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**AMENDMENT NO. 138**

The following instruments are separate instruments in the Federal Register of Legislative Instruments and are known collectively in the Food Standards Gazette as Amendment No. 138.

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**Standard 1.2.7 – Nutrition, Health and Related Claims**

The Board of Food Standards Australia New Zealand gives notice of the making of this Standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 18 January 2013.

Dated 7 January 2013



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

***Standard 1.2.7***

***Nutrition, Health and related claims***

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**Part 1 – Purpose and interpretation**

**Editorial Note:**

Standard 1.1A.2 is a transitional standard that operates concurrently with this Standard 1.2.7 for a period of three years.  During the three-year period Standard 1.1A.2 operates unchanged by this Standard and related variations made by the *Food Standards (Proposal P293 – Nutrition, Health & Related Claims – Consequential) Variation*.  A supplier can rely on this Standard or Standard 1.1A.2, but not both.  At the end of the three-year period, Standard 1.1A.2 will cease to operate. There is no stock-in-trade period at the end of the three-year period.

**1 Purpose**

This Standard –

(a) sets out the claims that can be made on labels or in advertisements about the nutritional content of food (described as nutrition content claims) and the claims that can be made on labels or in advertisements about the relationship between a food or a property of a food, and a health effect (described as health claims); and

(b) describes the conditions under which such claims can be made, and

(c) describes the circumstances in which endorsements can be provided on labels or in advertisements.

**2 Interpretation**

In this Standard –

**average energy content** is as defined in Standard 1.2.8.

**biologically active substance** is as defined in Standard 1.2.8.

**biomarker** means a measurable biological parameter that is predictive of the risk of a serious disease when present at an abnormal level in the human body.

**carbohydrate** is as defined in Standard 1.2.8.

**dietary fibre** is as defined in Standard 1.2.8.

**endorsement** means a nutrition content claim or a health claim that is made with the permission of an endorsing body.

**endorsing body** is a not-for-profit entity which has a nutrition- or health-related purpose or function that permits a supplier to make an endorsement.

**fat** is as defined in Standard 1.2.8.

**food group** means any of the following groups –

(a) bread (both leavened or unleavened), grains, rice, pasta and noodles;

(b) fruit, vegetables, herbs, spices and fungi;

(c) milk and milk products as standardised in Part 2.5 and analogues derived from legumes and cereals mentioned in Column 1 of the Table to clause 3 in Standard 1.3.2;

(d) meat, fish, eggs, nuts, seeds and dried legumes;

(e) fats including butter, edible oils and edible oil spreads.

**fruit** means the edible portion of a plant or constituents of the edible portion that are present in the typical proportion of the whole fruit (with or without the peel or water), but does not include nuts, spices, herbs, fungi, legumes and seeds.

**fvnl** is as defined in item 4 of Schedule 5 for the purpose of calculating V points.

**general level health claim** means a health claim that is not a high level health claim.

**gluten** means the main protein in wheat, rye, oats, barley, triticale and spelt relevant to the medical conditions coeliac disease and dermatitis herpetiformis.

**glycaemic index (GI)** means a measure of the blood glucose raising ability of the digestible carbohydrates in a given food as determined by a recognised scientific method.

**Editorial note:**

A method for determining glycaemic index of carbohydrates in foods is described in the Standards Australia Australian Standard Glycemic index of foods (AS 4694 – 2007). In particular, glycaemic index testing is carried out by the determination of glycaemic (blood glucose) responses in human volunteers (in–vivo testing).

The objective of AS 4694 - 2007 is to establish the recognised scientific method as the standard method for the determination of glycaemic index (GI) in foods.

**health claim** means a claim which states, suggests or implies that a food or a property of food has, or may have, a health effect.

**Editorial note:**

For the definition of claim, see clause 2 of Standard 1.1.1.

**health effect** means an effect on the human body, including an effect on one or more of the following –

(a) a biochemical process or outcome;

(b) a physiological process or outcome;

(c) a functional process or outcome;

(d) growth and development;

(e) physical performance;

(f) mental performance;

(g) a disease, disorder or condition.

**high level health claim** means a health claim that refers to a serious disease or a biomarker of a serious disease.

**meets the NPSC** means that the nutrient profiling score of a food described in Column 1 of Schedule 4 is less than the number specified for that food in Column 2 of that Schedule.

**monounsaturated fatty acids** is as defined in Standard 1.2.8.

**NPSC** means the nutrient profiling scoring criterion.

**nutrient profiling score** means the final score calculated pursuant to the method described in Schedule 5.

**nutrition content claim** means a claim about –

(a) the presence or absence of –

(i) a biologically active substance; or

(ii) dietary fibre; or

(iii) energy; or

(iv) minerals; or

(v) potassium; or

(vi) protein; or

(vii) carbohydrate; or

(viii) fat; or

(ix) the components of any one of protein, carbohydrate or fat; or

(x) salt; or

(xi) sodium; or

(xii) vitamins; or

(b) glycaemic index or glycaemic load;

that does not refer to the presence or absence of alcohol, and is not a health claim.

**Editorial note:**

For the definition of claim, see clause 2 of Standard 1.1.1.

**polyunsaturated fatty acids** is as defined in Standard 1.2.8.

**property of food** means a component, ingredient, constituent or other feature of food.

**reference food** means a food that is –

(a) of the same type as the food for which a claim is made and that has not been further processed, formulated, reformulated or modified to increase or decrease the energy value or the amount of the nutrient for which the claim is made; or

(b) a dietary substitute for the food in the same food group as the food for which a claim is made.

**Editorial note:**

An example for paragraph (a) is reduced fat milk compared to whole milk (the reference food).

An example for paragraph (b) is milk alternatives compared to milk products (the reference food).

**salt** is as defined in Standard 2.10.2.

**saturated** **fatty acids** is as defined in Standard 1.2.8.

**serious disease** means a disease, disorder or condition which is generally diagnosed, treated or managed in consultation with or with supervision by a health care professional.

**small package** is as defined in Standard 1.2.1.

**sugars** is as defined in Standard 1.2.8.

**trans fatty acids** is as defined in Standard 1.2.8.

**vegetable** means the edible portion of a plant or constituents of the edible portion that are present in the typical proportion of the whole vegetable (with or without the peel or water) but does not include nuts, spices, herbs, fungi, dried legumes (including dried legumes that have been cooked or rehydrated) and seeds.

**Part 2 – Claims framework and general principles**

**3 Nutrition content claims or health claims not to be made about certain foods**

A nutrition content claim or health claim must not be made about –

(a) kava; or

(b) a food that contains more than 1.15% alcohol by volume, other than a nutrition content claim about energy content or carbohydrate content; or

(c) an infant formula product.

**Editorial note:**

Kava is standardised in Standard 2.6.3.

Infant formula product is standardised in Standard 2.9.1.

**4 Standard does not apply to certain foods**

This Standard does not apply to food that is –

(a) intended for further processing, packaging or labelling prior to retail sale; or

(b) delivered to a vulnerable person by a delivered meal organisation; or

(c) provided to a patient in a hospital or other similar institution, other than food in a package.

**Editorial Note:**

The facilities that are ‘other similar institutions’ are described in the table to clause 8 of Standard 1.2.1.

**5 Standard does not apply to certain claims or declarations**

This Standard does not apply to –

(a) a claim that is expressly permitted by another Standard in this Code; or

(b) a claim about the risks or dangers of alcohol consumption or about moderating alcohol intake; or

(c) a declaration that is required by the Act.

**6 Form of food to which provisions of this Standard apply**

If this Standard imposes a prerequisite, condition, qualification or any other requirement on the making of a claim, that prerequisite, condition, qualification or requirement applies to the form of the food as determined in accordance with the Table.

**Table to clause 6**

|  |
| --- |
| **Form of the food** |
| The food as sold if the food can be either prepared with other food or consumed as sold. |
| The food as prepared if the food is required to be prepared and consumed according to directions. |
| The food after it is reconstituted with water and ready for consumption if the food requires reconstituting with water. |
| The food after it is drained and ready for consumption if the food requires draining before consuming. |

**Editorial note:**

Clause 11A of Standard 1.2.8 provides additional nutrition information panel (NIP) requirements where a claim is based on food as prepared.

**7 Claims not to be therapeutic in nature**

A claim must not –

(a) refer to the prevention, diagnosis, cure or alleviation of a disease, disorder or condition; or

(b) compare a food with a good that is –

(i) represented in any way to be for therapeutic use; or

(ii) likely to be taken to be for therapeutic use, whether because of the way in which the good is presented or for any other reason.

**8 Claims not to compare vitamin or mineral content**

A claim that directly or indirectly compares the vitamin or mineral content of a food with that of another food must not be made unless the claim is permitted by another Standard in this Code.

**9 Standard does not prescribe words**

(1) Nothing in this Standard is to be taken to prescribe the words that must be used when making a claim.

(2) Any statement or information required by this Standard may be modified if the modification does not alter or contradict the effect of the required statement or information.

**Part 3 – Requirements for nutrition content claims and health claims**

**Division 1 – Nutrition content claims**

**10 Presentation of nutrition content claims**

A nutrition content claim must be stated together with a statement about the form of the food to which the claim relates, unless the form of the food to which the claim relates is the food as sold.

**11 Nutrition content claims about properties of food in Schedule 1**

(1) If a property of food is mentioned in Column 1 of Schedule 1 a nutrition content claim may only be made about that property of food in accordance with this clause.

(2) If a claim is made in relation to a food about a property of food mentioned in Column 1 of Schedule 1 the food must meet the corresponding general claim conditions, if any, in Column 2 of that Schedule.

(3) If a claim made in relation to a food about a property of food mentioned in Column 1 of Schedule 1 uses a descriptor mentioned in Column 3 of that Schedule or a synonym of that descriptor the food must meet –

(a) the general claim conditions for the relevant property of food in Column 2 of that Schedule; and

(b) the specific claim conditions in Column 4 of that Schedule for the relevant descriptor.

(4) If, in relation to a claim mentioned in subclause (3), there is an inconsistency between a general claim condition in Column 2 of Schedule 1 and a specific claim condition in Column 4 of that Schedule, the specific claim condition prevails.

(5) A descriptor must not be used in a nutrition content claim about lactose or trans fatty acids unless the descriptor –

(a) is mentioned in Column 3 of Schedule 1 and corresponds with that property of food, or

(b) is a synonym of the descriptor mentioned in paragraph (a).

(6) A descriptor must not be used in a nutrition content claim about glycaemic load unless that descriptor is expressed as a number or in numeric form.

(7) A nutrition content claim in relation to gluten may only –

(a) use a descriptor that is mentioned in Column 3 of Schedule 1 in conjunction with gluten, or a synonym of such a descriptor; or

(b) state that a food contains gluten or is high in gluten.

(8) Subject to this clause and clause 14 (*Nutrition content claims must not imply slimming effects*) any descriptor that is not mentioned in Column 3 of Schedule 1, including a descriptor expressed as a number or in numeric form, may be used in conjunction with a property of food that is mentioned in Column 1 of that Schedule.

**12 Nutrition content claims about properties of food not in Schedule 1**

(1) A nutrition content claim about a property of food that is not mentioned in Schedule 1 may only state –

(a) that the food contains or does not contain the property of food, or

(b) that the food contains a specified amount of the property of food in a specified amount of that food, or

(c) a combination of (a) and (b).

(2) A statement made for the purposes of paragraph (1)(a) must not use a descriptor listed in Column 3 of Schedule 1 or any other descriptor except a descriptor that indicates that the food does not contain the property of food.

**13 Nutrition content claims about choline, fluoride or folic acid**

(1) A nutrition content claim about choline, fluoride or folic acid may only state –

(a) that the food contains choline, fluoride or folic acid, or

(b) that the food contains a specified amount of choline, fluoride or folic acid in a specified amount of that food, or

(c) a combination of (a) and (b).

(2) A statement made for the purposes of paragraph (1)(a) must not use a descriptor listed in Column 3 of Schedule 1 or any other descriptor.

(3) A nutrition content claim about choline, fluoride or folic acid may be made only if a health claim about that substance is made in relation to the same food.

**14 Nutrition content claims must not imply slimming effects**

A nutrition content claim that meets the conditions to use the descriptor diet must not use another descriptor that directly or indirectly refers to slimming or a synonym for slimming.

**15 Comparative claims**

(1) In this clause, a *comparative claim* means a nutrition content claim that directly or indirectly compares the nutrition content of one food or brand of food with another, and includes claims using the following descriptors –

(a) light or lite;

(b) increased;

(c) reduced;

or words of similar import.

(2) A nutrition content claim using the descriptor diet is a comparative claim if it meets the conditions for making that claim by having at least 40% less energy than the same quantity of reference food.

(3) A comparative claim about a food (the claimed food) must include together with the claim –

(a) the identity of the reference food; and

(b) the difference between the amount of the property of food in the claimed food and the reference food.

**Division 2 – Health claims**

**16 Application or proposal to vary Schedule 3 taken to be a high level health claims variation**

An application or a proposal to add a general level health claim to Schedule 3 is taken to be an application or proposal for a **high level health claims variation**.

**Editorial Note:**

**High level health claims variation** is defined in section 4 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act).

The effect of this provision is that an application or a proposal to add a general level health claim to Schedule 3 will be assessed under the provisions in Subdivision G of each of Divisions 1 and 2 of Part 3 of the FSANZ Act, as appropriate.

