permission for a currently permitted food additive, L-cysteine monohydrochloride, to treat peeled and/or cut avocados and bananas to control enzymatic browning and so extend their shelf life.

The table to section S15—5 in Schedule 15 – Substances that may be used as food additives in the *Australia New Zealand Food Standards Code* (the Code) contains permissions for food additives across different food categories.

L-Cysteine monohydrochloride is a permitted food additive for root and tuber vegetables (peeled, cut or both peeled and cut), but not for fruits.

L-Cysteine is an amino acid which occurs widely in dietary proteins. In a normal diet, amino acids are ingested as components of food proteins and not as free amino acids. Based on the amino acid composition of soy bean protein, an intake of 100 g protein per day is equivalent to an L-cysteine intake of 2.2 g/day. When given as a chronic nutritional supplement (in the form of N-acetyl cysteine), typical doses range from 300 to 600 mg/day, with up to 2400 mg/day used in the treatment of certain conditions. No evidence of adverse effects has been reported at these levels of supplementation. Any additional dietary exposure to L-cysteine resulting from the requested extension of use is expected to be negligible in comparison to L-cysteine intake from the consumption of dietary protein.

FSANZ's risk assessment concluded that there were no public health and safety concerns associated with the proposed extension of use of the food additive for the proposed purpose. The assessment also concluded that its use was technologically justified.

There is a primary source of specifications within Schedule 3 – Identity and Purity for L-cysteine monohydrochloride. The current labelling requirements in subsection 1.2.4—7 apply for ingredient labelling of products containing the food additive. L-cysteine is an amino acid and the analysis of amino acids is relatively well-developed, with well-established methods available.

FSANZ proposes the creation of a new sub subcategory of 4.1.3.3 (Avocados and bananas) to be added to the table to section S15—5 with a permission for L-cysteine monohydrochloride as a food additive to treat this food category at Good Manufacturing Practice (GMP).

1 Introduction

1.1 The Applicant

Link Trading (Qld) Pty Ltd is a supplier of raw materials to the food and beverage processing industry.

1.2 The Application

The Application seeks to extend the permissions for a currently permitted food additive, L-cysteine monohydrochloride (hereafter referred to as L-cysteine unless reference is required to monohydrochloride salt), to treat peeled and cut avocado and banana to control enzymatic browning and so extend their shelf life.

1.3 The current Standard

The table to section S15—5 in Schedule 15 – Substances that may be used as food additives) contains permissions for food additives across different food categories.

Food category 4 (Fruits and vegetables (including fungi, nuts, seeds, herbs and spices)) contains subcategory 4.1.3 (fruits and vegetables that are peeled, cut, or both peeled and cut). All the additives permitted at GMP (i.e. the food additives listed in the table to section S16—2), as well as sorbic acid and sodium, potassium and calcium sorbates, and ethyl lauroyl arginate are permitted to be added to these food products.

There are also further sub subcategories, being 4.1.3.1 (products for manufacturing purposes) which has permissions for the sulphur dioxide and various sulphites, but only to treat processed apples and potatoes and the sub subcategory of root and tuber vegetables, which also has permissions for sulphur dioxide and various sulphites and L-cysteine monohydrochloride.

The terms L-cysteine and L-cysteine monohydrochloride are used interchangeably throughout this report, as the monohydrochloride salt is the usual permitted form of L-cysteine.

Food additive permissions from the table to section S15—5 for subcategory 4.1.3 are:

4.1.3	Fruits and vegetables that are peeled, cut, or both peeled and cut		
	Additives permitted at GMP		
200 201 202 203	Sorbic acid and sodium, potassium and calcium sorbates	375	
243	Ethyl lauroyl arginate	200	
4.1.3.1	Products for manufacturing purposes		
220 221 222 223 224 225 228	Sulphur dioxide and sodium and potassium sulphites	200	Only apples and potatoes
4.1.3.2	Root and tuber vegetables		
220 221 222 223 224 225 228	Sulphur dioxide and sodium and potassium sulphites	50	
920	L-cysteine monohydrochloride	GMP	

There are no permissions to use L-cysteine monohydrochloride as a food additive for peeled, cut, or both peeled and cut avocado and banana since neither fruit is a root or tuber vegetable.

L-Cysteine (or the hydrochloride salt) is also a permitted processing aid used as a dough

conditioner up to a maximum level of 75 mg/kg. This permission is listed in the table to section S18—9 (Permitted processing aids – various technological purposes) of Schedule 18 – Processing Aids. The Code regulates the substance as a processing aid and not a food additive since it performs the technological purpose during the manufacture of the food. That is, it is used during the conditioning of the dough as part of the manufacturing process for bread and baked goods, and does not have a technological purpose in the final baked food.

