2 February 20201
149-21

Call for submissions – Proposal M1018

Maximum Residue Limits (2020)

Food Standards Australia New Zealand (FSANZ) has assessed a proposal prepared to consider varying (including some deletions) Maximum Residue Limits (MRLs) for residues of agricultural and veterinary chemicals in the Australia New Zealand Food Standards Code (the Code) and has prepared a draft food regulatory measure. This proposal also includes consideration of MRLs adopted by Codex Alimentarius Commission (Codex) at their meeting in July 2019. Pursuant to section 61 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act), FSANZ now calls for submissions to assist consideration of the draft food regulatory measure.

For information about making a submission, visit the FSANZ website at information for submitters.

All submissions on applications and proposals will be published on our website. We will not publish material that that we accept as confidential, but will record that such information is held. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1982.* Submissions will be published as soon as possible after the end of the public comment period. Where large numbers of documents are involved, FSANZ will make these available on CD, rather than on the website.

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

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

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

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 16 March 2021

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

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

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

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Supporting document

The following documents[1] which informed the assessment of this Proposal are available on the FSANZ website:

Supporting Document 1 (SD1)	Proposed MRL changes, origin of requests, comparisons with Codex MRLs and dietary exposure estimates for the Australian population
Supporting Document 2 (SD2)	Microbiology Risk Assessment

[1] https://www.foodstandards.gov.au/code/proposals/Pages/M1018.aspx

Executive summary

This proposal considers the variation of Maximum Residue Limits (MRLs) for a number of agricultural and veterinary (agvet) chemicals listed in schedule 20 of the Australia New Zealand Food Standards Code (the Code). The proposal relates to Australia only as the *Agreement between the Government of Australia and the Government of New Zealand concerning the Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system setting joint food standards.

MRLs are legal limits and apply to all foods sold in Australia whether domestically produced or imported. They are determined through good agricultural practice based on the amount of a chemical that is needed to control pests and/or diseases.

This proposal includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and comprises deletions, reductions and increases of MRLs to align with agvet chemical uses in Australia. The proposal also considers MRLs requested by other parties seeking to align MRLs in the Code with MRLs established by the Codex Alimentarius Commission (Codex) and other trading partner standards.

For M1018, Food Standards Australia New Zealand (FSANZ) has commenced the routine consideration of Codex MRLs adopted by the preceding year's Codex Alimentarius Commission meeting (CAC) without the need for interested parties to also submit the same Codex MRLs in their annual MRL harmonisation requests. New MRLs adopted at the 2019 CAC meeting[2] were subjected to a screening process prior to being considered for inclusion in the harmonisation proposal and comprised nearly half of all requests for consideration in M1018.

All MRL requests in the proposal were individually considered and food safety risks were assessed by undertaking an assessment of dietary exposure for the Australian population for residues that may arise from the proposed MRL variations in the food supply. This assessment is based on internationally agreed best practice scientific methodologies and utilises Australian food consumption data. FSANZ has also assessed whether an *All other foods except animal food commodities* MRL is appropriate for the chemicals requested, following protocols and principles established in Proposal P1027 (Managing low-level Agvet Chemicals without maximum residue limits).

Our risk assessment processes also have regard to requests for veterinary chemicals, including antimicrobials, which were considered on a case-by-case basis in consultation with the APVMA. Of the antimicrobial requests received, FSANZ concludes that the proposed variations do not present an unacceptable risk to Australian public health and safety from the development of antimicrobial resistance / cross-resistance to important antimicrobials used in human medicine.

FSANZ has prepared a draft variation to amend schedule 20 of the Code. This will permit the sale of foods containing legitimate residues at levels consistent with the effective control of pests and diseases and/or manage inadvertent presence of low-level pesticide residues in a plant commodity. Residues at these levels do not present public health and safety concerns.

International stakeholders may be affected by proposed deletions or reductions to a number of MRLs currently listed in schedule 20 of the Code. Proposed changes, including deletions to MRLs in schedule 20 are listed in Supporting Document 1 (SD1), an attachment to this

[2] held under the FAO/WHO Joint Food Standards Programme in Geneva, Switzerland from 8-12 July 2019.

report.

1 Introduction

1.1 The Proposal

This proposal has been prepared to consider varying certain agricultural and veterinary (agvet) Maximum Residue Limits (MRLs) in schedule 20 of the Australia New Zealand Food Standards Code (the Code). It includes considerations of MRL variations proposed by the Australian Pesticides and Veterinary Medicines Authority (APVMA), as well as MRL harmonisation requests from other interested parties.

Food Standards Australia New Zealand (FSANZ) also considered MRLs adopted by Codex at the preceding meeting (Codex Alimentarius Commission meeting (CAC)[3] 2019) for inclusion in M1018 without the need for interested parties to submit requests for new Codex Alimentarius Commission (Codex) MRLs. Requests for harmonisation with Codex MRLs that were adopted by the CAC prior to 2019 were still required to be submitted.

'M' proposals are generally undertaken annually to consider requests for varying MRLs to allow the sale of imported food with legitimate residues of agvet chemicals used in their production and based on good agricultural practice (GAP). This proposal also seeks to reinstate some chemicals and MRLs that were inadvertently removed when the new Australia New Zealand Food Standards Code (the Code) came into effect in March 2016.

1.2 The current standard

1.2.1 National standards

There are two sets of MRL standards recognised in Australia:

1. Standard 1.4.2 – Agvet chemicals provides the requirements for residue limits of agvet chemicals in food for sale / imported into Australia for sale. Schedule 20 – Maximum residue limits, and schedule 21 – Extraneous residue limits list the agvet chemicals, the foods and the relevant limit. Schedule 22 – Foods and classes of foods describes foods listed in schedules 20 and 21. The standard and MRLs in the schedules are adopted by the states and territories for monitoring the maximum permitted concentration of agvet chemical residues in all foods for sale on the Australian market and at point of entry into Australia for imported food.

2. The APVMA MRL Standard sets out the maximum residues of permitted and approved chemicals in treated food commodities under the Agricultural and Veterinary Chemicals Code (Agvet Code). The APVMA MRL Standard lists all domestically established MRLs and is used by jurisdictions to control the use of agvet chemicals at the point of food production.