**17 Conditions for making health claims**

(1) A health claim must not be made unless it complies with subclause (2) and either subclause (3) or (4), whichever applies.

(2) The food to which the health claim relates meets the NPSC.

(3) If the health claim is a high level health claim –

(a) the food or the property of food is mentioned in Column 1 of Schedule 2; and

(b) the health effect claimed for that food or property of food is mentioned in the corresponding row in Column 2 of Schedule 2; and

(c) the food complies with the relevant conditions in Column 5 of Schedule 2.

(4) If the health claim is a general level health claim, either –

1. each of the following –

(i) the food or the property of food is mentioned in Column 1 of Schedule 3;

(ii) the health effect claimed for that food or property of food is mentioned in the corresponding row in Column 2 of Schedule 3; and

(iii) the food complies with the relevant conditions in Column 5 of Schedule 3; or

(b) the person who is responsible for making the health claim has notified the Chief Executive Officer of the Authority of the details of a relationship between a food or property of food and a health effect that has been established by a process of systematic review that is described in Schedule 6.

(5) Despite subclause (2) a food that is standardised in Part 2.9 of this Code does not need to meet the NPSC.

**18 Requirement when making a general level health claim under paragraph 17(4)(b)**

A person who gives the notice mentioned in paragraph 17(4)(b) is required to –

1. provide the name of the person that is giving the notice and the address in Australia or New Zealand of that person; and

(b) consent to the publication by the Authority of the information given for the purposes of paragraph 17(4)(b) and subparagraph 18(1)(a); and

(c) certify that the notified relationship between a food or property of food and a health effect has been established by a process of systematic review that is described in Schedule 6; and

(d) if requested by a relevant authority, provide records to the relevant authority that demonstrate that –

(i) the systematic review was conducted in accordance with the process of systematic review described in Schedule 6; and

(ii) the notified relationship is a reasonable conclusion of the systematic review.

(2) A certificate provided for a body corporate must be signed by a senior officer of the body corporate.

**19 How health claims are to be made**

(1) If a health claim is a high level health claim based on a relationship described in Schedule 2 or a general level health claim based on a relationship described in Schedule 3, the health claim must –

(a) state –

(i) the food or the property of food mentioned in Column 1 of Schedule 2 or Column 1 of Schedule 3; and

(ii) the specific health effect mentioned in Column 2 of Schedule 2 or Column 2 of Schedule 3 that is claimed for the food or the property of food; and

(b) if Column 3 of Schedule 2 or Column 3 of Schedule 3 refers to a relevant population group to which the specific health effect relates, include a statement of that population group in conjunction with the health claim.

(2) If a health claim is a general level health claim based on a relationship that has been notified under paragraph 17(4)(b), the health claim must –

(a) state the food or the property of food and the specific health effect; and

(b) include together with the health claim a statement about the relevant population group, if any, that is a reasonable conclusion of the systematic review mentioned in paragraph 17(4)(b).

(3) In addition to the requirements under subclause (1) or (2), whichever applies, the health claim must also include together with the health claim –

(a) a dietary context statement according to the principles for a dietary context statement set out in subclause (4); and

(b) a statement of the form of the food to which the health claim relates.

(4) A dietary context statement must –

(a) state that the health effect must be considered in the context of a healthy diet involving the consumption of a variety of foods; and

(b) be appropriate to the type of food or the property of food that is the subject of the claim and the health effect claimed; and

(c) either –

(i) if the health claim is a high level health claim based on a relationship described in Schedule 2 or a general level health claim based on a relationship described in Schedule 3, include words to the effect of the relevant dietary context statement in the corresponding row of Column 4 of Schedule 2 or Column 4 of Schedule 3, if any; or

(ii) if the health claim is a general level health claim based on a relationship that has been notified under paragraph 17(4)(b), include words to the effect of a relevant dietary context statement that is a reasonable conclusion of the systematic review.

(5) Despite paragraph (3)(a), a dietary context statement need not be included on a label on a food product that is contained in a small package.

(6) Despite paragraph (3)(b), if the form of the food to which the claim relates is the food as sold, the form of the food to which the claim relates need not be stated.

**20 Split health claims**

If the statements required by subclauses 19(1) and (3) or 19(2) and (3) appear on a label or in an advertisement, the matters referred to in paragraph 19(1)(a) or (2)(a), as appropriate, may also appear in another statement on the label or in the advertisement if that other statement indicates where on the label or advertisement the statements required by subclauses 19(1) and (3) or 19(2) and (3) are located.

**21 Statements for claims about phytosterols, phytostanols and their esters**

A dietary context statement for a claim about phytosterols, phytostanols and their esters need not include a statement required by paragraph 19(4)(a) if the claim appears together with the mandatory advisory statement required by clause 2 of Standard 1.2.3.

**Division 3 – Endorsements**

**22 Endorsing bodies**

(1) An endorsing body must –

(a) not be related to; and

(b) be independent of; and

(c) be free from influence by;

the supplier of food in relation to which an endorsement is made.

(2) An endorsing body is related to a supplier if the supplier –

(a) has a financial interest in the endorsing body; or

(b) established, either by itself or with others, the endorsing body; or

(c) exercises direct or indirect control over the endorsing body.

**23 Criteria for endorsements**

(1) A supplier of food may make or include an endorsement on a label or in an advertisement for the food, or otherwise use the endorsement, if:

(a) the supplier keeps the required records for the information period; and

(b) the supplier upon request by the relevant authority, makes the required records available for inspection within the time specified by the relevant authority; and

(c) the endorsement complies with clause 7; and

(d) the endorsing body complies with clause 22.

(2) If a label on, or an advertisement for, imported food makes or includes an endorsement, the importer of the food must –

(a) keep the required records for the information period as if the importer of the food were the supplier of the food; and

(b) upon request by the relevant authority, make the required records available for inspection within the time specified by the relevant authority.

(3) An endorsement must not refer to a serious disease except in a reference to the endorsing body if the serious disease is part of the name of the endorsing body.

(4) Part 2 (other than clause 7) and Part 3 Divisions 1, 2 and 4 do not apply to an endorsement.

(5) In this clause –

**information period**, in relation to food,means the period –

(a) during which the food is available for sale or advertised for sale; and

(b) the period of 2 years after the food was last sold, or advertised or available for sale, whichever is the latest.

**required records** means a document or documents that demonstrate that –

(a) a supplier using an endorsement has obtained the permission of the endorsing body to use the endorsement; and

(b) the endorsing body has a nutrition- or health-related function or purpose; and

(c) the endorsing body is a not-for-profit entity; and

(d) the endorsing body is not related to the supplier using the endorsement.

**Division 4 – Additional labelling of food required to meet the NPSC**

**24 Method for calculating a nutrient profiling score**

The method for calculating a nutrient profiling score is described in Schedule 5.

**25 Labelling of food required to meet the NPSC**

(1) This clause applies if a food must meet the NPSC in order to make a claim.

(2) The particulars of a property of food must be declared in the nutrition information panel if –

(a) the property of food, other than fvnl, is relied on to meet the NPSC; and

(b) those particulars are not otherwise required to be included in the nutrition information panel.

(3) The calcium content of a food must be declared in the nutrition information panel if the food –

(a) is classified in Category 3 of Schedule 4 for the purposes of determining the food’s nutrient profiling score; and

(b) is a cheese or processed cheese.

(4) If a food scores V points under item 4 of Schedule 5, the percentage of each element of fvnl that is relied on to meet the NPSC must be declared on the label, unless the claim is a health claim about fruits and vegetables.

(5) If food is not required to bear a label under subclause 2(1) of Standard 1.2.1, the information prescribed in subclause (2), (3) or (4) of this clause must be provided to the purchaser of the food on request by the purchaser or –

(a) in the case of information prescribed in subclause (2) or (3), declared in a nutrition information panel displayed on or in connection with the display of the food; or

(b) in the case of information prescribed in subclause (4), declared on a label displayed on or in connection with the display of the food.

**26 Labelling exemptions for certain foods**

The declaration required by subclauses 25(2), (3) or (4) is not required if food is in a small package.

**Schedule 1**

**Conditions for nutrition content claims**

| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| --- | --- | --- | --- |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Carbohydrate |  | Reduced or light/lite | The food contains at least 25% less carbohydrate than in the same quantity of reference food. |
|  |  | Increased | The food contains at least 25% more carbohydrate than in the same quantity of reference food. |
| Cholesterol | The food meets the conditions for a nutrition content claim about low saturated fatty acids. | Low | The food contains no more cholesterol than –  (a) 10 mg per 100 mL for liquid food; or  (b) 20 mg per 100 g for solid food. |
|  |  | Reduced or Light/Lite | The food contains at least 25% less cholesterol than in the same quantity of reference food. |
| Dietary fibre | A serving of the food contains at least 2 g of dietary fibre unless the claim is about low or reduced dietary fibre. | Good source | A serving of the food contains at least 4 g of dietary fibre. |
| Excellent source | A serving of the food contains at least 7 g of dietary fibre. |
| Increased | (a) the reference food contains at least 2 g of dietary fibre per serving; and  (b) the food contains at least 25% more dietary fibre than in the same quantity of reference food. |
| Energy |  | Low | The average energy content of the food is no more than –  (a) 80 kJ per 100 mL for liquid food; or  (b) 170 kJ per 100 g for solid food. |
|  |  | Reduced or Light/Lite | The food contains at least 25% less energy than in the same quantity of reference food. |
| Diet | (a) the food meets the NPSC, unless the food is a food standardised by Part 2.9 of the Code; and  (b) (i) the average energy content of the food is no more than 80 kJ per 100 mL for liquid food or 170 kJ per 100 g for solid food; or  (ii) the food contains at least 40% less energy than in the same quantity of reference food. |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