This permission for dough conditioning is similar to that listed in Codex Alimentarius (see section 1.3.1 below), the United States of America (USA) (see section 1.3.1.1) and the European Union (EU) (section 1.3.1.3 below), except the other regulations permit the substance as a food additive not a processing aid. The Code has a specific processing aid Standard and processing aid permissions which differ from how Codex, the USA and Europe regulate processing aids.

1.3.1 International and National Standards

There are limited international and national permissions for the use of L-cysteine monohydrochloride.

L-Cysteine and its hydrochloride and sodium and potassium salts has the Codex Alimentarius International Number System (INS) of 920 and function class and technological purpose of flour treatment agent. This information is obtained from the Codex Standard CAC/GL 36-1989 (Class names and the international numbering system for food additives).

L-cysteine monohydrochloride has a specification in the Food Chemicals Codex (9th edition) but not in the Joint WHO/FAO Expert Committee for Food Additives (JECFA).

1.3.1.1 The USA

L-Cysteine as a nutrient amino acid is permitted to be added to foods in accordance with the conditions in section 172.320 of the Code of Federal Regulations (CFR), Title 21.

There is also permission in the CFR for the use of both L-cysteine (§184.1271) and L-cysteine monohydrochloride (§184.1272) as food additives with the technological purpose of dough strengthener in yeast-leavened baked goods and baking mixes. The permission is for 0.009 part of total L-cysteine per 100 parts of flour in dough (i.e. 90 mg/kg, parts per million (ppm)).

1.3.1.2 Canada

The Canadian Food and Drug Regulations Division 16, Table XI, Part IV permits the use of L-cysteine hydrochloride as a food additive sulphite replacement formulation for prepared fruits and vegetables consistent with Good Manufacturing Practice.

This use is similar to that proposed by the Application.

1.3.1.3 EU

L-Cysteine is permitted as a food additive in the EU for use in two types of food categories within the Commission Regulation (EU) No 1129/2011. They are:

- flours and other milled products and starches (category number 06.2.1) at level of *quantum satis* (comparable to GMP in the Code)
- processed cereal-based foods and baby foods for infants and young children as defined by Directive 2006/125/EC (food category 13.1.3). A maximum permit limit of

1000 mg/kg applies for biscuits for infants and young children.

1.3.1.4 Japan

L-Cysteine monohydrochloride is permitted as a food additive in Japan, as mentioned in Table 1 in Article 12 of the Food Sanitation Law Enforcement Regulations.

This listing does not detail how the food additive may be used.

1.3.1.5 Singapore

L-Cysteine is a permitted flavour enhancer under paragraph 23 – (2)(d) of the Food Regulations of the Agri-Food & Veterinary Authority of Singapore.

1.4 Reasons for accepting Application

The Application was accepted for assessment because:

- it complied with the procedural requirements under subsection 22(2) of the FSANZ Act
- it related to a matter that warranted the variation of a food regulatory measure.

There currently are permissions for the use of L-cysteine monohydrochloride as a food additive in the Code. This Application is seeking an extension of use of the food additive by requesting an amendment to the Code, being a variation of a food regulatory measure.

1.5 Procedure for assessment

The Application is being assessed under the General Procedure.

2 Summary of the assessment

2.1 Risk assessment

FSANZ conducted a risk assessment on the extension of use of L-cysteine which is provided as SD1. The conclusions of this assessment are provided below.

L-cysteine is an amino acid which occurs widely in dietary proteins. In a normal diet, amino acids are ingested as components of food proteins and not as free amino acids. Based on the amino acid composition of soy bean protein, an intake of 100 g protein per day is equivalent to an L-cysteine intake of 2.2 g/day. When given as a chronic nutritional supplement (in the form of *N*-acetylcysteine), typical doses range from 300 to 600 mg/day, with up to 2400 mg/day used in the treatment of certain conditions. No evidence of adverse effects has been reported at these levels of supplementation. Any additional dietary exposure to L-cysteine resulting from the requested extension of use is expected to be negligible in comparison to L-cysteine intake from the consumption of dietary protein.

The food technology assessment concluded that L-cysteine performs the technological purpose of an antioxidant for the proposed purpose of treating peeled and cut avocado and banana pieces by reducing enzymatic browning. The fruit pieces are dipped into an aqueous solution containing L-cysteine, which extends the shelf life of such products stored at refrigeration temperature compared to untreated product.