Schedule 20 of the Code lists MRLs for agvet chemicals which may occur in foods following legitimate use in food production. MRLs prescribed in the Code constitute legal limits and apply to all foods sold in Australia, including imported foods. Some MRLs only apply to a specific commodity or a group of commodities while others apply to all foods except animal food products.

Food products containing residues with no listed MRLs or that exceed relevant MRLs in the

[3] http://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CAC&session=42

Code cannot be legally sold in Australia. This ensures that residues of agvet chemicals in food are kept as low as possible, are consistent with their approved use, and are at levels assessed to be safe for human consumption.

1.3 Reasons for preparing the Proposal

This proposal was prepared to vary MRLs in schedule 20 to align the Code with Codex and trading partner standards for food commodities to be imported and legally sold in Australia, as well as deletions, reductions or increases of MRLs proposed by the APVMA. While many Codex MRLs have been incorporated into schedule 20 through the annual MRL Harmonisation Proposal, this currently only occurs if FSANZ receives specific requests in response to an annual call for 'import MRLs'.

For this proposal, the FSANZ Board agreed to a new process whereby new Codex MRLs for pesticide residues, adopted by the preceding year's Codex Alimentarius Commission, would be considered as part of the FSANZ annual MRL Harmonisation Proposal. This process aligns with FSANZ's Corporate Plan 2020-21 to "promote consistency between domestic and international food regulatory measures without reducing the safeguards that apply to public health and consumer protection" and reduces onus on stakeholders to apply for newly adopted Codex MRLs. The FSANZ Board decided not to apply this new process routinely to Codex MRLs that were adopted by the CAC prior to 2019.

The MRL changes requested were for 135 chemicals and 455 chemical-food commodity combinations and were submitted by 25 stakeholders (domestic – 11 and international – 14). These were:

1. American Peanut Council
2. Association of German Hop Growers
3. Australian Food and Beverage Importers Association
4. Australian Food and Grocery Council
5. Australian Honey Bee Industry Council
6. Australian Pesticides and Veterinary Medicines Authority
7. BASF, Germany
8. Bayer CropScience Pty Ltd
9. Californian Date Commission
10. Cranberry Marketing Committee in combination with the Cranberry Institute
11. Constellation Brands New Zealand
12. Corteva
13. Food Standards Australia New Zealand
14. Gowan Company LLC
15. Ishihara Sangyo Kaisha, Ltd.
16. Knoell Germany GmbH on behalf of Nichino America Inc.
17. McCormick Foods Australia Pty. Ltd.
18. Nestle Australia Ltd
19. Peoples Republic of China
20. Syngenta Australia
21. Taiwan Ministry of Economic Affairs
22. TFB Trading Australia Pty. Ltd.
23. United States Highbush Blueberry Council
24. United States Department of Agriculture
25. United States Hop Industry Plant Protection Committee

Of the total M1018 requests, 30 chemicals and 197 chemical- food commodity combinations were Codex MRLs adopted in 2019 submitted by FSANZ as the 'requestor'.

Countries that establish MRLs routinely use GAP and Good Veterinary Practice (GVP) to ensure the safety and quality of food and other agricultural products. However, agvet chemicals are used differently in countries around the world as pests, diseases and environmental factors differ and therefore use patterns may also vary. This means that residues in imported food may legitimately differ from those in domestically produced food.

The proposed MRLs will permit the sale of foods containing established residues, protect public health and safety and minimise residues in foods consistent with the effective control of pests and diseases. The focus of FSANZ's scientific assessment was on the safety of the residues for Australian consumers. The proposed MRLs may minimise trade disruption and extend consumer choice for a range of commodities.

1.3.1 International Standards

FSANZ may consider varying MRLs for agvet chemicals in food commodities where interested parties or stakeholders have demonstrated a need to include an MRL in schedule 20 of the Code because of differences between the schedule and Codex or other trading partner standards.

Although the recognition of international standards and food trade issues are considered, the primary consideration in assessing a requested variation is the protection of public health and safety, with a focus of the scientific assessment being on the safety of the residues for Australian consumers.

SD1, Table 1 lists the corresponding Codex MRLs, or those established in the country in which the food commodity is produced and the proposed new MRL.

1.4 Procedure for assessment

The Proposal is being assessed under the General Procedure.

2 Summary of the assessment

The proposed MRLs are listed in SD1. SD1 also includes information on the current status of the proposed MRLs in the Code, how the proposed MRLs compare with Codex limits and provides a summary of dietary exposure estimates undertaken for Australian consumers for each chemical and relevant food commodity. The appendix to SD1 provides summary information on the assessment of the requested chemicals for suitability to establish MRLs for *All other foods except animal food commodities* and lists chemicals for which MRLs proposed by FSANZ have been supported by the APVMA. SD2 provides information on the microbiology assessment for fungicides and veterinary chemicals.

2.1 Risk assessment

The presence of residues of registered and approved agvet chemicals in food commodities at low levels should not present an unacceptable risk to public health and safety if the chemical has been used according to label instructions. However, to ensure that this is the case, an assessment of the estimated short term (acute) and/or long term (chronic) dietary exposure to the chemical residue is undertaken to confirm that the estimated exposures are unlikely to exceed the relevant health-based guidance values (HBGVs) for the agvet chemical[4]. To assess the public health and safety implications of chemical residues in food,

[4] An explanation of how dietary exposure assessments are carried out can be found on the FSANZ website.

FSANZ estimates the Australian population's dietary exposure to agvet chemical residues from potentially treated foods in the diet and compares the dietary exposure with the relevant HBGVs. The relevant HBGV values are the acceptable daily intake (ADI) and the acute reference dose (ARfD).

In Australia, the ADI and ARfD for agvet chemicals are currently[5] established by the APVMA following an assessment of the toxicity of each chemical. In cases where an Australian ADI or ARfD has not been established, the ADI, and where appropriate the ARfD, adopted by the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR), may be used for risk assessment purposes. Where there is no APVMA or JMPR HBGV and the agvet chemical is listed in the latest version of schedule 20, consideration will be given to using another HBGV established by a credible agency for the dietary exposure assessment (DEA). Agvet chemicals not currently listed in schedule 20 that do not have HBGVs established by the APVMA or JMPR, or for which there are questions as to whether it is appropriate to apply a HBGV to the Australian population, are excluded from harmonisation proposals and require consideration through the FSANZ application process.