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| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Fat |  | % Free | The food meets the conditions for a nutrition content claim about low fat. |
| Low | The food contains no more fat than –  (a) 1.5 g per 100 mL for liquid food; or  (b) 3 g per 100 g for solid food. |
| Reduced or Light/Lite | The food contains at least 25% less fat than in the same quantity of reference food. |
| Gluten |  | Free | The food must not contain –  (a) detectable gluten; or  (b) oats or their products; or  (c) cereals containing gluten that have been malted, or their products. |
| Low | The food contains no more than 20 mg gluten per 100 g of the food. |
| Glycaemic Index | (a) the food meets the NPSC, unless the food is a food standardised by Part 2.9 of the Code; and  (b) the claim or the nutrition information panel under Standard 1.2.8 includes the numerical value of the glycaemic index of the food. | Low | The numerical value of the glycaemic index of the food is 55 or below. |
| Medium | The numerical value of the glycaemic index of the food is at least 56 and not exceeding 69. |
| High | The numerical value of the glycaemic index of the food is 70 or above. |
| Glycaemic load | The food meets the NPSC, unless the food is a food standardised under Part 2.9 of the Code. |  |  |
| Lactose | The nutrition information panel indicates the lactose and galactose content. | Free | The food contains no detectable lactose. |
| Low | The food contains no more than 2 g of lactose per 100 g of the food. |
| Monounsaturated fatty acids | The food contains, as a proportion of the total fatty acid content –  (a) no more than 28% saturated fatty acids and trans fatty acids; and  (b) no less than 40% monounsaturated fatty acids. | Increased | (a) the food contains at least 25% more monounsaturated fatty acids than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about monounsaturated fatty acids. |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Omega fatty acids (any) | The type of omega fatty acid is specified immediately after the word ‘omega’. |  |  |
| Omega-3 fatty acids | (a) the food meets the conditions for a nutrition content claim about omega fatty acids; and  (b) the food contains no less than –  (i) 200 mg alpha-linolenic acid per serving; or  (ii) 30 mg total eicosapentaenoic acid and docosahexaenoic acid per serving; and  (c) other than for fish or fish products with no added saturated fatty acids, the food contains –  (i) as a proportion of the total fatty acid content, no more than 28% saturated fatty acids and trans fatty acids; or  (ii) no more saturated fatty acids and trans fatty acids than 5 g per 100 g; and | Good Source | (a) the food contains no less than 60 mg total eicosapentaenoic acid and docosahexaenoic acid per serving; and  (b) the food may contain less than 200 mg alpha-linolenic acid per serving. |
| Increased | (a) the food contains at least 25% more omega-3 fatty acids than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about omega-3 fatty acids. |
|  | (d) the nutrition information panel indicates the type and amount of omega-3 fatty acids, that is, alpha-linolenic acid, docosahexaenoic acid or eicosapentaenoic acid, or a combination of the above. |  |  |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Omega-6 fatty acids | (a) the food meets the conditions for a nutrition content claim about omega fatty acids; and  (b) the food contains, as a proportion of the total fatty acid content –  (i) no more than 28% saturated fatty acids and trans fatty acids; and  (ii) no less than 40% omega-6 fatty acids. | Increased | (a) the food contains at least 25% more omega-6 fatty acids than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about omega-6 fatty acids. |
| Omega-9 fatty acids | (a) the food meets the conditions for a nutrition content claim about omega fatty acids; and  (b) the food contains, as a proportion of the total fatty acid content –  (i) no more than 28% saturated fatty acids and trans fatty acids; and  (ii) no less than 40% omega-9 fatty acids. | Increased | (a) the food contains at least 25% more omega-9 fatty acids than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about omega-9 fatty acids. |
| Polyunsaturated fatty acids | The food contains, as a proportion of the total fatty acid content –  (a) no more than 28% saturated fatty acids and trans fatty acids; and  (b) no less than 40% polyunsaturated fatty acids. | Increased | (a) the food contains at least 25% more polyunsaturated fatty acids than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about polyunsaturated fatty acids. |
| Potassium | The nutrition information panel indicates the sodium and potassium content. |  |  |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Protein | The food contains at least 5 g of protein per serving unless the claim is about low or reduced protein. | Good Source | The food contains at least 10 g of protein per serving. |
| Increased | (a) the food contains at least 25% more protein than in the same quantity of reference food; and  (b) the reference food meets the general claim conditions for a nutrition content claim about protein. |
| Salt or sodium | The nutrition information panel indicates the potassium content. | Low | The food contains no more sodium than –  (a) 120 mg per 100 mL for liquid food; or  (b) 120 mg per 100 g for solid food. |
| Reduced or Light/Lite | The food contains at least 25% less sodium than in the same quantity of reference food. |
| No added | (a) the food contains no added sodium compound including no added salt; and  (b) the ingredients of the food contain no added sodium compound including no added salt. |
| Unsalted | The food meets the conditions for a nutrition content claim about no added salt or sodium. |
| Saturated and trans fatty acids |  | Low | The food contains no more saturated and trans fatty acids than –  (a) 0.75 g per 100 mL for liquid food; or  (b) 1.5 g per 100 g for solid food. |
| Reduced or Light/Lite | The food contains –  (a) at least 25% less saturated and trans fatty acids than in the same quantity of reference food; and  (b) both saturated and trans fatty acids are reduced relative to the same quantity of reference food. |
| Low proportion | (a) the food contains as a proportion of the total fatty acid content, no more than 28% saturated fatty acids and trans fatty acids; and  (b) the claim expressly states in words to the effect of ‘low proportion of saturated and trans fatty acids of total fatty acid content’. |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Saturated fatty acids |  | Free | (a) the food contains no detectable saturated fatty acids; and  (b) the food contains no detectable trans fatty acids. |
| Low | The food contains no more saturated and trans fatty acids than –  (a) 0.75 g per 100 mL for liquid food; or  (b) 1.5 g per 100 g for solid food. |
| Reduced or Light/Lite | The food contains –  (a) at least 25% less saturated fatty acids than in the same quantity of reference food, and  (b) no more trans fatty acids than in the same quantity of reference food. |
| Low proportion | (a) the food contains as a proportion of the total fatty acid content, no more than 28% saturated fatty acids and trans fatty acids; and  (b) the claim expressly states in words to the effect of ‘low proportion of saturated fatty acids of the total fatty acid content’. |
| Sugar or Sugars |  | % Free | The food meets the conditions for a nutrition content claim about low sugar. |
| Low | The food contains no more sugars than –  (a) 2.5 g per 100 mL for liquid food; or  (b) 5 g per 100 g for solid food. |
| Reduced or Light/Lite | The food contains at least 25% less sugars than in the same quantity of reference food. |
| No added | (a) the food contains no added sugars as standardised in clause 1 of Standard 2.8.1, honey, malt, or malt extracts; and  (b) the food contains no added concentrated fruit juice or deionised fruit juice, unless the food is standardised in Standards 2.6.1 or 2.6.2. |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Sugar or Sugars (continued) |  | Unsweetened | (a) the food meets the conditions for a nutrition content claim about no added sugar; and  (b) the food contains no intense sweeteners, sorbitol, mannitol, glycerol, xylitol, isomalt, maltitol syrup or lactitol. |
| Trans fatty acids |  | Free | The food contains no detectable trans fatty acids, and contains –  (a) no more than 0.75 g saturated fatty acids per 100 mL of liquid food or 1.5 g saturated fatty acids per 100 g of solid food; or  (b) no more than 28% saturated fatty acids as a proportion of the total fatty acid content. |
|  | Reduced or Light/Lite | The food contains –  (a) at least 25% less trans fatty acids than in the same quantity of reference food, and  (b) no more saturated fatty acids than in the same quantity of reference food. |
| Vitamin or mineral (not including potassium or sodium) | (a) the vitamin or mineral is mentioned in column 1 of the Schedule to Standard 1.1.1; and  (b) a serving of the food contains at least 10% of the RDI or ESADDI for that vitamin or mineral; and  (c) a claim is not for more of the particular vitamin or mineral than the maximum claimable amount as prescribed by clause 4 or clause 5 of Standard 1.3.2; and  (d) the food is not a food standardised by Standard 2.6.4, Standard 2.9.2, Standard 2.9.3 or Standard 2.9.4. | Good source | A serving of the food contains no less than 25% of the RDI or ESADDI for that vitamin or mineral. |

**Schedule 1 (continued)**

**Conditions for nutrition content claims**

|  |  |  |  |
| --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** |
| **Property of food** | **General claim conditions that must be met** | **Specific descriptor** | **Conditions that must be met if using specific descriptor in column 3** |
| Vitamin or mineral (not including potassium or sodium) (continued) | If the food is a food standardised under Standard 2.9.2, the food meets the conditions for making a claim about vitamins and minerals in subclause 8(2) of Standard 2.9.2. |  |  |
| If the food is a formulated meal replacement standardised under Standard 2.9.3, the food meets the conditions for making a claim about vitamins and minerals in subclause 3(2) of Standard 2.9.3. |  |  |
| If the food is a formulated supplementary food standardised under Standard 2.9.3, the food meets the conditions for making a claim about vitamins and minerals in subclause 5(2) of Standard 2.9.3. |  |  |
| If the food is a formulated supplementary food for young children standardised under Standard 2.9.3, the food meets the conditions for making a claim about vitamins and minerals in subclause 7(2) of Standard 2.9.3. |  |  |

**Schedule 2**

**Conditions for permitted high level health claims**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Context claim statements** | **Conditions** |
| A high intake of fruit and vegetables | Reduces risk of coronary heart disease |  | Diet containing a high amount of both fruit and vegetables | (a) claims are not permitted on –  (i) fruit juice or vegetable juice as standardised in Standard 2.6.1; or  (ii) a food standardised in Standard 2.6.2; and  (b) the food must contain no less than 90% fruit or vegetable by weight. |
| Beta-glucan | Reduces blood cholesterol |  | Diet low in saturated fatty acids  Diet containing 3 g of beta-glucan per day | The food must contain –  (a) one or more of the following oat or barley foods –  (i) oat bran;  (ii) wholegrain oats; or  (iii) wholegrain barley; and  (b) at least 1 g per serving of beta-glucan from the foods listed in (a). |
| Calcium | Enhances bone mineral density |  | Diet high in calcium | The food must contain no less than 200 mg of calcium per serving. |
| Reduces risk of osteoporosis | Persons 65 years and over | Diet high in calcium, and adequate vitamin D status | The food must contain no less than 290 mg of calcium per serving |
| Reduces risk of osteoporotic fracture |

**Schedule 2 (continued)**

**Conditions for permitted high level health claims**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Context claim statements** | **Conditions** |
| Calcium and Vitamin D | Reduces risk of osteoporosis | Persons 65 years and over | Diet high in calcium, and adequate vitamin D status | The food must –  (a) contain no less than 290 mg of calcium per serving; and  (b) meet the general claim conditions for making a nutrition content claim about vitamin D |
| Reduces risk of osteoporotic fracture |
| Folic acid (but not folate) | Reduces risk of foetal neural tube defects | Women of child bearing age | Consume at least 400 µg of folic acid per day, at least the month before and three months after conception | The food must –  (a) contain no less than 40 μg folic acid per serving; and  (b) the food is not –  (i) soft cheese; or  (ii) pâté; or  (iii) liver or liver product; or  (iv) food containing added phytosterols, phytostanols and their esters; or  (v) food standardised in Standards 2.6.4 and 2.9.4; or  (vi) a formulated meal replacement standardised in Division 2 of Standard 2.9.3 |

**Schedule 2 (continued)**

**Conditions for permitted high level health claims**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Context claim statements** | **Conditions** |
| Increased intake of fruit and vegetables | Reduces risk of coronary heart disease |  | Diet containing an increased amount of both fruit and vegetables | (a) claims are not permitted on –  (i) fruit juice or vegetable juice as standardised in Standard 2.6.1; or  (ii) a food standardised in Standard 2.6.2; and  (b) the food must contain no less than 90% fruit or vegetable by weight |
| Phytosterols, phytostanols and their esters | Reduces blood cholesterol |  | Diet low in saturated fatty acids  Diet containing 2 g of phytosterols, phytostanols and their esters per day | The food must –  (a) meet the relevant conditions specified in Columns 1 and 2 of the Table to clause 2 in Standard 1.5.1; and  (b) contain a minimum of 0.8 g total plant sterol equivalents content per serving |
| Saturated fatty acids | Reduces total blood cholesterol or blood LDL cholesterol |  | Diet low in saturated fatty acids | The food must meet the conditions for making a nutrition content claim about low saturated fatty acids |
| Saturated and trans fatty acids | Reduces total blood cholesterol or blood LDL cholesterol |  | Diet low in saturated and trans fatty acids | The food must meet the conditions for making a nutrition content claim about low saturated and trans fatty acids |
| Sodium or salt | Reduces blood pressure |  | Diet low in salt or sodium | The food must meet the conditions for making a nutrition content claim about low sodium or salt |