2.2 Risk management

The conclusion of the risk assessment (section 2.1 and SD1) is that the extension of use of

L-cysteine for the proposed purpose is both safe and technologically justified. There are, however, a number of risk management issues to consider; specifically how to add permissions into the Code and labelling and specification aspects of the Application.

2.2.1 Draft amendments to the Code

The Application has requested approval for L-cysteine monohydrochloride as a food additive to treat only two types of fruits that are peeled and/or cut, being avocados and bananas. As noted in section 1.3, there is a food subcategory 4.1.3 (Fruits and vegetables that are peeled, cut, or both peeled and cut) within section S15—5 which details food additive permissions for different food categories.

There are two further sub subcategories being 4.1.3.1 (products for manufacturing purposes) and 4.1.3.2 (Root and tuber vegetables) which are both not applicable for the requested products. The hierarchical nature of food additive permissions in Schedule 15 means that if permissions are provided for in subcategory 4.1.3 for these particular foods, even with a qualification statement, possible misinterpretations could be made that L-cysteine monohydrochloride is then also permitted to treat food in both sub subcategories 4.1.3.1 and 4.1.3.2. Therefore it was proposed to create a new sub subcategory called 4.1.3.3 (Avocados and bananas) and provide permission for the food additive at GMP.

2.2.2 Labelling requirements

Substances used as food additives are required to be declared in the list of ingredients on the label of most packaged foods. Section 1.2.4—7 in Standard 1.2.4 – Information requirements – statement of ingredients requires food additives to be declared by their class name followed by the prescribed name, or code number in brackets.

Schedule 7 – Food additive class names (for statement of ingredients) provides the list of food additive class names for labelling purposes, while Schedule 8 – Food additive names and code numbers (for statement of ingredients) provides the lists of food additive names and code numbers. For the purposes proposed for this Application, FSANZ is proposing the class name ‘antioxidant’ be used for L-cysteine monohydrochloride, with either the prescribed food additive name ‘L-cysteine monohydrochloride’ or the code number ‘920’.

There are some exemptions to these requirements that apply to food for sale that is not required to bear a label. These exemptions are set out in Standard 1.2.1 - Requirements to have labels or otherwise provide information. The exemptions include whole or cut fresh fruit and vegetables (other than seed sprouts or similar products) in a package that does not obscure the nature or quality of the food, and food made and packaged on the premises from which it is sold. This means that L-cysteine monohydrochloride would not need to be declared if an exemption applies. FSANZ considers this approach to be appropriate, given that the risk assessment (refer to SD1) has concluded there are no public health and safety concerns associated with the use of L-cysteine monohydrochloride. This approach aligns with the approach taken for other permitted food additives.

2.2.3 Specifications

Subsection 1.1.1—15(2) requires that a substance used as a food additive (paragraph 1.1.1—15(1)(a)) must comply with a relevant specification in Schedule 3 – Identity and Purity. Food Chemicals Codex, which is a primary source of specifications under paragraph S3—2(1)(c), contains a specification for L-cysteine monohydrochloride. Therefore, no additional specification is required to be included in Schedule 3.

2.2.4 Analytical methods

L-Cysteine is an amino acid and the analysis of amino acids is relatively well developed with well-established methods available to measure amino acids.

2.3 Risk communication

FSANZ has developed a basic communication strategy for this Application.

2.3.1 Consultation

Consultation is a key part of FSANZ's standards development process. The process by which FSANZ considers standard development matters is open, accountable, consultative and transparent. Public submissions are called for to obtain the views of interested parties on the Application and the impacts of the regulatory options. All calls for submissions are notified via the FSANZ Notification Circular, media release, FSANZ's social media tools and Food Standards News.

The Applicant, individuals and organisations that make submissions on this Application will be notified at each stage of the assessment. Subscribers and interested parties are also notified via email about the availability of reports for public comment.

Following consultation, the FSANZ Board will consider the proposed variation taking into account comments received through submissions. If the draft variation to the Code is approved by the FSANZ Board, that decision will be notified to the Australia and New Zealand Ministerial Forum on Food Regulation (Forum). If the decision is not subject to a request for a review, the Applicant and stakeholders, including the public, will be notified of the gazettal of the variation to the Code in the national press and on the FSANZ website.

2.3.2 World Trade Organization (WTO)

As members of the World Trade Organization (WTO), Australia and New Zealand are obliged to notify WTO members where proposed mandatory regulatory measures are inconsistent with any existing or imminent international standards and the proposed measure may have a significant effect on trade.