Where agvet chemicals have not previously been included in the Code or the residue definition for the requested agvet chemical differs from that in the Code or an amendment to the residue definition is proposed, a new or updated residue definition may be determined. This is based on a number of considerations including the nature of the residues determined in residue trials, the toxicological properties of residues and the practicality of analytical methods. Residue definitions may differ for plant and animal commodities. Residue definitions established by JMPR and overseas regulatory bodies are taken into account.

FSANZ conducts and reviews DEAs using internationally recognised risk assessment methodologies. Variations to MRLs in the Code will not be supported where estimated dietary exposures to the residues of a chemical indicate a potential unacceptable risk for the Australian population or a population subgroup.

The steps undertaken in conducting a DEA are:

- Determine the residues of an agvet chemical in a treated food commodity
- Estimate dietary exposure to a chemical from relevant foods, using chemical residue data and food consumption data from Australian national nutrition surveys
- Complete a risk characterisation by comparing the estimated dietary exposures to the relevant HBGV(s).

The dietary exposure estimates for this proposal indicate that the proposed MRLs pose negligible chronic and acute health and safety risks to Australian consumers.

2.1.1 Consideration of MRLs adopted by Codex in 2019

As part of M1018, FSANZ considered all 315 food commodity MRLs for 32 agricultural and veterinary chemicals adopted at the CAC 42, July 2019. Not all Codex MRLs are required to be included in schedule 20 as other domestically-established or harmonisation-proposal requested MRLs may be appropriate. As such, FSANZ implemented a screening process prior to including Codex MRLs adopted in 2019 for consideration in the annual proposal

[5] Previously, HBGVs for agvet chemicals were recommended by the former Pesticides and Agricultural Chemicals Standing Committee (PACSC) of the National Health and Medical Research Council (NHMRC) until November 1992. The responsibility for establishing HBGVs transferred to the Australian Department of Health on 12 March 1993. On 1 July 2016, the task of establishing HBGVs was transferred to the Australian Pesticide and Veterinary Medicines Authority (APVMA).

process.

Each Codex MRL was screened (see SD1) and only considered for inclusion in the harmonisation proposal if:

- It was higher than the relevant existing Schedule 20 MRL
- It was higher than an existing *All other foods except animal food commodities* MRL
- It was higher than a request to align with a third country MRL
- It was at the same limit as a temporary ('T') status MRL for the same commodity/group
- The dietary exposure assessment using Australian food consumption data was acceptable, and
- Support for the MRL was received from the APVMA.

Once a chemical was determined suitable for inclusion in the Harmonisation Proposal, it proceeded through the same process as all other requests.

2.1.2 Assessment for establishment of *All other foods except animal food commodities* MRLs

The risk assessment of the chemicals considered in this proposal included an additional assessment for suitability to maintain or establish *All other foods except animal food commodities* MRLs according to the principles agreed by FSANZ and the APVMA in Proposal P1027 (Managing low-level agvet chemicals without maximum residue limits). A list of the proposed *All other foods except animal commodities* MRLs for each chemical considered, together with the details of the assessment and other relevant information is provided in the appendix to SD1.

2.1.3 Microbiology assessment

As stated in the Guide to submitting requests for maximum residue limit harmonisation proposals[6] (the Guide), FSANZ has specific regard to requests for veterinary chemicals, including antimicrobials, which are considered on a case by case basis in consultation with the APVMA. Two requests for veterinary antimicrobials were received and assessed by FSANZ. However, only one request (for flumequine) met the FSANZ MRL policy criteria as outlined in the Guide for consideration for inclusion in the proposal. FSANZ also considered the public health implications of requests for eight triazole fungicides, noting that triazoles can also be used to treat fungal infections in humans.

The APVMA advised FSANZ that it does not have any concerns with, and does not object to, the proposed MRLs for flumequine. FSANZ concludes that the variation requested for flumequine and the triazole fungicides do not represent an unacceptable risk to Australian public health and safety from the development of antimicrobial resistance / cross-resistance to important antimicrobials used in human medicine.

SD2 provides further information on the microbiology and antimicrobial risk assessment.

[6] The Guide to submitting requests for maximum residue limit harmonisation proposals: https://www.foodstandards.gov.au/publications/Pages/Guide-for-Submitting-Requests-for-MRL-Proposals.aspx

2.2 Risk management

FSANZ is committed to maintaining MRLs for residues of agvet chemicals that may legitimately occur in food commodities following their prescribed use in food production and to ensure that such food may be legally sold. The safety of the consumption of any residues in the context of the Australian diet is a key consideration.

Following FSANZ's call for submissions for M1017 (2019 MRL harmonisation proposal)[7], an international stakeholder raised that the proposed deletions of two specific commodity MRLs, both for imidacloprid, would result in the lower *All other foods except animal food commodities* MRL applying at the border and would impact trade. As a result, FSANZ reconsidered the proposed amendments and delayed the omission/reduction of these MRLs originally proposed by the APVMA. This provided an opportunity for affected stakeholders to submit an MRL harmonisation request through M1018. A request was received for the commodity Tea, green, black (black, fermented and dried) to harmonise with the Codex MRL, however no simultaneous request was received for the food commodity Dates. Consequently, the proposed Draft variation to the Code for M1018 includes a deletion for imidacloprid – 'Dates' and a proposed harmonisation with the Codex MRL for 'Tea, green, black' at 50 mg/kg.

Harmonisation requests for agvet chemicals for which the residue is included under another chemical in schedule 20, are normally listed under that chemical. For example, FSANZ received requests to harmonise with MRLs for metalaxyl-M and clethodim. Harmonisation requests for metalaxyl-M are not proposed to be included separately in schedule 20 as metalaxyl-M is an isomer of metalaxyl and residues are appropriately captured under metalaxyl. Sethoxydim is a metabolite of clethodim and all residues arising from the use of clethodim are covered by the MRLs for sethoxydim. FSANZ has included MRL requests for metalaxyl-M, clethodim, alpha-cypermethrin and zeta-cypermethrin under metalaxyl, sethoxydim and cypermethrin respectively. Requests for aluminium phosphide were included under phosphine.