**Schedule 3**

**Conditions for permitted general level health claims**

**Part 1 – Minerals**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Column 1** | | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Calcium | | Necessary for normal teeth and bone structure |  |  | The food must meet the general claim conditions for making a nutrition content claim about calcium |
| Necessary for normal nerve and muscle function |  |  |
| Necessary for normal blood coagulation |  |  |
| Contributes to normal energy metabolism |  |  |
| Contributes to the normal function of digestive enzymes |  |  |
| Contributes to normal cell division |  |  |
| Contributes to normal growth and development | Children |  |
| Chromium | | Contributes to normal macronutrient metabolism |  |  | The food must meet the general claim conditions for making a nutrition content claim about chromium |
| Copper | | Contributes to normal connective tissue structure |  |  | The food must meet the general claim conditions for making a nutrition content claim about copper |
| Contributes to normal iron transport and metabolism |  |  |
| Contributes to cell protection from free radical damage |  |  |
| Necessary for normal energy production |  |  |
| Necessary for normal neurological function |  |  |
| Necessary for normal immune system function |  |  |
| Necessary for normal skin and hair colouration |  |  |
| Contributes to normal growth and development | Children |  |
| Fluoride | Contributes to the maintenance of tooth mineralisation | |  |  | The food must contain no less than 0.6 mg fluoride per L |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 1 – Minerals (continued)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Column 1** | | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Iodine | Necessary for normal production of thyroid hormones | |  |  | The food must meet the general claim conditions for making a nutrition content claim about iodine |
| Necessary for normal neurological function | |  |  |
| Necessary for normal energy metabolism | |  |  |
| Contributes to normal cognitive function | |  |  |
| Contributes to the maintenance of normal skin | |  |  |
| Contributes to normal growth and development | | Children |  |
| Iron | Necessary for normal oxygen transport | |  |  | The food must meet the general claim conditions for making a nutrition content claim about iron |
| Contributes to normal energy production | |  |  |
| Necessary for normal immune system function | |  |  |
| Contributes to normal blood formation | |  |  |
| Necessary for normal neurological development in the foetus | |  |  |
| Contributes to normal cognitive function | |  |  |
| Contributes to the reduction of tiredness and fatigue | |  |  |
| Necessary for normal cell division | |  |  |
| Contributes to normal growth and development | | Children |  |
| Contributes to normal cognitive development | | Children |  |
| Manganese | Contributes to normal bone formation | |  |  | The food must meet the general claim conditions for making a nutrition content claim about manganese |
| Contributes to normal energy metabolism | |  |  |
| Contributes to cell protection from free radical damage | |  |  |
| Contributes to normal connective tissue structure | |  |  |
| Contributes to normal growth and development | | Children |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 1 – Minerals (continued)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Column 1** | | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Magnesium | Contributes to normal energy metabolism | |  |  | The food must meet the general claim conditions for making a nutrition content claim about magnesium |
| Necessary for normal electrolyte balance | |  |  |
| Necessary for normal nerve and muscle function | |  |  |
| Necessary for teeth and bone structure | |  |  |
| Contributes to a reduction of tiredness and fatigue | |  |  |
| Necessary for normal protein synthesis | |  |  |
| Contributes to normal psychological function | |  |  |
| Necessary for normal cell division | |  |  |
| Contributes to normal growth and development | | Children |  |
| Molybdenum | Contributes to normal sulphur amino acid metabolism | |  |  | The food must meet the general claim conditions for making a nutrition content claim about molybdenum |
| Phosphorus | Necessary for normal teeth and bone structure | |  |  | The food must meet the general claim conditions for making a nutrition content claim about phosphorus |
| Necessary for the normal cell membrane structure | |  |  |
| Necessary for normal energy metabolism | |  |  |
| Contributes to normal growth and development | | Children |  |
| Selenium | Necessary for normal immune system function | |  |  | The food must meet the general claim conditions for making a nutrition content claim about selenium |
| Necessary for the normal utilization of iodine in the production of thyroid hormones | |  |  |
| Necessary for cell protection from some types of free radical damage | |  |  |
| Contributes to normal sperm production | |  |  |
| Contributes to the maintenance of normal hair and nails | |  |  |
| Contributes to normal growth and development | | Children |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 1 – Minerals (continued)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Column 1** | | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Zinc | Necessary for normal immune system function | |  |  | The food must meet the general conditions for making a nutrition content claim about zinc |
| Necessary for normal cell division | |  |  |
| Contributes to normal skin structure and wound healing | |  |  |
| Contributes to normal growth and development | | Children |  |
| Contributes to normal acid-base metabolism | |  |  |
| Contributes to normal carbohydrate metabolism | |  |  |
| Contributes to normal cognitive function | |  |  |
| Contributes to normal fertility and reproduction | |  |  |
| Contributes to normal macronutrient metabolism | |  |  |
| Contributes to normal metabolism of fatty acids | |  |  |
| Contributes to normal metabolism of vitamin A | |  |  |
| Contributes to normal protein synthesis | |  |  |
| Contributes to the maintenance of normal bones | |  |  |
| Contributes to the maintenance of normal hair and nails | |  |  |
| Contributes to the maintenance of normal testosterone levels in the blood | |  |  |
| Contributes to cell protection from free radicals | |  |  |
| Contributes to the maintenance of normal vision | |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** | |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** | |
| Biotin | Contributes to normal fat metabolism and energy production |  |  | The food must meet the general conditions for making a nutrition content claim about biotin | |
| Contributes to normal functioning of the nervous system |  |  |
| Contributes to normal macronutrient metabolism |  |  |
| Contributes to normal psychological function |  |  |
| Contributes to maintenance of normal hair |  |  |
| Contributes to maintenance of normal skin and mucous membranes |  |  |
| Choline | Contributes to normal homocysteine metabolism |  |  | The food must contain no less than 50 mg choline per serve | |
| Contributes to normal fat metabolism |  |  |
| Contributes to the maintenance of normal liver function |  |  |
| Folate | Necessary for normal blood formation |  |  | The food must meet the general conditions for making a nutrition content claim about folate |
| Necessary for normal cell division |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to maternal tissue growth during pregnancy |  |  |
| Contributes to normal amino acid synthesis |  |  |
| Contributes to normal homocysteine metabolism |  |  |
| Contributes to normal psychological function |  |  |
| Contributes to normal immune system function |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Folic acid (but not folate) | Contributes to normal neural tube structure in the developing foetus | Women of child bearing age | Consume at least 400 µg of folic acid per day, at least the month before and three months after conception | (a) the food must contain no less than 40 µg folic acid per serving; and  (b) the food is not –  (i) soft cheese; or  (ii) pâté; or  (iii) liver or liver product; or  (iv) food containing added phytosterols, phytostanols and their esters; or  (v) a food standardised in Standards 2.6.4 and 2.9.4; or  (vi) a formulated meal replacement standardised in Division 2 of Standard 2.9.3 |
| Niacin | Necessary for normal neurological function |  |  | The food must meet the general claim conditions for making a nutrition content claim about niacin |
| Necessary for normal energy release from food |  |  |
| Necessary for normal structure and function of skin and mucous membranes |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal psychological function |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Pantothenic acid | Necessary for normal fat metabolism |  |  | The food must meet the general claim conditions for making a nutrition content claim about pantothenic acid |
| Contributes to normal growth and development | Children |  |
| Contributes to normal energy production |  |  |
| Contributes to normal mental performance |  |  |
| Contributes to normal synthesis and metabolism of steroid hormones, vitamin D and some neurotransmitters |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |
| Riboflavin | Contributes to normal iron transport and metabolism |  |  | The food must meet the general claim conditions for making a nutrition content claim about riboflavin |
| Contributes to normal energy release from food |  |  |
| Contributes to normal skin and mucous membrane structure and function |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal functioning of the nervous system |  |  |
| Contributes to the maintenance of normal red blood cells |  |  |
| Contributes to the maintenance of normal vision |  |  |
| Contributes to the protection of cells from oxidative stress |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Thiamin | Necessary for normal carbohydrate metabolism |  |  | The food must meet the general claim conditions for making a nutrition content claim about thiamin |
| Necessary for normal neurological and cardiac function |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal energy production |  |  |
| Contributes to normal psychological function |  |  |
| Vitamin A | Necessary for normal vision |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin A |
| Necessary for normal skin and mucous membrane structure and function |  |  |
| Necessary for normal cell differentiation |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal iron metabolism |  |  |
| Contributes to normal immune system function |  |  |
| Vitamin B6 | Necessary for normal protein metabolism |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin B6 |
| Necessary for normal iron transport and metabolism |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal cysteine synthesis |  |  |
| Contributes to normal energy metabolism |  |  |
| Contributes to normal functioning of the nervous system |  |  |
| Contributes to normal homocysteine metabolism |  |  |
| Contributes to normal glycogen metabolism |  |  |
| Contributes to normal psychological function |  |  |
| Contributes to normal red blood cell formation |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Vitamin B6 (continued) | Contributes to normal immune system function |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin B6 |
| Contributes to the reduction of tiredness and fatigue |  |  |
| Contributes to the regulation of hormonal activity |  |  |
| Vitamin B12 | Necessary for normal cell division |  |  | The food must meet the general conditions for making a nutrition content claim about vitamin B12 |
| Contributes to normal blood formation |  |  |
| Necessary for normal neurological structure and function |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal energy metabolism |  |  |
| Contributes to normal homocysteine metabolism |  |  |
| Contributes to normal psychological function |  |  |
| Contributes to normal immune system function |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |
| Vitamin C | Contributes to iron absorption from food |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin C |
| Necessary for normal connective tissue structure and function |  |  |
| Necessary for normal blood vessel structure and function |  |  |
| Contributes to cell protection from free radical damage |  |  |
| Necessary for normal neurological function |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal collagen formation for the normal structure of cartilage and bones |  |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 2 – Vitamins (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary context** | **Conditions** |
| Vitamin C  (continued) | Contributes to normal collagen formation for the normal function of teeth and gums |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin C |
| Contributes to normal collagen formation for the normal function of skin |  |  |
| Contributes to normal energy metabolism |  |  |
| Contributes to normal psychological function |  |  |
| Contributes to the normal immune system function |  |  |
| Contributes to the reduction of tiredness and fatigue |  |  |
| Vitamin D | Necessary for normal absorption and utilisation of calcium and phosphorus |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin D |
| Contributes to normal cell division |  |  |
| Necessary for normal bone structure |  |  |
| Contributes to normal growth and development | Children |  |
| Contributes to normal blood calcium levels |  |  |
| Contributes to the maintenance of normal muscle function |  |  |
| Contributes to the maintenance of normal teeth |  |  |
| Contributes to the normal function of the immune system |  |  |
| Vitamin E | Contributes to cell protection from free radical damage |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin E |
| Contributes to normal growth and development | Children |  |
| Vitamin K | Necessary for normal blood coagulation |  |  | The food must meet the general claim conditions for making a nutrition content claim about vitamin K |
| Contributes to normal bone structure |  |  |
| Contributes to normal growth and development | Children |  |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 3 – Other**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary Context** | **Conditions** |
| Beta-glucan | Reduces dietary and biliary cholesterol absorption |  | Diet low in saturated fatty acids  Diet containing 3 g of beta-glucan per day | The food must contain –  (a) one or more of the following oat or barley foods –  (i) oat bran;  (ii) wholegrain oats; or  (iii) wholegrain barley; and  (b) at least 1 g per serving of beta-glucan from the foods listed in (a) |
| Carbohydrate | Contributes energy for normal metabolism |  |  | (a) carbohydrate must contribute at least 55% of the energy content of the food; or  (b) the food must –  (i) be a formulated meal replacement or a formulated supple-mentary food; and  (ii) have a maximum 10% of carbo-hydrate content from sugars |
| Contributes energy for normal metabolism | Young children aged 1-3 years |  | The food must –  (a) be a formulated supplementary food for young children (as standardised in Standard 2.9.3 Division 4); and  (b) have a maximum 10% of carbohydrate content from sugars |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 3 – Other (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary Context** | **Conditions** |
| Dietary fibre | Contributes to regular laxation |  |  | The food must meet the general conditions for making a nutrition content claim about dietary fibre |
| Eicosapentaenoic acid (EPA) and Docosa- hexaenoic acid (DHA) (but not Omega-3) | Contributes to heart health |  | Diet containing 500 mg of EPA and DHA per day | (a) the food must contain a minimum of 50 mg EPA and DHA combined in a serving of food;  b) other than for fish or fish products with no added saturated fatty acids, the food contains –  (i) as a proportion of the total fatty acid content, no more than 28% saturated fatty acids and trans fatty acids; or  (ii) no more than 5 g per 100 g saturated fatty acids and trans fatty acids. |
| Energy | Contributes energy for normal metabolism |  |  | The food must contain a minimum of 420 kJ of energy per serving |
| Contributes energy for normal metabolism | Young children aged 1-3 years |  | The food must be a formulated supplementary food for young children (as standardised in Standard 2.9.3 Division 4) |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 3 – Other (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary Context** | **Conditions** |
| Energy (continued) | Contributes to weight loss or weight maintenance |  | Diet reduced in energy and including regular exercise | The food –  (a) meets the conditions for making a ‘diet’ nutrition content claim; or  (b) is a formulated meal replacement as standardised by Division 2 of Standard 2.9.3 and contains no more than 1200 kJ per serving |
| Live yoghurt cultures | Improves lactose digestion | Individuals who have difficulty digesting lactose |  | The food must –  (a) be yoghurt or fermented milk and  (b) contain at least 108 cfu/g (*Lactobacillus delbrueckii* subsp. *bulgaricus* and *Streptococcus thermophilus*) |
| Phytosterols, phytostanols and their esters | Reduces dietary and biliary cholesterol absorption |  | Diet low in saturated fatty acids  Diet containing 2 g of phytosterols, phytostanols and their esters per day | The food must –  (a) meet the relevant conditions specified in Columns 1 and 2 of the Table to clause 2 in Standard 1.5.1; and  (b) contain a minimum of 0.8 g total plant sterol equivalents content per serving |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 3 – Other (continued)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Dietary Context** | **Conditions** |
| Potassium | Necessary for normal water and electrolyte balance |  |  | The food contains no less than 200 mg of potassium per serving |
| Contributes to normal growth and development | Children |  |
| Contributes to normal functioning of the nervous system |  |  |
| Contributes to normal muscle function |  |  |
| Protein | Necessary for tissue building and repair |  |  | The food must meet the general conditions for making a nutrition content claim about protein |
| Necessary for normal growth and development of bone | Children and adolescents aged 4 years and over |  |  |
| Contributes to the growth of muscle mass |  |  |
| Contributes to the maintenance of muscle mass |  |  |
| Contributes to the maintenance of normal bones |  |  |
| Necessary for normal growth and development | Children aged 4 years and over |  | The food must meet the general conditions for making a nutrition content claim about protein. |
| Necessary for normal growth and development | Infants aged 6 months to 12 months |  | The food must be a food for infants and meet the conditions in subclause 6(3) of Standard 2.9.2 |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 4 – Foods**

| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| --- | --- | --- | --- | --- |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Context claim statements** | **Conditions** |
| Fruits and vegetables | Contributes to heart health |  | Diet containing an increased amount of fruit and vegetables; or  Diet containing a high amount of fruit and vegetables | (a) the food is not –  (i) fruit juice or vegetable juice as standardised in Standard 2.6.1; or  (ii) a food standardised in Standard 2.6.2; and  (b) the food contains no less than 90% fruit or vegetable by weight |
| Sugar or sugars | Contributes to dental health |  | Good oral hygiene | The food –  (a) is confectionery or chewing gum; and  (b) either –  (i) contains 0.2% or less starch, dextrins, mono-, di- and oligo-saccharides, or other fermentable carbohydrates combined; or  (ii) if the food contains more than 0.2% fermentable carbohydrates, it must not lower plaque pH below 5.7 by bacterial fermentation during 30 minutes after consumption as measured by the indwelling plaque pH test, referred to in ‘Identification of Low Caries Risk Dietary Components’ by T.N. Imfeld, Volume 11, Monographs in Oral Science, 1983 |

**Schedule 3 (continued)**

**Conditions for permitted general level health claims**

**Part 4 – Foods (continued)**

| **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** |
| --- | --- | --- | --- | --- |
| **Food or property of food** | **Specific health effect** | **Relevant population** | **Context claim statements** | **Conditions** |
| Chewing gum | Contributes to the maintenance of tooth mineralisation |  | Chew the gum for at least 20 minutes after eating or drinking | The food is chewing gum and either –  (a) contains 0.2% or less starch, dextrins, mono-, di- and oligosaccharides, or other fermentable carbohydrates combined; or  (b) if the food contains more than 0.2% fermentable carbohydrates, it must not lower plaque pH below 5.7 by bacterial fermentation during 30 minutes after consumption as measured by the indwelling plaque pH test, referred to in ‘Identification of Low Caries Risk Dietary Components’ by T.N. Imfeld, Volume 11, Monographs in Oral Science, 1983 |
| Contributes to the neutralisation of plaque acids |
| Contributes to the reduction of oral dryness |  | Chew the gum when the mouth feels dry |

**Schedule 4**

**Nutrient profiling scoring criterion**

|  |  |  |
| --- | --- | --- |
|  | **Column 1** | **Column 2** |
| **Category** | **NPSC category** | **The nutrient profiling score must be less than** |
| 1 | Beverages | 1 |
| 2 | Any food other than those included in Category 1 or 3. | 4 |
| 3 | (a) cheese and processed cheese as defined in Standard 2.5.4 (with calcium content >320 mg/100 g)\*; and  (b) edible oil as defined in Standard 2.4.1; and  (c) edible oil spreads as defined in Standard 2.4.2; and  (d) margarine as defined in Standard 2.4.2; and  (e) butter as defined in Standard 2.5.5.  \*All other cheeses (with calcium content ≤320 mg/100 g) are classified as a category 2 food product. | 28 |

**Schedule 5**

**Nutrient profiling scoring method**

**1 Steps in determining a nutrient profiling score**

(1) For a food in Category 1 in Schedule 4, calculate the food’s –

(a) baseline points in accordance with item 2 of this Schedule; then

(b) fruit and vegetable points in accordance with item 4 of this Schedule (**V points**); then

(c) protein points in accordance with item 5 of this Schedule (**P points)**; then

(d) final score in accordance with item 7 of this Schedule (**the nutrient profile score**).