There are not any relevant international standards and amending the Code to permit L-cysteine monohydrochloride to treat peeled and cut avocado and banana is unlikely to have a significant effect on international trade as this is a voluntary food additive permission which would liberalise trade. Therefore, a notification to the WTO under Australia's and New Zealand's obligations under the WTO Technical Barriers to Trade or Application of Sanitary and Phytosanitary Measures Agreement was not considered necessary.

2.4 FSANZ Act assessment requirements

When assessing this Application and the subsequent development of a food regulatory measure, FSANZ has had regard to the following matters in section 29 of the FSANZ Act:

2.4.1 Section 29

2.4.1.1 Cost benefit analysis

FSANZ is required to consider the impact of various regulatory and non-regulatory options on all sectors of the community, especially relevant stakeholders.

The benefits and costs associated with the proposed amendments to the Code have been

considered based on regulatory impact principles. The level of analysis is commensurate to the nature of the Application and significance of the impacts.

The Office of Best Practice Regulation, in a letter dated 24 November 2010 (reference 12065), provided a standing exemption from the need to determine whether a Regulation Impact Statement is required for applications relating to food additives, as they are machinery in nature and their use is voluntary.

However, FSANZ has undertaken a limited qualitative impact analysis.

Two regulatory options have been considered:

- (1) prepare a draft variation to the revised Code to permit L-cysteine monohydrochloride to treat peeled and cut avocado and banana
- (2) reject the Application.

The likely impacts of these options were considered but this is not intended to be an exhaustive, quantitative economic analysis. Rather, the qualitative effects of each option are described below, and are deliberately limited to broad areas such as trade and consumer choice.

Option 1 – prepare a draft variation to the Code

Sector	Costs or benefits
Consumers	There are direct benefits to consumers as they would have access to fresh peeled and cut avocados and bananas for a longer period due to the use of this technology. There are no expected costs to consumers, unless companies charged a premium for such treated products. Consumers would potentially have access to a greater range of products with an extended shelf life.
Industry	There are benefits to the fresh peeled and cut avocados and bananas industry and retailers of such products who can offer a longer shelf life for these products to consumers. The only cost to these companies will be setting up processes to treat their product with this food additive before packaging, and the cost of the food additive itself and the uptake of this technology is optional.
Governments	There should be minimal costs to government agencies, to check or enforce whether the food additive has been used on product. The additive is already permitted for use on a range of other fresh fruits and vegetables. Some packaged products will require the usual ingredient labelling which includes reference to food additives used.

Option 2 – reject the Application

Sector	Costs or benefits
Consumers	There are no benefits to consumers. However there are costs as the shelf life of peeled and cut avocados and bananas will not be as long as it could be and product will turn brown earlier and so be discarded.
Industry	There are no benefits to the food industry but there are costs. The peeled and cut fresh fruit industry will not have access to new technology that can maintain the fresh appearance of peeled and cut avocados and bananas longer. Companies and retailers will need to discard product that shows signs of browning which is unacceptable to consumers earlier than they would need.
Governments	There would be no direct impacts on government agencies.

FSANZ considered that Option 1 to permit L-cysteine monohydrochloride to treat peeled and cut avocado and banana was the preferred option and has prepared a draft variation to the Code.

The direct and indirect benefits that would arise from a food regulatory measure developed or varied as a result of the application outweigh the costs to the community, Government or industry that would arise from the development or variation of the food regulatory measure.

2.4.1.2 Other measures

There are no other measures (whether available to FSANZ or not) that would be more cost-effective than a food regulatory measure developed or varied as a result of the Application.

2.4.1.3 Any relevant New Zealand standards

There are no relevant New Zealand Standards. Schedule 15 applies to both Australia and New Zealand.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

2.4.2 Subsection 18(1)

FSANZ has also considered the three objectives in subsection 18(1) of the FSANZ Act during the assessment.

2.4.2.1 Protection of public health and safety

FSANZ has undertaken a safety assessment (SD1) and concluded there are no public health and safety concerns with permitting L-cysteine monohydrochloride as a food additive to treat peeled and cut avocado and banana.

2.4.2.2 The provision of adequate information relating to food to enable consumers to make informed choices

In accordance with existing labelling provisions for substances used as food additives, L-cysteine monohydrochloride would be required to be declared in the list of ingredients on the label of most packaged foods, unless there is an exemption that applies for food for sale that is not required to bear a label.

2.4.2.3 The prevention of misleading or deceptive conduct

No issues were identified for this Application relevant to this objective.

2.4.3 Subsection 18(2) considerations

FSANZ has also had regard to:

- **the need for standards to be based on risk analysis using the best available scientific evidence**

FSANZ has used the best available scientific evidence to conduct the risk analysis which is provided in SD1. The Applicant submitted a dossier of scientific studies as part of their Application. Other technical information including scientific literature was also used in assessing the Application.