2.2.1 Codex food group classifications and commodity names and schedule 22

As commodity group classifications, food descriptors and food commodity names vary across international databases, the requested commodity descriptors listed in Table 1 of SD1 may differ from those in the draft variation. This is to maintain consistency with existing commodity names and food groups in schedule 20 and/or 22 of the Code. Codex has recently updated some of its commodity food classes and subgroups and APVMA is also adopting these new commodity names/subgroups within their MRL standard. Where new commodity food groups have been requested (e.g. Cane berries) that are not explicitly listed in schedule 22, the proposed entry in schedule 20 has indicated those commodities from schedule 22 which relate to the Codex food commodity group.

2.2.2 Impacts on imported foods due to MRL variations proposed by the APVMA

The APVMA's requests to delete or reduce MRLs may affect imported foods containing residues that currently comply with existing MRLs listed in schedule 20. In cases where MRL deletions are proposed by the APVMA, these MRLs are no longer required for domestically produced food. In other cases, MRLs may be reduced or deleted following a chemical review. The review may have identified changes in consumption patterns of a commodity resulting in the DEA no longer supporting the MRL. If all permitted domestic uses are deleted

[7] M1017 (2019 MRL harmonisation proposal): https://www.foodstandards.gov.au/code/proposals/Pages/M1017.aspx

for an agvet chemical, this may result in the chemical being deleted from schedule 20. If an *All other foods except animal food commodities* MRL had been established for the agvet chemical being removed, it too, may be deleted or amended accordingly.

FSANZ is committed to ensuring that the implications of MRL reductions or deletions proposed by the APVMA do not adversely affect trade. Therefore, FSANZ will consider delaying the proposed MRL deletions/reductions where it is identified they may impact on imported foods. However, for MRLs proposed to be reduced or deleted as a result of an APVMA chemical review process, FSANZ will seek advice from the APVMA on whether it is appropriate to retain an MRL (see also 2.4.3). In other circumstances and where appropriate, FSANZ will not delete or vary the identified MRL for at least 12 months if objections are posed and are supported by adequate data or information demonstrating that the residues are legitimate and likely to occur in imported food. If no comments and supporting information are received, deletions/reductions will occur on gazettal.

To help identify possible impacts on imported foods, the deletion and reduction of MRLs proposed by the APVMA which are not yet listed in the current compilation of Schedule 20 are included in SD1[8]. FSANZ requests comment on any possible ramifications for imported foods of the proposed variations with supporting evidence where applicable.

FSANZ will only approve variations to MRLs in the Code where the risk assessment concludes that the estimated dietary exposures do not exceed the relevant HBGVs. FSANZ may consider including MRLs in schedule 20 to harmonise with those established by Codex or a trading partner's government authority in circumstances where the risk assessment shows they do not present health and safety concerns to consumers.

As noted above, the dietary exposure estimates undertaken for each of the proposed MRLs indicate that they will pose negligible chronic and acute safety risks to Australian consumers. In these circumstances, and for reasons outlined in this consultation paper, preparation of the draft variation to include the proposed MRLs in schedule 20 is an appropriate risk management approach.

2.3 Risk communication

2.3.1 Consultation

Consultation is a key part of FSANZ's standards development process.

As part of the public consultation process, the community and interested parties are to be notified of the proposed changes and opportunity for comment via the FSANZ Notification Circular, a media release, social media messaging and our digital newsletter - Food Standards News.

FSANZ is seeking public comment on the draft variation to schedule 20 (Attachment A). FSANZ is particularly interested in comments on any impacts (costs/benefits) likely to result from the proposed variations, potential impacts on imported foods, and any public health and safety considerations associated with the proposed changes.

Individuals and organisations making submissions to this proposal will be notified of the outcomes of the assessment.

[8] In SD1, all requests by the APVMA are identified under the column 'Origin of MRL requested' as 'APVMA'.

2.3.2 World Trade Organization (WTO)

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

Amending MRLs in schedule 20 may have an effect on international trade. The MRLs constitute a mandatory requirement and apply to all food products of a particular class whether produced domestically or imported. Foods with agvet chemical residues not listed in schedule 20 or that exceed the relevant MRLs listed in the Code cannot legally be sold in Australia. Therefore, a notification has been made to the WTO as required by Australia's obligations under the WTO Sanitary and Phytosanitary Agreement to enable other WTO members to comment on proposed amendments.

With respect to international law, the incorporation of Codex MRLs into the Code is consistent with Australia's obligations under the *WTO Agreement on the Application of Sanitary and Phytosanitary Measures* (SPS Agreement) which reference Codex Standards as representing the international consensus.

2.4 FSANZ Act assessment requirements

When assessing this Proposal and the subsequent development of a food regulatory measure, FSANZ has had regard to the following matters in section 59 of the FSANZ Act:

2.4.1 Section 59

2.4.1.1 Consideration of costs and benefits

In 2010, the Office of Best Practice Regulation provided FSANZ with a standing exemption (ID 12065) from preparing a Regulation Impact Statement for MRL proposals and applications. However, a limited impact analysis on different stakeholders is provided below.

The direct and indirect benefits that would arise from a food regulatory measure developed or varied as a result of this proposal outweigh the costs to the community, industry and Government. The proposed MRL variations benefit growers and producers, state and territory agencies and the Australian Government in that they serve to further harmonise agricultural and food standards. Achieving consistency between agricultural and food legislation assists in the efficient enforcement of regulations and minimises compliance costs to primary producers.

Food importers may benefit from the additional or increased MRLs following approval of the proposed draft variations. Consumers may benefit because the proposed variations extend the options to source a wider variety of safe foods. Conversely, importers and consequently consumers may be disadvantaged where proposed additional or increased MRLs are not progressed as this may unnecessarily limit the variety of certain foods.

For M1018, the consideration and assessment of Codex MRLs adopted in 2019 for inclusion in the proposal reduces the onus on stakeholders to apply for newly adopted Codex MRLs and promotes consistency between domestic and international food regulatory measures.