**Editorial note:**

Category 1 foods do not score fibre (F) points.

(2) For a food in Category 2 in Schedule 4, calculate the food’s –

(a) baseline points in accordance with item 2 of this Schedule; then

(b) fruit and vegetable points in accordance with item 4 of this Schedule (**V points**); then

(c) protein points in accordance with item 5 of this Schedule (**P points**); then

(d) fibre points in accordance with item 6 of this Schedule (**F points**); then

(e) final score in accordance with item 7 of this Schedule (**the nutrient profile score**).

(3) For a food in Category 3 in Schedule 4, calculate the food’s –

(a) baseline points in accordance with item 3 of this Schedule; then

(b) fruit and vegetable points in accordance with item 4 of this Schedule (**V points**); then

(c) protein points in accordance with item 5 of this Schedule (**P points**); then

(d) fibre points in accordance with item 6 of this Schedule (**F points**); then

(e) final score in accordance with item 7 of this Schedule (**the nutrient profile score**).

**2 Baseline points for Category 1 or 2 foods**

(1) Use the information in Table 1 and the formula in subitem (2) to work out the baseline points, for the content of energy and each nutrient in 100 g or 100 mL of the food product (based on the units used in the nutrition information panel).

**Table 1**

**Baseline Points for Category 1 or 2 Foods**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Baseline points** | **Average energy content (kJ) per 100 g or 100 mL** | **Average saturated fatty acids (g) per 100 g or 100 mL** | **Average total sugars (g) per 100 g or 100 mL** | **Average sodium (mg) per 100 g or 100 mL** |
| 0 | ≤335 | ≤1.0 | ≤5.0 | ≤90 |
| 1 | >335 | >1.0 | >5.0 | >90 |
| 2 | >670 | >2.0 | >9.0 | >180 |
| 3 | >1005 | >3.0 | >13.5 | >270 |
| 4 | >1340 | >4.0 | >18.0 | >360 |
| 5 | >1675 | >5.0 | >22.5 | >450 |
| 6 | >2010 | >6.0 | >27.0 | >540 |
| 7 | >2345 | >7.0 | >31.0 | >630 |
| 8 | >2680 | >8.0 | >36.0 | >720 |

**Table 1 (continued)**

**Baseline Points for Category 1 or 2 Foods**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Baseline points** | **Average energy content (kJ) per 100 g or 100 mL** | **Average saturated fatty acids (g) per 100 g or 100 mL** | **Average total sugars (g) per 100 g or 100 mL** | **Average sodium (mg) per 100 g or 100 mL** |
| 9 | >3015 | >9.0 | >40.0 | >810 |
| 10 | >3350 | >10.0 | >45.0 | >900 |

(2) Calculate the baseline points using the following formula –

Total baseline points = (points for average energy content) + (points for average saturated fatty acids) + (points for average total sugars) + (points for average sodium)

**3 Baseline points for Category 3 foods**

(1) Use the information in Table 2 and the formula in subitem (2) to work out the baseline points, for the content of energy and each nutrient in 100 g or 100 mL of the food product (based on the units used in the nutrition information panel).

**Table 2**

**Baseline Points for Category 3 Foods**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Baseline Points** | **Average energy content (kJ)**  **per 100 g or 100 mL** | **Average saturated fatty acids (g)**  **per 100 g or 100 mL** | **Average total sugars (g)**  **per 100 g or 100 mL** | **Average sodium (mg)**  **per 100 g or 100 mL** |
| 0 | ≤ 335 | ≤1.0 | ≤ 5.0 | ≤ 90 |
| 1 | >335 | >1.0 | >5.0 | >90 |
| 2 | >670 | >2.0 | >9.0 | >180 |
| 3 | >1005 | >3.0 | >13.5 | >270 |
| 4 | >1340 | >4.0 | >18.0 | >360 |
| 5 | >1675 | >5.0 | >22.5 | >450 |
| 6 | >2010 | >6.0 | >27.0 | >540 |
| 7 | >2345 | >7.0 | >31.0 | >630 |
| 8 | >2680 | >8.0 | >36.0 | >720 |
| 9 | >3015 | >9.0 | >40.0 | >810 |
| 10 | >3350 | >10.0 | >45.0 | >900 |
| 11 | >3685 | >11.0 |  | >990 |
| 12 |  | >12.0 |  | >1080 |
| 13 |  | >13.0 |  | >1170 |
| 14 |  | >14.0 |  | >1260 |
| 15 |  | >15.0 |  | >1350 |
| 16 |  | >16.0 |  | >1440 |
| 17 |  | >17.0 |  | >1530 |
| 18 |  | >18.0 |  | >1620 |
| 19 |  | >19.0 |  | >1710 |
| 20 |  | >20.0 |  | >1800 |
| 21 |  | >21.0 |  | >1890 |
| 22 |  | >22.0 |  | >1980 |
| 23 |  | >23.0 |  | >2070 |

**Table 2 (continued)**

**Baseline Points for Category 3 Foods**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Baseline Points** | **Average energy content (kJ)**  **per 100 g or 100 mL** | **Average saturated fatty acids (g)**  **per 100 g or 100 mL** | **Average total sugars (g)**  **per 100 g or 100 mL** | **Average sodium (mg)**  **per 100 g or 100 mL** |
| 24 |  | >24.0 |  | >2160 |
| 25 |  | >25.0 |  | >2250 |
| 26 |  | >26.0 |  | >2340 |
| 27 |  | >27.0 |  | >2430 |
| 28 |  | >28.0 |  | >2520 |
| 29 |  | >29.0 |  | >2610 |
| 30 |  | >30.0 |  | >2700 |

(2) Calculate the baseline points using the following formula –

Total baseline points = (points for average energy content) + (points for average saturated fatty acids) + (points for average total sugars) + (points for average sodium)

**4 Fruit and vegetable points (V points)**

(1) V points can be scored for fruits, vegetables, nuts and legumes including coconut, spices, herbs, fungi, seeds and algae (**fvnl**) including –

(a) fvnl that are fresh, cooked, frozen, canned, pickled or preserved; and

(b) fvnl that have been peeled, diced or cut (or otherwise reduced in size), puréed or dried.

(2) V points cannot be scored for –

(a) a constituent, extract or isolate of a food mentioned in subitem (1); or

(b) cereal grains mentioned as a class of food in Schedule 4 of Standard 1.4.2.

**Editorial note:**

An example of a constituent, extract or isolate under paragraph 4(2)(a) is peanut oil derived from peanuts. In this example, peanut oil would not be able to score V points. Other examples of extracts or isolates are fruit pectin and de-ionised juice.

(3) Despite subitem (2), V points may be scored for –

(a) fruit juice or vegetable juice as standardised in Standard 2.6.1 including concentrated juices and purees;

(b) coconut flesh (which is to be scored as a nut), whether juiced, dried or desiccated, but not processed coconut products such as coconut milk, coconut cream or coconut oil; and

(c) the water in the centre of the coconut.

(4) Calculate the percentage of fvnl in the food in accordance with the appropriate method in Standard 1.2.10 and not the form of the food determined in accordance with clause 6 of this Standard.

**Editorial note:**

The effect of subitem (4) is to make it a requirement to determine the percentage of fvnl using only the appropriate method in Standard 1.2.10. For this subitem only, it is not necessary to consider the form of the food determined by clause 6 of this Standard.

(5) Use Column 1 of Table 3 if the fruit or vegetables in the food product are all concentrated (including dried).

**Editorial note:**

For example, if dried fruit and tomato paste are the components of the food product for which V points can be scored, column 1 should be used.

(6) Use Column 2 of Table 3 if –

(a) there are no concentrated (or dried) fruit or vegetables in the food product; or

(b) the percentages of all concentrated ingredients are calculated based on the ingredient when reconstituted (according to subclauses 3(3) or (4) of Standard 1.2.10); or

(c) the food product contains a mixture of concentrated fruit or vegetables and non-concentrated fvnl sources (after following the formula mentioned in subitem (8)); or

(d) the food product is potato crisps or a similar low moisture vegetable product.

(7) Work out the V points (to a maximum of 8) in accordance with Table 3.

**Table 3**

**V Points**

|  |  |  |
| --- | --- | --- |
|  | **Column 1** | **Column 2** |
| **Points** | **% concentrated fruit or vegetables** | **% fvnl** |
| 0 | <25 | ≤40 |
| 1 | ≥25 | >40 |
| 2 | ≥43 | >60 |
| 5 | ≥67 | >80 |
| 8 | =100 | =100 |

(8) If the food product contains a mixture of concentrated fruit or vegetables and non-concentrated fvnl sources, the percentage of total fvnl must be worked out as follows –

|  |  |  |
| --- | --- | --- |
|  | x | 100  1 |

where –

**%non-concentrated fvnl/concentrated fruit or vegetables** means the percentage of fvnl in the food determined using the appropriate calculation methods outlined in Standard 1.2.10.

(9) For the formula in subitem (8), potato crisps and similar low moisture vegetable products are taken to be non-concentrated.

**5 Protein points (P points)**

(1) Use Table 4 to determine the ‘P points’ scored, depending on the amount of protein in the food product. A maximum of five points can be awarded.

(2) Food products that score ≥13 baseline points are not permitted to score points for protein unless they score five or more V points.

**Table 4**

**P Points**

|  |  |
| --- | --- |
| **Points** | **Protein (g) per 100 g or 100 mL** |
| 0 | ≤1.6 |
| 1 | >1.6 |
| 2 | ≥3.2 |
| 3 | >4.8 |
| 4 | >6.4 |
| 5 | >8.0 |

**6 Fibre points (F points)**

(1) Use Table 5 to determine the ‘F points’ scored, depending on the amount of dietary fibre in the food product. A maximum of five points can be awarded.

(2) The prescribed method of analysis to determine total dietary fibre is outlined in clause 18 of Standard 1.2.8.

**Table 5**

**F Points**

|  |  |
| --- | --- |
| **Points** | **Dietary fibre (g) per 100 g or 100 mL** |
| 0 | ≤0.9 |
| 1 | >0.9 |
| 2 | >1.9 |
| 3 | >2.8 |
| 4 | >3.7 |
| 5 | >4.7 |

(3) Category 1 foods do not score F points.

**7 Calculating the final score**

Calculate the final score using the following formula –

Final Score = baseline points – (V points) – (P points) – (F points)

**Schedule 6**

**Required elements of a systematic review**

A systematic review must include the following elements –

1 A description of the food or property of food, the health effect and the proposed relationship between the food or property of food and the health effect.

2 A description of the search strategy used to capture the scientific evidence relevant to the proposed relationship between the food or property of food and the health effect, including the inclusion and exclusion criteria.

3 A final list of studies based on the inclusion and exclusion criteria. Studies in humans are essential. A relationship between a food or property of food and the health effect cannot be established from animal and *in vitro* studies alone.

4 A table with key information from each included study. This must include information on:

(a) the study reference

(b) the study design

(c) the objectives

(d) the sample size in the study groups and loss to follow-up or non-response

(e) the participant characteristics

(f) the method used to measure the food or property of food including amount consumed

(g) confounders measured

(h) the method used to measure the health effect

(i) the study results, including effect size and statistical significance

(j) any adverse effects.

5 An assessment of the quality of each included study based on consideration of, as a minimum:

(a) a clearly stated hypothesis

(b) minimisation of bias

(c) adequate control for confounding

(d) the study participants’ background diets and other relevant lifestyle factors

(e) study duration and follow-up adequate to demonstrate the health effect

(f) the statistical power to test the hypothesis.

6 An assessment of the results of the studies as a group by considering whether:

(a) there is a consistent association between the food or property of food and the health effect across all high quality studies

(b) there is a causal association between the consumption of the food or property of food and the health effect that is independent of other factors (with most weight given to well-designed experimental studies in humans)

(c) the proposed relationship between the food or property of food and the health effect is biologically plausible

(d) the amount of the food or property of food to achieve the health effect can be consumed as part of a normal diet of the Australian and New Zealand populations.

7 A conclusion based on the results of the studies that includes:

(a) whether a causal relationship has been established between the food or property of food and the health effect based on the totality and weight of evidence; and

(b) where there is a causal relationship between the food or property of food and the health effect:

(i) the amount of the food or property of food required to achieve the health effect

(ii) whether the amount of the food or property of food to achieve the health effect is likely to be consumed in the diet of the Australian and New Zealand populations or by the target population group, where relevant.