- **the promotion of consistency between domestic and international food standards**

Section 1.3.1 details the current permissions for L-cysteine monohydrochloride in different countries. Permitting this Application will ensure consistency between the Code and other international food standards.

- **the desirability of an efficient and internationally competitive food industry**

Permitting L-cysteine monohydrochloride as a food additive to treat peeled and cut avocado and banana to extend the shelf life of such treated food products will improve and make such products more competitive and useful for consumers and so providing opportunities for interested companies.

- **the promotion of fair trading in food**

No issues were identified for this Application relevant to this objective.

- **any written policy guidelines formulated by the Forum on Food Regulation**

The Policy Guideline 'Addition to Food of Substances other than Vitamins and Minerals'¹ includes specific order policy principles for substances added to achieve a solely technological function, such as food additives. These specific order policy principles state that permission should be granted where:

- the purpose for adding the substance can be articulated clearly by the manufacturer as achieving a solely technological function (i.e. the 'stated purpose')
- the addition of the substance to food is safe for human consumption
- the amounts added are consistent with achieving the technological function
- the substance is added in a quantity and a form which is consistent with delivering the stated purpose
- no nutrition, health or related claims are to be made in regard to the substance.

FSANZ has determined that permitting L-cysteine monohydrochloride to treat peeled and cut avocado and banana is consistent with these specific order policy principles.

3 Draft variation

The draft variation to the Code is at Attachment A and is intended to take effect on gazettal.

A draft explanatory statement is at Attachment B. An explanatory statement is required to accompany an instrument if it is lodged on the Federal Register of Legislation.

Attachments

- A. Draft variation to the *Australia New Zealand Food Standards Code*
- B. Draft Explanatory Statement

¹ <http://www.foodstandards.gov.au/code/fofr/fofrpolicy/pages/default.aspx>

Attachment A – Draft variation to the *Australia New Zealand Food Standards Code*



Food Standards (Application A1117 – Extension of Use of L-cysteine as a Food Additive) Variation

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 [To be completed by Standards Management Officer]

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 **XX on XX Month 20XX**. 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 (Application A1117 – Extension of Use of L-cysteine as a Food Additive) Variation*.

2 Variation to a standard in the *Australia New Zealand Food Standards Code*

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

3 Commencement

The variation commences on the date of gazettal.

Schedule

[1] **Schedule 15** is varied by adding the following to subcategory 4.1.3 in the table to section S15—5, in numerical order

4.1.3.3	<i>Avocados and bananas</i>	
920	L-cysteine monohydrochloride	GMP

Attachment B – Draft Explanatory Statement

1. Authority

Section 13 of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act) provides that the functions of Food Standards Australia New Zealand (the Authority) include the development of standards and variations of standards for inclusion in the *Australia New Zealand Food Standards Code* (the Code).

Division 1 of Part 3 of the FSANZ Act specifies that the Authority may accept applications for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering an application for the development or variation of food regulatory measures.

FSANZ accepted Application A1117 which seeks to extend the permission of the food additive, L-cysteine, so as to permit its use for limiting enzymatic browning of peeled and cut avocado and banana and so extend the shelf life. The Authority considered the Application in accordance with Division 1 of Part 3 and has prepared a draft variation.

2. Purpose

The Code does not currently permit the use of the food additive L-cysteine monohydrochloride to treat fruit. The purpose of this instrument is to amend the table of permissions for food additives to permit the use of L-cysteine monohydrochloride to treat peeled, cut, or both peeled and cut avocado and banana. The food additive is used to prevent enzymatic browning of the cut surfaces which is unacceptable to consumers and so extend the shelf life of the treated food products.

3. Documents incorporated by reference

This variation to a food regulatory measure does not incorporate any documents by reference.

4. Consultation

In accordance with the procedure in Division 1 of Part 3 of the FSANZ Act, the Authority's consideration of Application A1117 will include one round of public consultation following an assessment and the preparation of a draft Standard and associated report.

A Regulation Impact Statement was not required because the proposed variation to Schedule 15 is likely to have a minor impact on business and individuals.

5. Statement of compatibility with human rights

This instrument is exempt from the requirements for a statement of compatibility with human rights as it is a non-disallowable instrument under section 94 of the FSANZ Act.

6. Variation

The variation amends the table to section S15—5 in Schedule 15 of the Code by adding new food sub subcategory 4.1.3.3. The new food sub subcategory provides permission for the use of L-cysteine monohydrochloride (INS 920) in avocados and bananas subject to a maximum permitted level of GMP (Good Manufacturing Practice).