Any MRL deletions or reductions have the potential to restrict importation of foods and could potentially result in higher food prices and a reduced product range available to consumers. However, if a need is identified through consultation, there is scope under current processes to consider retaining specific MRLs for imported foods where the residues do not present a

health risk to consumers, and there is a legitimate Codex or trading partner MRL (See section 2.2.2).

2.4.1.2 Other measures

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

2.4.1.3 Any relevant New Zealand standards

The *Agreement between the Governments of Australia and New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system that sets joint food standards. Australia and New Zealand, therefore, independently and separately develop MRLs for agvet chemicals in food commodities. However, under the Trans-Tasman Mutual Recognition Arrangement (TTMRA), Australia and New Zealand accept food commodities that are legal for sale in each country, regardless of the sale-related regulatory requirements in the individual country.

All food imported or domestically-produced for sale in New Zealand (except for food imported from Australia) must comply with the current Maximum residue levels (MRLs) for agricultural compounds – Food notice[9] and amendments. Agvet chemical residues in food must comply with the specific MRLs listed in the Food Notice including the 'default' MRL of 0.1 mg/kg where no specific MRL is listed. If a food is imported and no domestic MRL has been established, Codex MRLs can be recognised.

MRLs in the Code may differ from those in the New Zealand MRL Food Notice for a number of legitimate reasons including different use patterns of the chemicals.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

2.4.2. Subsection 18(1)

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

2.4.2.1 Protection of public health and safety

FSANZ conducted DEAs to assess the suitability of increased or new MRLs requested by both the APVMA and other parties.

FSANZ has also considered antimicrobial resistance implications for variations requested for fungicides and veterinary chemicals such as antibiotics as part of this proposal in consultation with the APVMA.

Using the best available scientific data and internationally recognised risk assessment methodologies, FSANZ concluded that the proposed MRLs do not pose an unacceptable risk to public health and safety of Australian consumers.

2.4.2.2 The provision of adequate information relating to food to enable consumers to

[9] MRLs for Agricultural Compounds in New Zealand: https://www.mpi.govt.nz/processing/agricultural-compounds-and-vet-medicines/maximum-residue-levels-for-agricultural-compounds/

make informed choices

This objective is not relevant to matters under consideration in this proposal.

2.4.2.3 The prevention of misleading or deceptive conduct

This objective is not relevant to matters under consideration in this proposal.

2.4.3 Subsection 18(2) considerations

FSANZ has also had regard to:

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

The proposed amendments to schedule 20 are based on risk analysis that used the best available scientific evidence and internationally recognised risk assessment methodologies. FSANZ conducted a risk assessment which concluded that the estimated dietary exposures, for each proposed MRL, using Australian food consumption data do not exceed HBGVs.

The APVMA separately undertake formal legislative reviews or reconsideration of domestically approved chemicals to scientifically reassess the risks with agvet chemicals to ensure that agvet chemicals are used safely and effectively. FSANZ and the APVMA liaise closely in regards to the outcomes of these chemical reviews and amendments to MRLs in schedule 20 are made accordingly.

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

The proposed changes would remove inconsistencies between agricultural and food standards and further align the Code with trading partner standards and Codex. The consideration of recently adopted Codex MRLs through the annual harmonisation proposal process aligns with FSANZ's Corporate Plan 2019-20 to "promote consistency between domestic and international food regulatory measures without reducing the safeguards that apply to public health and consumer protection".

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

The proposed changes will minimise potential costs to primary producers, rural and regional communities and importers in terms of permitting the sale of food containing legitimate levels of agvet residues.

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

This is addressed in section 2.4.1.1

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

FSANZ has had regard to the Forum's Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food[10]. It forms a framework for the consideration of alternative approaches to address issues surrounding the regulation of residues of

[10] The policy guideline is available on the Food Regulation Secretariat website at this link. http://foodregulation.gov.au/internet/fr/publishing.nsf/Content/publication-Policy-Guideline-on-the-Regulation-of-Residues-of-Agricultural-and-Veterinary-Chemicals-in-Food

agricultural and veterinary chemicals in food.

3 Draft variation

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

MRLs in the tables of the draft variation are expressed as mg per kg. An asterisk (*) indicates that the maximum residue limit is set at the limit of determination for the relevant analytical method for the chemical and the symbol ‘T’ indicates that the MRL is a temporary MRL. This temporary categorisation enables further work to be carried out in Australia or overseas for reconsideration at some future date. It can also be used in Australia when an MRL is being phased out. Temporary MRLs are often established by the APVMA and their expiration periods can vary depending on the particular chemical.

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

Attachments

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

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

Food Standards (Proposal M1018 – Maximum Residue Limits (2020)) Variation

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The Board of Food Standards Australia New Zealand gives notice of the making of this variation under section 92 of the *Food Standards Australia New Zealand Act 1991*. The variation commences on the date specified in clause 3 of this variation.

Dated [To be completed by Standards Management Officer]

Standards Management Officer
Delegate of the Board of Food Standards Australia New Zealand

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC XX on XX Month 20XX. This means that this date is the gazettal date for the purposes of clause 3 of the variation.

1 Name

This instrument is the *Food Standards (Proposal M1018 – Maximum Residue Limits (2020)*) *Variation*.

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

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

3 Commencement

The variation commences on the date of gazettal.

Schedule

[1] Schedule 20 is varied by

[1.1] inserting in alphabetical order

Agvet chemical: Ethiprole

Permitted residue—commodities of plant origin: Ethiprole

Permitted residue—commodities of animal origin: Sum of ethiprole and 5-amino-1-(2,6-dichloro-4-trifluoromethylphenyl)-4-ethylsulfonylpyrazole-3-carbonitrile (ethiprole-sulfone), expressed as parent equivalents.