8 An existing systematic review may be used if it is updated to include –

(a) the required elements 1 to 6 above for any relevant scientific data not included in the existing systematic review

(b) the required element 7 above incorporating the new relevant scientific data with the conclusions of the existing systematic review.



**Standard 1.2.11 – Country of Origin Labelling**

The Board of Food Standards Australia New Zealand gives notice of the making of this Standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 18 July 2013.

Dated 7 January 2013



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

***Standard 1.2.11***

***country of origin labelling***

**(Australia only)**

**Purpose and commentary**

This Standard sets out the requirements for country of origin labelling for packaged foods and certain unpackaged foods. These requirements do not apply in New Zealand.

**Table of Provisions**

1 Application

2 Country of origin labelling for packaged food

3 Country of origin labelling for certain unpackaged food

**Clauses**

**1 Application**

(1) This Standard does not apply to a food that is offered for immediate consumption where the food is sold by –

(a) restaurants; or

(b) canteens; or

(c) schools; or

(d) caterers or self-catering institutions; or

(e) prisons; or

(f) hospitals; or

(g) other similar institutions listed in the Table to clause 8 of Standard 1.2.1.

(2) Subclause 1(2) of Standard 1.1.1 does not apply to this Standard.

**2 Country of origin labelling for packaged food**

(1) Subclause (2) applies to food in a package.

(2) The food must be labelled with –

(a) a statement on the package that identifies the country where the food was made, produced or grown; or

(b) a statement on the package –

(i) that identifies the country where the food was manufactured or packaged; and

(ii) to the effect that the food is constituted from ingredients imported into that country or from local and imported ingredients.

(3) However, subclause (4) applies to food in a package if –

(a) the food is unprocessed fruit and vegetables, whether whole or cut; and

(b) the food is displayed for retail sale; and

(c) the package does not obscure the nature or quality of the food.

(4) The food must be labelled with a statement on the package or in connection with the display of the package which –

(a) identifies the country or countries of origin of the fruit and vegetables; or

(b) indicates that the fruit and vegetables are a mix of local and imported foods; or

(c) indicates that the fruit and vegetables are a mix of imported foods.

**3 Country of origin labelling for certain unpackaged food**

(1) Food listed in the Table to this subclause that is displayed for retail sale other than in a package must be labelled with a statement on or in connection with the display of the food which –

(a) identifies the country or countries of origin of the food; or

(b) indicates that the food is a mix of local and imported foods; or

(c) indicates that the food is a mix of imported foods.

**Table to subclause 3(1)**

|  |  |
| --- | --- |
| **Column 1** | **Column 2** |
| **Item** | **Food** |
| 1 | Fish, including fish that has been mixed or coated with one or more other foods |
| 2 | Pork |
| 3 | Fruit and vegetables |
| 4 | Beef |
| 5 | Veal |
| 6 | Lamb |
| 7 | Hogget |
| 8 | Mutton |
| 9 | Chicken |
| 10 | A mix of foods mentioned in this Table |

(2) In this clause, a food listed in Column 2 of the Table to subclause 3(1) includes a food that has been –

(a) cut, filleted, sliced, minced or diced; or

(b) pickled, cured, dried, smoked, frozen or preserved by other means; or

(c) marinated; or

(d) cooked.

(3) In addition to the requirements of Standard 1.2.9, the statement required by subclause (1) must be at least 9 mm in height, unless the food is in a refrigerated assisted service display cabinet, in which case it must be at least 5 mm in height.



**Food Standards (Proposal P1011 – Country of Origin Labelling – Unpackaged Meat Products – Consequential) 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 Standard commences on the date specified in clause 3 of this variation.

Dated 7 January 2013



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

**1 Name**

This instrument is the *Food Standards (Proposal P1011 – Country of Origin Labelling – Unpackaged Meat Products – Consequential) Variation*.

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

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

**3 Commencement**

These variations commence on 18 July 2013.

**SCHEDULE**

**[1]** ***Standard 1.2.1*** *is varied by omitting clause 2(2)(g), substituting* –

(g) subclauses 2(3) and 2(4), and clause 3 of Standard 1.2.11 – Country of Origin Labelling; and

**[2]** ***Standard 1.2.11*** *is repealed.*



**Food Standards (Proposal P293 – Nutrition, Health & Related Claims – Consequential) 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 Standard commences on the date specified in clause 3 of this variation.

Dated 7 January 2013



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

**1 Name**

This instrument is the *Food Standards (Proposal P293 – Nutrition, Health & Related Claims – Consequential) Variation.*

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

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

**3 Commencement**

These variations, other than Items [2.3], [4] and [13], commence on 18 January 2013. Items [2.3], [4] and [13.1] commence on 18 January 2016. Items [13.2] to [13.4] commence immediately after the commencement of Standard 2.9.5.

**SCHEDULE**

**[1] *Standard 1.1.1 i****s varied by –*

[1.1] *omitting from subclause 1(6) –*

a Standard for which a corresponding transitional Standard in part 1.1A applies

*substituting –*

Standard 1.1A.6

[1.2] *omitting the definition of* claim in clause 2*, substituting* –

**claim** means an express or implied statement, representation, design or information in relation to a food or property of food which is not mandatory in this Code

**[2] *Standard 1.1A.2*** *is varied by –*

[2.1] *omitting* thePurposestatement*, substituting –*

**Editorial Note**

Standard 1.1A.2 is a transitional standard that operates concurrently with Standard 1.2.7 for a period of three years.  During the three-year period Standard 1.1A.2 operates unchanged by the *Food Standards (Proposal P293 – Nutrition, Health & Related Claims – Consequential) Variation* and a supplier can rely on Standard 1.2.7 or Standard 1.1A.2, but not both.  If Standard 1.1A.2 is relied on in that period, the changes made to other Standards by that variation are to be treated as if they have no effect.  At the end of the three-year period Standard 1.1A.2 ceases to operate. There is no stock-in-trade period at the end of the three-year period.

[2.2] *omitting* two years *from subclause (1B), substituting* three years.

[2.3] *repealing* the Standard

**[3] Standard 1.2.1** *is varied by inserting –*

(da) subclause 24(5) of Standard 1.2.7 – Nutrition, Health and Related Claims.

*after paragraph 2(2)(d).*

**[4] *Standard 1.2.7*** *is varied by omitting the* editorial note *preceding clause 1*

**[5] *Standard 1.2.8*** *is varied by* –

[5.1] *omitting* thePurpose statement*, substituting* –

This Standard sets out nutrition information requirements in relation to food that is required to be labelled under this Code and for food exempt from these labelling requirements. This Standard prescribes when nutritional information must be provided, and the manner in which such information is provided.

**Editorial Note:**

Standard 1.2.7 – Nutrition, Health and Related Claims also sets out additional nutrition information requirements in relation to nutrition content claims and health claims.

This Standard does not apply to infant formula products standardised in Standard 2.9.1 – Infant Formula Products. Standard 2.9.1 sets out specific nutrition labelling requirements that apply to infant formula products.

[5.2] *omitting the definitions of* gluten *and* nutrition claim *in subclause 1(1)*

[5.3] *omitting the definition of* average energy content *in subclause 1(1), substituting* –

**average energy content** means the figure calculated in accordance with subclause (3)

[5.4] *inserting in alphabetical order in subclause 1(1)* –

**claim requiring nutrition information** has the meaning given in subclause 4(1).

[5.5] *renumbering subclause 1(2) as 1(4)*

[5.6] *inserting after subclause 1(1)* –

(2) Unless the contrary intention appears, the definitions in Standard 1.2.7 apply in this Standard.

(3) Average energy content is to be calculated by –

(a) multiplying the average amount of each food component per 100 g of the food by the energy factor for that food component; then

(b) adding the amounts calculated for each food component using the following formula –



Where  is the average energy content expressed in kilojoules per 100 g,  is the average weight of the food component expressed in grams per 100 g and  means the energy factor assigned to that food component expressed in kilojoules per gram.

[5.7] *inserting after clause 1* –

**1A Application**

This Standard does not apply to a food standardised by Standard 2.9.1.

**Editorial note:**

Infant formula products standardised by Standard 2.9.1 are not required to carry a nutrition information panel in accordance with this Standard. Standard 2.9.1 prescribes specific nutrition information requirements for those foods.

[5.8] *omitting clause 4, substituting* –

**4 Requirements for nutrition information panels when certain claims made**

(1) A claim requiring nutrition information means –

(a) a nutrition content claim; or

(b) a health claim;

but does not include –

(c) a declaration that is required by the Act, or

(d) an endorsement.

(2) Subject to subclauses (3) and (4), if a claim requiring nutrition information is made in relation to a food, a nutrition information panel must be included on the label on the package of the food.

(3) If a claim requiring nutrition information is made in relation to a food which is not required to bear a label pursuant to clause 2 of Standard 1.2.1, the information prescribed in clause 5, must be –

(a) declared in a nutrition information panel displayed on or in connection with the display of the food; or

(b) provided to the purchaser upon request.

(4) Where a claim requiring nutrition information is made in relation to a food in a small package, the label need not include a nutrition information panel but must comply with clause 8.

[5.9] *omitting from paragraph 5(1)(e)* –

subject to clause 12,

*substituting* –

subject to subclause (1A),

[5.10] *omitting paragraph 5(1)(g), substituting* –

(g) the name and the average quantity of any other nutrient or biologically active substance in respect of which a claim requiring nutrition information is made, expressed in grams, milligrams or micrograms or other units as appropriate, that is in a serving of the food and in the unit quantity of the food; and

(h) any other matter which this Code requires to be included.

[5.11] *inserting after subclause 5(1)* –

(1A) If a claim –

(a) is made about a food standardised in Standard 2.4.1 or Standard 2.4.2; and

(b) relates to polyunsaturated fatty acids or monounsaturated fatty acids;

the properties set out in subclause (1B) may be set out in the panel as a minimum or maximum quantity in a serving of the food and per 100 g/mL.

(1B) The properties are –

(a) saturated fatty acids; and

(b) polyunsaturated fatty acids; and

(c) monounsaturated fatty acids; and

(d) trans fatty acids.

[5.12] *omitting from the* editorial note *after subclause 5(2)* –

Clause 12 explains when minimum and maximum quantities may be indicated.

[5.13] *omitting from subclause 5(4)* –

nutrition claim is made in respect of

*substituting* –

claim requiring nutrition information is made about or based on

[5.14] *omitting from subclause 5(5)* –

nutrition claim is made in respect of

*substituting* –

claim requiring nutrition information is made about or based on

[5.15] *omitting subclause 7(2), substituting* –

(2) If percentage daily intake information is included in a panel –

(a) the percentage daily intake of dietary fibre per serving may be included in the panel; and

(b) the following matters must be included in the panel –

(i) the percentage daily intake of energy, fat, saturated fatty acids, carbohydrate, sugars, protein and sodium per serving;

(ii) either of the following statements –

‘\*based on an average adult diet of 8700 kJ’; or

‘Percentage daily intakes are based on an average adult diet of 8700 kJ’.

[5.16] *inserting after clause 7* –

**7A Percentage recommended dietary intake information**

(1) This clause applies if–

(a) a claim requiring nutrition information is made about or based on a vitamin or mineral (the relevant vitamin or mineral); and

(b) the relevant vitamin or mineral has a RDI; and

(c) the food to which the claim relates is not a food for infants as standardised by Standard 2.9.2.

(2) The percentage of the RDI for the relevant vitamin or mineral contributed by one serving of the food must be set out in the nutrition information panel.

(3) The percentage RDI under subclause (2) must be calculated –

(a) using the RDIs mentioned in the Schedule to Standard 1.1.1; and

(b) using the nutrient values set out in the nutrition information panel.

(4) Despite paragraph (1)(c), percentage recommended dietary intake information may be included in the nutrition information panel for a food for infants as standardised by Standard 2.9.2.

**7B Percentage DI or RDI information presented outside the panel**

(1) In this clause, DI or RDI information means the information in a nutrition information panel that is permitted or required by clause 7 or 7A.

(2) DI or RDI information may be presented outside the nutrition information panel if –

(a) the serving size is presented together with DI or RDI information; and

(b) the food to which the DI or RDI information relates does not contain more than 1.15% alcohol by volume.

(3) If more than one piece of DI or RDI information is presented outside the nutrition information panel, those pieces of information must be presented together.

(4) DI or RDI information presented in accordance with this clause does not constitute a nutrition content claim.

[5.17] *omitting clause 8, substituting* –

**8 Food in small packages**

(1) This clause applies if a claim requiring nutrition information is made on or about food in a small package.

(2) The label must include a declaration of the average quantity of the food in a serving expressed –

(a) in the case of a solid or semi-sold food, in grams; or

(b) in the case of a beverage or other liquid food, in millilitres.

(3) In addition to the matters specified in subclause (2), if a claim requiring nutrition information is made about a matter in Column 1 of the Table to this subclause, the label must include the particulars specified in Column 2.