Coffee beans	0.07
Coffee beans, roasted	0.2
Edible offal (mammalian)	0.1
Eggs	0.05
Fats (mammalian)	0.15
Meat (mammalian)	0.15
Milk fats	0.5
Milks	0.01
Poultry, Edible offal of	0.05
Poultry fats	0.05
Poultry meat	0.05
Rice, husked	1.5
Rice, polished	0.4

Agvet chemical: Fenpicoxamid

Permitted residue—commodities of plant origin: Fenpicoxamid

Banana	0.15

Agvet chemical: Flumequine

Permitted residue: Flumequine

Freshwater fish (perch and tilapia)	0.5

Agvet chemical: Flusilazole

Permitted residue: Flusilazole

Apple	0.9

Agvet chemical: Picoxystrobin

Permitted residue: Picoxystrobin

Peanut	0.05
Rice	0.05
Soya bean (dry)	0.06
Wheat	0.04

Agvet chemical: Tioxazafen

Permitted residue: Sum of tioxazafen and benzamidine (benzenecarboximidamide), expressed as tioxazafen

Cotton seed	*0.01
Edible offal (mammalian)	0.03
Eggs	*0.02
Fats (mammalian)	0.03
Maize	*0.01
Meat (mammalian)	0.02
Milks	0.02
Poultry, edible offal of	*0.02
Poultry fats	*0.02
Poultry meat	*0.02
Soya bean (dry)	0.04

Agvet chemical: Triflumezopyrim

Permitted residue—commodities of plant origin: Triflumezopyrim

Permitted residue—commodities of animal origin: Triflumezopyrim

Rice	0.2

Agvet chemical: Zinc phosphide

See *Phosphine*

Agvet chemical: Zineb

See *Dithiocarbamates*

Agvet chemical: Ziram

See *Dithiocarbamates*

Agvet chemical: Zoxamide

Permitted residue: Zoxamide

Grapes	5

[1.2] omitting from each of the following chemicals, the foods and associated MRLs

Agvet chemical: Abamectin	
Permitted residue: Avermectin B1a	
Blackberries	T0.1
Raspberries, red, black	T0.1

Agvet chemical: Acetamiprid	
Permitted residue—commodities of plant origin: Acetamiprid	
Permitted residue—commodities of animal origin: Sum of acetamiprid and N-demethyl acetamiprid ((E)-N1-[(6-chloro-3-pyridyl)methyl]-N2-cyanoacetamidine), expressed as acetamiprid	
Tomato	T0.1

Agvet chemical: Acibenzolar-S-methyl	
Permitted residue: Acibenzolar-S-methyl and all metabolites containing the benzo[1,2,3]thiadiazole-7-carboxyl moiety hydrolysed to benzo[1,2,3]thiadiazole-7-carboxylic acid, expressed as acibenzolar-S-methyl	
Cucumber	T0.5
Squash, summer (including zucchini)	T0.5

Agvet chemical: Ametoctradin	
Permitted residue—commodities of plant origin: Ametoctradin	
Permitted residue—commodities of animal origin: Sum of ametoctradin and 6-(7-amino-5-ethyl [1,2,4] triazolo [1,5-a]pyrimidin-6-yl) hexanoic acid	
Fruiting vegetables, other than cucurbits [except mushrooms; sweet corn (corn-on-the-cob)]	1.5

Agvet chemical: Azoxystrobin	
Permitted residue: Azoxystrobin	
Basil	T70
Bergamot	T50
Burnet, salad	T50
Coriander (leaves, roots, stems)	T50
Coriander, seed	T50
Dill, seed	T50
Fennel, seed	T50
Herbs [except as otherwise listed under this chemical]	T50
Kaffir lime leaves	T50
Lemon grass	T50
Lemon verbena (dry leaves)	T50
Mexican tarragon	T50
Rose and dianthus (edible flowers)	T50
Tea, Green, Black	T20

Agvet chemical: Bentazone	
Permitted residue: Bentazone	
Pulses	*0.01

Agvet chemical: Carbendazim	
Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim	
Peppers	*0.1

Agvet chemical: Carfentrazone-ethyl	
Permitted residue: Carfentrazone-ethyl	
Berries and other small fruits [except grapes]	T*0.05

Agvet chemical: Chlorantraniliprole	
Permitted residue—plant commodities and animal commodities other than milk: Chlorantraniliprole	
Permitted residue—milk: Sum of chlorantraniliprole, 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, and 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[[((hydroxymethyl)amino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, expressed as chlorantraniliprole	
Fruiting vegetables, other than cucurbits [except peppers, chili; sweet corn (corn-on-the-cob)]	0.3

Agvet chemical: Chlorpyrifos	
Permitted residue: Chlorpyrifos	
Vegetables [except asparagus; brassica vegetables; cassava; celery; leek; peppers, chili (dry); peppers, sweet; potato; swede; sweet potato; taro; tomato]	T*0.01

Agvet chemical: Cyclaniliprole	
Permitted residue: Cyclaniliprole	
Apple	0.1

Agvet chemical: Cypermethrin

Permitted residue: Cypermethrin, sum of isomers

Berries and other small fruits [except grapes]	0.5

Agvet chemical: Fluazifop-p-butyl

Permitted residue: Sum of fluazifop-butyl, fluazifop and their conjugates, expressed as fluazifop

Oilseed	0.5

Agvet chemical: Fludioxonil

Permitted residue—commodities of animal origin: Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil

Permitted residue—commodities of plant origin: Fludioxonil

Leafy vegetables	10
Onion, bulb	0.2
Pulses	T0.1

Agvet chemical: Flutriafol

Permitted residue: Flutriafol

Oilseed [except rape seed (canola)]	0.05

Agvet chemical: Imazalil

Permitted residue: Imazalil

Citrus fruits	10

Agvet chemical: Imidacloprid

Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid

Date	T1
Fruiting vegetables other than cucurbits [except sweet corn (corn-on-the-cob)]	0.5
Teas (tea and herb teas)	T10

Agvet chemical: Kresoxim-methyl

Permitted residue—commodities of plant origin: Kresoxim-methyl

Permitted residue—commodities of animal origin: Sum of a-(p-hydroxy-o-tolyloxy)-o-tolyl (methoxyimino) acetic acid and (E)-methoxyimino[a-(o-tolyloxy)-o-tolyl]acetic acid, expressed as kresoxim-methyl

Barley	0.1

Agvet chemical: Mefentrifluconazole

Permitted residue: Mefentrifluconazole

Apple	1

Agvet chemical: Metalaxyl

Permitted residue: Metalaxyl

Berries and other small fruits [except cranberry; grapes; strawberry]	T0.5
Chives	2

Agvet chemical: Oxathiapiprolin

Permitted residue: Oxathiapiprolin

Blackberry	0.5
Citrus oil	2
Leafy vegetables [except lettuce, head]	15
Raspberries, red, black	0.5

Agvet chemical: Paraquat

Permitted residue: Paraquat cation

Oilseed [except cotton seed; peanut]	*0.05
Peanut	*0.01
Peanut, whole	*0.01

Agvet chemical: Permethrin

Permitted residue: Permethrin, sum of isomers

Leafy vegetables [except lettuce, head; lettuce, leaf]	T5
Lemon verbena	T5

Agvet chemical: Phosphine

Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)

Oilseed	*0.01

Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin: Pyraclostrobin

Permitted residue—commodities of animal origin: Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Cereal grains [except barley; oats; rye; triticale; wheat]	*0.01

Agvet chemical: Pyriofenone

Permitted residue: Pyriofenone

Grapes	1.5

Agvet chemical: Pyriproxyfen

Permitted residue: Pyriproxyfen

Fruiting vegetables, other than cucurbits	1

Agvet chemical: Sethoxydim

Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim

Cherries	0.2
Pulses [except lupin (dry)]	*0.1

Agvet chemical: Sulfoxaflor

Permitted residue: Sulfoxaflor

Cereal grains	*0.01
Macadamia nuts	*0.01
Tree nuts [except macadamia nuts]	0.02

Agvet chemical: Tebuconazole

Permitted residue: Tebuconazole

Pome fruits	*0.01

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

Agvet chemical: 2,4-D

Permitted residue: 2, 4-D

Blueberries	0.2
Cranberry	0.5
Hops, dry	0.2

Agvet chemical: Abamectin

Permitted residue: Avermectin B1a

Cane berries (= Blackberries; Dewberries (including Boysenberry; Loganberry and Youngberry); Raspberries, red, black)	0.2
Chive, dry	0.08
Grape juice	0.05
Orange oil, edible	0.1

Agvet chemical: Acephate

Permitted residue: Acephate (Note: the metabolite methamidophos has separate MRLs)

Bean, seed (dry)	3
Cranberry	0.5
Lime	1
Mango	0.01

Agvet chemical: Acetamiprid

Permitted residue—commodities of plant origin: Acetamiprid

Permitted residue—commodities of animal origin: Sum of acetamiprid and N-demethyl acetamiprid ((E)-N1-[(6-chloro-3-pyridyl)methyl]-N2-cyanoacetamidine), expressed as acetamiprid

Fruiting vegetables other than cucurbits [except mushrooms; sweetcorn; tomato]	0.2
Peppers, chili (dry)	2

Agvet chemical: Acifluorfen

Permitted residue: Acifluorfen

All other foods except animal food commodities	0.01

Agvet chemical: Afidopyropen

Permitted residue: commodities of plant origin: Afidopyropen

Permitted residue: commodities of animal origin: Afidopyropen and the carnitine conjugate of cyclopropanecarboxylic acid (M440I060), expressed as afidopyropen

Citrus fruits	0.15
Stone fruits	0.03

Agvet chemical: Ametoctradin

Permitted residue—commodities of plant origin: Ametoctradin

Permitted residue—commodities of animal origin: Sum of ametoctradin and 6-(7-amino-5-ethyl [1,2,4] triazolo [1,5-a]pyrimidin-6-yl) hexanoic acid

Fruiting vegetables, other than cucurbits [except mushrooms; sweet corn (corn-on-the-cob); tomato]	1.5
Tomato	2

Agvet chemical: Azoxystrobin

Permitted residue: Azoxystrobin

Herbs	70
Peppers, chili (dry)	30

Agvet chemical: Bentazone

Permitted residue: Bentazone

All other foods except animal food commodities	0.1
Beans, dry	0.5
Fats (mammalian)	*0.01
Peas, dry	0.5
Pulses [except beans, dry; pea, dry]	*0.01

Agvet chemical: Benzovindiflupyr

Permitted residue: Benzovindiflupyr

All other foods except animal food commodities	0.02
Beans, dry [except soya bean (dry)]	0.15
Bulb onions	0.02
Green onions	0.4
Peas, dry	0.2
Sugar cane	0.3

Agvet chemical: Bifenthrin

Permitted residue: Bifenthrin

Peanut	0.05
Peppers chili, (dry)	5

Agvet chemical: Boscalid

Permitted residue—commodities of plant origin: Boscalid

Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents

Peppers, chili (dry)	10
Pulses [except soya bean (dry)]	2.5

Agvet chemical: Carbendazim

Permitted residue: Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim

Peppers, chili	2
Peppers [except peppers, chili]	*0.1

Agvet chemical: Carboxin

Permitted residue: Carboxin

Peanut	0.2

Agvet chemical: Carfentrazone-ethyl

Permitted residue: Carfentrazone-ethyl

All other foods except animal food commodities	0.05
Berries and other small fruits [except blueberries; grapes]	T*0.05
Blueberries	0.1
Peanut	0.1

Agvet chemical: Chlorantraniliprole,

Permitted residue—plant commodities and animal commodities other than milk: Chlorantraniliprole

Permitted residue—milk: Sum of chlorantraniliprole, 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, and 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[[((hydroxymethyl)amino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, expressed as chlorantraniliprole

Fruiting vegetables, other than cucurbits [except peppers, chili; peppers chili (dry); sweet corn (corn-on-the-cob)]	0.6
Peppers, chili (dry)	5

Agvet chemical: Chlorfenapyr

Permitted residue: Chlorfenapyr

All other foods except animal food commodities	0.02
Citron	0.8
Fats (mammalian)	0.6
Garlic	*0.01
Lemon	0.8
Lime	0.8
Meat (mammalian)	0.6
Melons [except watermelon]	0.4
Onion, bulb	*0.01
Oranges, sweet, sour	1.5
Papaya	0.3
Peppers	0.3
Peppers, chili (dry)	3
Persimmon, Japanese	1
Potato	*0.01
Poultry, edible offal of	0.01
Poultry fats	0.02
Poultry meat	0.02
Soya bean (dry)	0.08
Soya bean oil, crude	0.4
Tomato	0.4