**Table to subclause 8(3)**

|  |  |
| --- | --- |
| **Column 1** | **Column 2** |
| **Claim is about** | **Label must include** |
| Any nutrient or biologically active substance (other than a vitamin or mineral with a RDI) | Average quantity of the nutrient or biologically active substance present per serving of the food |
| Any vitamin or mineral with a RDI | (a) Average quantity of the vitamin or mineral present per serving of the food; and  (b) Percentage of the RDI for the vitamin or mineral contributed by one serving of the food, and calculated in accordance with clause 7A |
| Cholesterol, saturated fatty acids, trans fatty acids, polyunsaturated fatty acids, monounsaturated fatty acids, omega-6 or omega-9 fatty acids | Saturated fatty acids, trans fatty acids, polyunsaturated fatty acids and monounsaturated fatty acids content per serving of the food |
| Dietary fibre, sugars or any other carbohydrate | Average quantity of energy, carbohydrate, sugars and dietary fibre (calculated in accordance with clause 18) present per serving of the food |
| Energy | Average quantity of energy present per serving of the food |
| Fat-free | Average quantity of energy present per serving of the food |
| Omega-3 fatty acids | (a) Saturated fatty acids, trans fatty acids, polyunsaturated fatty acids and monounsaturated fatty acids content per serving of the food; and  (b) Type and amount of omega-3 fatty acids per serving of the food, namely alpha-linolenic acid, or docosahexaenoic acid, or eicosapentaenoic acid, or a combination of the above |
| Lactose | Galactose content per serving of the food |
| Potassium | Sodium and potassium content per serving of the food |
| Sodium or salt | Sodium and potassium content per serving of the food |

(4) The particulars required by subclause (3) –

(a) must be set out as minimum, maximum or average quantities unless specified in the Table to subclause (3); and

(b) must clearly indicate whether the particulars are minimum, maximum or average quantities.

(5) The word ‘serving’ in a declaration required by this clause may be replaced by –

(a) the word ‘slice’, ‘pack’ or ‘package’; or

(b) the words ‘metric cup’ or ‘metric tablespoon’ or other appropriate word or words expressing a unit or common measure.

(6) To avoid doubt, the information required to be declared in accordance with this clause need not be set out in the prescribed panel format.

**8A Additional declarations for food in small packages**

(1) This clause applies if a claim requiring nutrition information is made about carbohydrate, dietary fibre, sugars or any other carbohydrate on or about food in a small package.

(2) The label must include a declaration of unavailable carbohydrate if unavailable carbohydrate has been subtracted in the calculation of ‘carbohydrate by difference’ as defined in clause 1.

(3) The reference to ‘unavailable carbohydrate’ in subclause (2) does not include dietary fibre.

(4) If –

(a) the food contains any of the substances in Column 1 of Table 2 to subclause 2(2) other than organic acids (the relevant substances); and

(b) the relevant substances either singly or in combination are present in the final form of the food in an amount no less than 5 g/100 g;

the presence of the relevant substances must be declared on the label.

[5.18] *inserting in clause 11*, *the word* ‘in’ *after* ‘as set out’.

[5.19] *inserting after clause 11* –

**11A Claims on food to be prepared or consumed with other food**

If a claim requiring nutrition information is made about a food that is required to be prepared or consumed with at least one other food–

(a) the nutrition information panel must include an additional column at the right hand side of the panel, specifying, in the same manner as set out in the panel –

(i) a description of the additional food or foods; and

(ii) the quantity of the additional food or foods; and

(iii) the average energy content of the combined foods; and

(iv) the average quantities of nutrients contained in the combined foods; and

(v) the average quantities of biologically active substances contained in the combined foods; and

(b) the weight or volume of the serving size of the food as prepared must be declared in the panel.

[5.20] *omitting Division 3, substituting* –

**Division 3 – Deleted**

[5.21] *inserting after clause 18* –

**19 Items in panel are nutrition content claims in some circumstances**

(1) In this clause –

**voluntary item** means a particular which is permitted by this Code to be included in a nutrition information panel.

**mandatory item** means a particular which is required by this Code to be included in the nutrition information panel in some or all circumstances.

(2) To avoid doubt, the inclusion of a mandatory item in a nutrition information panel is not a nutrition content claim.

(3) The inclusion of a voluntary item in a nutrition information panel is a nutrition content claim unless –

(a) this Code provides otherwise; or

(b) the voluntary item is a declaration of –

(i) dietary fibre if the food contains less than 2 g of dietary fibre per serving; or

(ii) trans fatty acid content; or

(iii) lactose content.

(4) A nutrition information panel that contains the prescribed declarations in paragraphs 5(1)(a) to 5(1)(f) on a product containing more than 1.15% alcohol by volume is not a nutrition content claim.

[5.22] *updating the* Table of Provisions *to reflect the amendments made by this variation*

**[6] *Standard 1.3.2*** *is varied by* –

[6.1] *omitting from the first sentence of the* Purpose –

, and the claims which can be made about vitamin and mineral content of foods

[6.2] *omitting the definitions of* claimable food, primary food *and* reference quantity *from clause 1, substituting* –

**reference quantity** means –

(a) for a food mentioned in the Table to clause 3 –

(i) the quantity specified in the Table for the food or,

(ii) for a food that requires dilution or reconstitution according to directions – the quantity of the food that, when diluted or reconstituted, produces the quantity mentioned in column 2 of the Table; or

(b) for all other foods –

(i) a normal serving; or

(ii) for a food that requires dilution, reconstitution, draining or preparation according to directions, the quantity of the food which when diluted, reconstituted, drained or prepared produces a normal serving.

[6.3] *omitting clause 4, substituting* –

**4 Claims in relation to the vitamin and mineral content of foods listed in the Table to clause 3**

If a vitamin or mineral has been added to a food listed in Column 1 of the Table to clause 3, a claim must not be made that the food contains that vitamin or mineral, both added or naturally present, in the reference quantity of the food in greater proportions than that specified in Column 4.

[6.4] *omitting clause 5, substituting* –

**5 Calculation of maximum quantity of a vitamin or mineral which may be claimed in a reference quantity of food**

(1) If a final food contains more than one ingredient and at least one ingredient contains an added vitamin or mineral pursuant to a permission in Standard 1.3.2, the maximum claim permitted in relation to that vitamin or mineral in a reference quantity of the final food is calculated by summing the quantity of that vitamin or mineral calculated for each ingredient according to the formula set out below and rounded to the nearest 2 significant figures.

(2) In this subclause –

**Mrq** means the maximum quantity of a vitamin or mineral permitted to be claimed in a reference quantity of the final food calculated in accordance with the formula –

Mrq = Q1 +Q2 + ……Qi

where –

Q1, is the quantity of a vitamin or mineral permitted to be claimed for the first ingredient in a reference quantity of the final food, Q2 is the quantity of a vitamin or mineral permitted to be claimed for a second ingredient in a reference quantity of the final food, and so forth for all ingredients containing that vitamin or mineral.

(3) The amount used for the quantity permitted to be claimed means either the –

(a) average quantity of the vitamin or mineral present in the amount of unfortified ingredient in a reference quantity of the final food; or

(b) maximum permitted claim for the vitamin or mineral in the amount of fortified ingredient in a reference quantity of the final food.

**Editorial note:**

Example calculations

(a) Vitamin C claim for an apple and blackcurrant fruit drink comprised of 80 mL apple juice and 4 mL blackcurrant juice in a reference quantity of 200 mL –

Maximum claim per reference quantity for vitamin C in apple juice = 120 mg/200 mL

Maximum claim per reference quantity for vitamin C in blackcurrant juice = 500 mg/200 mL

Q1 (apple juice) = 120 mg x 80/200 = 48 mg vitamin C/200 mL

Q2 (blackcurrant juice) = 500 mg x 4/200 = 10 mg vitamin C/200 mL

Mrq = 48 + 10 = 58 mg vitamin C/200 mL apple and blackcurrant fruit drink

The calculated maximum quantity of vitamin C that may be claimed in 200 mL of apple and blackcurrant fruit drink rounded to the nearest 2 significant figures = 58 mg (no change)

(b) Iron claim for an uncooked beef schnitzel comprised of 115 g raw beef and 30 g iron-fortified breadcrumbs, in a reference quantity of 145 g –

Average quantity of iron in raw beef = 2.5 mg/100 g (from analysis or nutrient composition tables)

Maximum claim per reference quantity for iron in fortified breadcrumbs = 3 mg/50 g bread

Q1 (raw beef) = 2.5 x 115/100 = 2.875 mg iron/115 g

Q2 (iron-fortified breadcrumbs) = 3 mg x 30/50 = 1.8 mg iron/30 g

Mrq = 2.875 + 1.8 = 4.675 mg iron/145 g uncooked beef schnitzel

The calculated maximum quantity of iron that may be claimed in 145 g of uncooked beef schnitzel rounded to the nearest 2 significant figures = 4.7 mg

[6.5] *omitting clauses 6 to 9*

[6.6] *updating the* Table of Provisions *to reflect the amendments made by this variation*

**[7] *Standard 2.6.2*** *is varied by omitting* nutrition claim for the purposes of Standard 1.2.8 *in subclause 2B(4), and substituting* nutrition content claim for the purposes of Standard 1.2.7

**[8] *Standard 2.6.4*** *is varied by omitting subclause 3(6*)

**[9] *Standard 2.9.1*** *is varied by* –

[9.1] *omitting clause 28, substituting* –

**28 Required statements for products under this Subdivision**

The label on an infant formula product that is specifically formulated to satisfy particular metabolic, immunological, renal, hepatic or malabsorptive conditions must contain a statement that indicates –

(a) that the product is not suitable for general use and should be used under medical supervision; and

(b) the condition, disease or disorder for which the food has been specially formulated; and

(c) the nutritional modifications, if any, which have been made to the infant formula product.

[9.2] *updating the* Table of Provisions *to reflect the amendments made by this variation*

**[10] *Standard 2.9.2*** *is varied by* –

[10.1] *omitting paragraphs 9(1)(e) and 9(1)(f), substituting* –

(e) clause 9.

[10.2] i*nserting after subclause 9(1)* –

(1A) The conditions in Schedule 1 of Standard 1.2.7 that require the potassium content of a food to be indicated in the nutrition information panel do not apply to a food standardised by this Standard.

**[11] *Standard 2.9.3*** *is varied by* –

[11.1] *inserting after subclause 3(2)* –

(2A) A claim, either express or implied, that a formulated meal replacement is a good source of a vitamin or mineral may be made if –

(a) the vitamin or mineral is listed in column 1 of Table 1 or Table 2 in the Schedule; and

(b) a serving of the food contains at least 25% of the RDI or ESADDI of that vitamin or mineral; and

(c) where the vitamin or mineral has been added to the food, the claimed quantity of that vitamin or mineral in a serving is no more than the quantity set out in column 3 of Table 1 or 2.

[11.2] *inserting after subclause 5(1)* –

(1A) In this clause, claimable vitamin or mineral means a vitamin or mineral that is listed in –

(a) the Schedule to Standard 1.1.1; or

(b) Column 1 of Table 3 in the Schedule to this Standard.

[11.3] *omitting from subclause 5(2)* –

one or more of those vitamins or minerals listed in column 1 of Table 3 in the Schedule

*substituting* –

a claimable vitamin or mineral

[11.4] *inserting after subclause 5(2)* –

(2A) A claim, either express or implied, that a formulated supplementary food is a good source of a vitamin or mineral may be made if –

(a) the vitamin or mineral is a claimable vitamin or mineral; and

(b) a serving of the food contains at least 25% of the RDI or ESADDI of that vitamin or mineral; and

(c) where the vitamin or mineral has been added to the food, the claimed quantity of that vitamin or mineral in a serving is no more than the quantity set out in column 5 of Table 3.

[11.5] *inserting after subclause 7(1)* –

(1A) In this clause, claimable vitamin or mineral means a vitamin or mineral that is listed in –

(a) the Schedule to Standard 1.1.1; or

(b) Column 1 of Table 3 in the Schedule to this Standard.

[11.6] *omitting from subclause 7(2)* –

one or more of those vitamins or minerals listed in column 1 of Table 3 in the Schedule

*substituting* –

a claimable vitamin or mineral

[11.7] *inserting after subclause 7(2)* –

(2A) A claim, either express or implied, that a formulated supplementary food for young children is a good source of a vitamin or mineral may be made if –

(a) the vitamin or mineral is a claimable vitamin or mineral; and

(b) a serving of the food contains at least 25% of the RDI or ESADDI of that vitamin or mineral; and

(c) where the vitamin or mineral has been added to the food, the claimed quantity of that vitamin or mineral in a serving is no more than the quantity set out in column 3 of Table 3.

**[12]** ***Standard 2.9.4*** *is varied by omitting paragraphs 5(2)(b) and 5(2)(c), substituting* –

(b) the amount claimed does not exceed the amount specified in column 2 of the Table to paragraph 2(a).

**[13] *Standard 2.9.5*** *is varied by:*

[13.1] *omitting* 1.1A.2, *from paragraph 3(1)(b); and*

[13.2] *omitting subparagraph 9(e)(iv), substituting* –

(iv) subject to subclauses 14(4) and 15(5) of this Standard, any other substance if a nutrition content claim as defined in Standard 1.2.7 is made in relation to that substance.

[13.3] *omitting* *clause 14, substituting –*

(1) A claim in relation to the lactose content of a food for special medical purposes is prohibited unless expressly permitted by this clause.

(2) A claim to the effect that a food for special medical purposes is lactose free may be made if the food contains no detectable lactose.

(3) A claim to the effect that a food for special medical purposes is low lactose may be made if the food contains not more than 2 g of lactose per 100 g of the food.

(4) If a claim in relation to the lactose content of a food for special medical purposes is made the label on the package of food must include the average quantity of the lactose and galactose in the food, expressed per given quantity of the food.

[13.4] *omitting* *the editorial note after subclause 15(5).*

**[14]** **Standard** ***2.10.2*** *is varied by omitting subclause 5(2) and the following editorial note, substituting* –

(2) A declaration in accordance with subclause (1) does not constitute a nutrition content claim or health claim for the purposes of Standard 1.2.7.

**[15] Transitional Provisions**

[15.1] **Transition period** means the period starting on the date of commencement of Standard 1.2.7 and ending on the date of repeal of Standard 1.1A.2.

[15.2] During the transition period, a food must comply with:

(a) Standard 1.2.7; or

(b) Standard 1.1A.2, and the rest of the Australia New Zealand Food Standards Code as if items [1] to [14] of this Schedule  had not commenced,

but not a combination of both.

[15.3] Subclause 1(2) of Standard 1.1.1 does not apply to the variation of the *Australia New Zealand Food Standards Code* made by item [2.3].



**Food Standards (Proposal M1008 – Maximum Residue Limits (2012)) 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 Standard commences on the date specified in clause 3 of this variation.

Dated 7 January 2013



Standards Management Officer

Delegate of the Board of Food Standards Australia New Zealand

**1 Name**

This instrument is the *Food Standards (Proposal M1008 – Maximum Residue Limits (2012))**Variation.*

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

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

**3 Commencement**

These variations commence on 18 January 2013.

**SCHEDULE**

**[1] Standard 1.4.2** is varied by

[1.1] inserting in alphabetical order in Schedule 1 the food and associated MRLs for each of the following chemicals

“

|  |  |  |
| --- | --- | --- |
| **Acequinocyl** | | |
| Sum of acequinocyl and its metabolite 2-dodecyl-3-hydroxy-1,4-naphthoquinone, expressed as acequinocyl | | |
| Citrus fruits | | 0.2 |
|  | |  |
| **Dicamba** | | |
| Sum of dicamba, 3,6-dichloro-5-hydroxy-2-methoxybenzoic acid and 3,6-dichloro-2-hydroxybenzoic acid, expressed as dicamba | | |
| Soya bean (immature seeds) | | 10 |
|  | |  |
| **Fluoxastrobin** | | |
| Sum of fluoxastrobin and its Z isomer | | |
| Cranberry | | 1.9 |
|  | |  |
| **Fluxapyroxad** | | |
| Fluxapyroxad | | |
| Plums (including prunes) | | 3 |
| Pome fruits | | 0.8 |
| Pulses [except soya bean (dry)] | | 0.4 |
| Soya bean (dry) | | 0.3 |
| Soya bean (immature seeds) | | 0.15 |
| Stone fruits [except plums (including prunes)] | | 2 |
|  | |  |
| **Spirodiclofen** | | |
| Spirodiclofen | | |
| Citrus fruits | 0.5 | |
| Stone fruits | 1 | |
|  |  | |
| **Spiromesifen** | | |
| Sum of spiromesifen and 4-hydroxy-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-2-one, expressed as spiromesifen | | |
| Cranberry | 2 | |
|  |  | |

”

[1.2] omitting from Schedule 1 the foods and associated MRLs for each of the following chemicals

“

|  |  |  |
| --- | --- | --- |
| **Carbendazim** | | |
| Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim | | |
| Avocado | 3 | |
| Cereal grains | \*0.05 | |
| Citrus fruits | 10 | |
| Custard apple | 1 | |
| Fruiting vegetables, cucurbits [except as otherwise listed under this chemical] | 2 | |
| Fruiting vegetables, other than cucurbits [except mushrooms] | 2 | |
| Herbs | T3 | |
| Litchi | 10 | |
| Mango | 5 | |
| Melons, except watermelon | 4 | |
| Papaya (pawpaw) | T20 | |
| Peanut | 0.2 | |
| Pistachio nut | T0.1 | |
| Pome fruits | 5 | |
| Stone fruits | 10 | |
| Turmeric root | T3 | |
| Vegetables [except as otherwise listed under this chemical] | 3 | |
|  |  | |
| **Cypermethrin** | | |
| Cypermethrin, sum of isomers | | |
| Stone fruits [except cherries] | 1 | |
|  |  | |
| **Dimethoate** | | |
| Sum of dimethoate and omethoate, expressed as dimethoate  *see also* Omethoate | | |
| Chervil | T2 | |
| Fruit [except as otherwise listed under this chemical] | 5 | |
| Fruiting vegetables, cucurbits | 5 | |
| Galangal, rhizomes | T2 | |
| Herbs | T2 | |
| Litchi | 5 | |
| Lupin (dry) | 0.5 | |
| Mizuna | T2 | |
| Peach | 3 | |
| Quandong | T5 | |
| Rucola (rocket) | T2 | |
| Turmeric, root | T2 | |
| Vegetables [except as otherwise listed under this chemical] | 2 | |
|  |  | |
| **Glyphosate** | | |
| Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate | | |
| Cereal grains [except as otherwise listed under this chemical] | T\*0.1 | |
|  |  | |
| **Indoxacarb** | | |
| Sum of indoxacarb and its *R*-isomer | | |
| Cherries | T2 | |
| Stone fruits [except cherries] | 2 | |
|  |  | |
| **Pyrimethanil** | | |
| Pyrimethanil | | |
| Citrus fruits | | 7 |
|  | |  |

”

[1.3] inserting in alphabetical order in Schedule 1 the foods and associated MRLs for each of the following chemicals

“

|  |  |  |
| --- | --- | --- |
| **Acetamiprid** | | |
| *Commodities of plant origin*: Acetamiprid  *Commodities of animal origin*: Sum of acetamiprid and N-demethyl acetamiprid ((*E*)-N1-[(6-chloro-3-pyridyl)methyl]-N2-cyanoacetamidine), expressed as acetamiprid | | |
| Citrus fruits | 0.5 | |
| Cranberry | 0.6 | |
|  |  | |
| **Bifenazate** | | |
| Sum of bifenazate and bifenazate diazene (diazenecarboxylic acid, 2-(4-methoxy-[1,1′-biphenyl-3-yl] 1-methylethyl ester), expressed as bifenazate | | |
| Cranberry | 1.5 | |
|  | |  |
| **Carbendazim** | | |
| Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim | | |
| Apple | 0.2 | |
| Apricot | 2 | |
| Cherries | 0.5 | |
| Citron | 0.7 | |
| Grapefruit | 0.2 | |
| Lemon | 0.7 | |
| Lime | 0.7 | |
| Mandarins | 0.7 | |
| Mineola | 0.7 | |
| Nectarine | 0.2 | |
| Onion, bulb | T\*0.2 | |
| Oranges | 0.2 | |
| Peach | 0.2 | |
| Pear | 0.2 | |
| Shaddock (pomelo) | 0.2 | |
| Tangelo [except mineola] | 0.2 | |
| Tangors | 0.7 | |
| Tomato | 0.5 | |
|  |  | |
| **Chlorantraniliprole** | | |
| *Plant commodities and animal commodities other than milk*: Chlorantraniliprole  *Milk*: Sum of chlorantraniliprole, 3-bromo-*N*-[4-chloro-2-(hydroxymethyl)-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1*H*-pyrazole-5-carboxamide, and 3-bromo-*N*-[4-chloro-2-(hydroxymethyl)-6-[[((hydroxymethyl)amino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1*H*-pyrazole-5-carboxamide, expressed as chlorantraniliprole | | |
| Cranberry | 1 | |
|  |  | |
| **Clothianidin** | | |
| Clothianidin | | |
| Cranberry | 0.01 | |
|  |  | |
| **Cyfluthrin** | | |
| Cyfluthrin, sum of isomers | | |
| Citrus fruits | 0.2 | |
| Stone fruits | 0.3 | |
|  |  | |
| **Cypermethrin** | | |
| Cypermethrin, sum of isomers | | |
| Stone fruits | 1 | |
|  |  | |
| **Difenoconazole** | | |
| Difenoconazole | | |
| Dried grapes | 6 | |
| Grapes | 4 | |
|  |  | |
| **Dimethoate** | | |
| Sum of dimethoate and omethoate, expressed as dimethoate *see also* Omethoate | | |
| Abiu | | 5 |
| Artichoke, globe | | T1 |
| Asparagus | | 0.02 |
| Assorted tropical and sub-tropical fruits – inedible peel [except avocado; mango] | | 5 |
| Avocado | | 3 |
| Banana passionfruit | | 5 |
| Bearberry | | T5 |
| Beetroot | | T\*0.1 |
| Bilberry | | T5 |
| Bilberry, bog | | T5 |
| Bilberry, red | | T5 |
| Blackberries | | T5 |
| Blueberries | | T5 |
| Boysenberry | | 0.02 |
| Broccoli | | T0.3 |
| Cabbages, head | | T0.2 |
| Cactus fruit | | 5 |
| Carrot | | T0.3 |
| Cauliflower | | T0.3 |
| Celery | | T0.5 |
| Cherries | | T0.2 |
| Citrus fruits | | 5 |
| Cranberry | | T5 |
| Elderberries | | 0.02 |
| Grapes | | T\*0.1 |
| Legume vegetables | | T2 |
| Melons, except watermelon | | T5 |
| Onion, bulb | | 0.7 |
| Parsnip | | T0.3 |
| Peppers, Chili | | T5 |
| Potato | | 0.1 |
| Pulses | | T0.5 |
| Radish | | T3 |
| Raspberries, red, black | | T5 |
| Rhubarb | | 0.7 |
| Rollinia | | 5 |
| Santols | | 5 |
| Squash, summer (including zucchini) | | 0.7 |
| Stone fruits [except cherries] | | T\*0.02 |
| Sweet corn (corn-on-the-cob) | | T0.3 |
| Sweet potato | | 0.1 |
| Turnip, garden | | \*0.2 |
| Watermelon | | T5 |
| Wheat bran, processed | | T1 |
|  | |  |
| **Fenpropathrin** | | |
| Fenpropathrin | | |
| Cherries | 5 | |
| Citrus fruits | 2 | |
|  |  | |
| **Fenpyroximate** | | |
| Fenpyroximate | | |
| Citrus fruits | 0.6 | |
|  |  | |
| **Glyphosate** | | |
| Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate | | |
| Cereal grains [except barley; maize; sorghum; wheat] | T\*0.1 | |
| Maize | 5 | |
|  |  | |
| **Hexazinone** | | |
| Hexazinone | | |
| Blueberries | 0.6 | |
|  |  | |
| **Indoxacarb** | | |
| Sum of indoxacarb and its *R*-isomer | | |
| Stone fruits | 2 | |
|  |  | |
| **Novaluron** | | |
| Novaluron | | |
| Cranberry | | 0.45 |
|  | |  |
| **Phosmet** | | |
| Sum of phosmet and its oxygen analogue, expressed as phosmet | | |
| Blueberries | | 10 |
| Lemon | | 5 |
| Mandarins | | 5 |
|  | |  |
| **Pyridaben** | | |
| Pyridaben | | |
| Citrus fruits | | 0.5 |
|  | |  |
| **Pyrimethanil** | | |
| Pyrimethanil | | |
| Citrus fruits [except lemon] | | 10 |
| Lemon | | 11 |
|  | |  |

”

[1.4] omitting from Schedule 1, under the entries for the following chemicals, the MRL for the named food, substituting

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|  |  |  |
| --- | --- | --- |
| **Abamectin** | | |
| Sum of avermectin B1a, avermectin B1b and (Z)-8,9 avermectin B1a, and (Z)-8,9 avermectin B1b | | |
| Citrus fruits | 0.02 | |
|  |  | |
| **Azoxystrobin** | | |
| Azoxystrobin | | |
| Citrus fruits | 10 | |
|  |  | |
| **Carbendazim** | | |
| Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim | | |
| Banana | T1 | |
| Berries and other small fruits [except grapes] | T5 | |
| Ginger, root | T10 | |
| Grapes | 0.3 | |
| Sugar cane | T0.1 | |
|  |  | |
| **Chlorpyrifos** | | |
| Chlorpyrifos | | |
| Peanut | 0.05 | |
|  |  | |
| **Cyprodinil** | | |
| Cyprodinil | | |
| Stone fruits | 2 | |
|  |  | |
| **Dimethoate** | | |
| Sum of dimethoate and omethoate, expressed as dimethoate  *see also* Omethoate | | |
| Cereal grains | T0.5 | |
| Edible offal (mammalian) | 0.1 | |
| Oilseed [except peanut] | T0.1 | |
| Peanut | T\*0.05 | |
| Peppers, Sweet | 0.7 | |
| Strawberry | 0.02 | |
| Tomato | 0.02 | |
|  |  | |
| **Glyphosate** | | |
| Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate | | |
| Rape seed (canola) | 20 | |
|  |  | |
| **Mandipropamid** | | |
| Mandipropamid | | |
| Grapes | | 2 |
|  | |  |
| **Metrafenone** | | |
| Metrafenone | | |
| Grapes | | 4.5 |
|  | |  |
| **Spinetoram** | | |
| Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L | | |
| Citrus fruits | 3 | |
|  |  | |

”