Agvet chemical: Chlorpyrifos

Permitted residue: Chlorpyrifos

Bean, dry seed	0.05
Cacao beans	*0.01
Herbs [except parsley]	*0.01
Vegetables [except asparagus; bean, dry, seed; brassica vegetables; cassava; celery; leek; peppers, chili (dry); peppers, sweet; potato; swede; sweet potato; taro; tomato]	T*0.01

Permitted residue: Chlorpyrifos-methyl	
Permitted residue: Chlorpyrifos-methyl	
Herbs	*0.01
Peppers	1
Peppers, chili (dry)	10

Agvet chemical: Cyantraniliprole	
Permitted residue: Cyantraniliprole	
Mango	0.7
Wine grapes	1

Agvet chemical: Cyazofamid	
Permitted residue: Cyazofamid	
Garlic	2
Green onions	6
Onions, bulb	2

Agvet chemical: Cyclaniliprole	
Permitted residue: Cyclaniliprole	
Brassica (cole or cabbage vegetables)	1
Fruiting vegetables other than cucurbits	0.2
Grapes	0.8
Pome fruit	0.3
Stone fruits	1
Tree nuts	0.03

Agvet chemical: Cyhalothrin	
Permitted residue: Cyhalothrin, sum of isomers	
Basil	0.7
Coffee beans	0.05
Fruiting vegetables other than cucurbits [except mushrooms]	0.3
Peppers, chili (dry)	3

Agvet chemical: Cypermethrin	
Permitted residue: Cypermethrin, sum of isomers	
Berries and other small fruits [except blueberries; grapes]	0.5
Blueberries	0.8
Mango	0.7
Peppers, chili (dry)	10

Agvet chemical: Deltamethrin	
Permitted residue: Deltamethrin	
Cherries	0.1

Agvet chemical: Difenoconazole	
Permitted residue: Difenoconazole	
Peppers, chili	0.9
Peppers, chili (dry)	5

Agvet chemical: Dithianon	
Permitted residue: Dithianon	
All other foods except animal food commodities	0.02
Hops, dry	100

Agvet chemical: Diuron	
Permitted residue: Sum of diuron and 3,4-dichloroaniline, expressed as diuron	
All other foods except animal food commodities	0.05
Lime	1

Agvet chemical: Fenbuconazole	
Permitted residue: Fenbuconazole	
Peanut	0.1

Agvet chemical: Fenoxaprop-ethyl	
Permitted residue: Sum of fenoxaprop-ethyl (all isomers) and 2-(4-(6-chloro-2-benzoxazolyloxy)phenoxy)-propanoate and 6-chloro-2,3-dihydrobenzoxazol-2-one, expressed as fenoxaprop-ethyl	
Peanut	0.05

Agvet chemical: Fenpyroximate	
Permitted residue: Fenpyroximate	
Edible offal (mammalian)	0.5
Fats (mammalian)	0.1
Meat (mammalian)	0.1
Milks	*0.01
Tomatoes (includes goji berry)	0.3

Agvet chemical: Fluazifop-butyl	
Permitted residue: Sum of fluazifop-butyl, fluazifop and their conjugates, expressed as fluazifop	
Peanut	1.5
Oilseed [except peanut]	0.5

Agvet chemical: Flubendiamide	
Permitted residue—commodities of plant origin: Flubendiamide	
Permitted residue—commodities of animal origin: Sum of flubendiamide and 3-iodo-N-(2-methyl-4-[1,2,2,2-tetrafluoro-1-(trifluoromethyl)ethyl]phenyl) phthalimide, expressed as flubendiamide	
Peppers, chili (dry)	7

Agvet chemical: Fludioxonil

Permitted residue—commodities of animal origin: Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil

Permitted residue—commodities of plant origin: Fludioxonil

Brassica leafy vegetables [except radish leaves]	15
Bulb onions (= garlic; onion, bulb; shallots)	0.5
Cabbages, head	0.7
Carrot	1
Celery	15
Chick-pea (dry)	0.3
Eggs	0.02
Fats (mammalian)	0.02
Guava	0.5
Leafy vegetables	15
Lentils (dry)	0.3
Poultry fats	*0.01
Pulses [except chick-pea (dry); lentil (dry), soya bean (dry)]	T0.1
Soya bean (dry)	0.2

Agvet chemical: Fluopyram

Permitted residue—commodities of plant origin: Fluopyram

Permitted residue—commodities of animal origin: Sum of fluopyram and 2-(trifluoromethyl)-benzamide, expressed as fluopyram

Rice, husked	1.5
Rice, polished	0.5

Agvet chemical: Fluoxastrobin

Permitted residue: Sum of fluoxastrobin and its Z isomer

Peanut	0.02

Agvet chemical: Flupyradifurone

Permitted residue: Flupyradifurone

All other foods except animal food commodities	0.02
Soya bean (dry)	1.5

Agvet chemical: Flutolanil

Permitted residue—commodities of plant origin: Flutolanil

Permitted residue—commodities of animal origin: Flutolanil and metabolites hydrolysed to 2-trifluoromethyl-benzoic acid and expressed as flutolanil

Peanut	0.5

Agvet chemical: Flutriafol

Permitted residue: Flutriafol

Oilseed [except peanut; rape seed (canola)]	0.05
Peanut	0.09

Agvet chemical: Fluxapyroxad

Permitted residue: Fluxapyroxad

Millet	3
Turmeric root	0.3
Valerian root	2

Agvet chemical: Folpet

Permitted residue: Folpet

Peppers, sweet, chili	*0.03

Agvet chemical: Glyphosate

Permitted residue: Sum of glyphosate, N-acetyl-glyphosate and aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate

Honey	0.2

Agvet chemical: Halosulfuron-methyl

Permitted residue: Halosulfuron-methyl

Blueberries	0.05

Agvet chemical: Hexythiazox

Permitted residue: Hexythiazox

Date	2

Agvet chemical: Imazalil

Permitted residue: Imazalil

Banana	3
Citron	15
Citrus fruits [except citron; lemon; lime]	10
Edible offal (mammalian)	0.3
Fats (mammalian)	0.02
Meat (mammalian)	*0.02

Milks	*0.02
Lemon	15
Lime	15
Poultry, edible offal of	*0.02
Poultry fats	*0.02
Poultry meat	*0.02

Agvet chemical: Imidacloprid

Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid

Tea, green, black	50
Fruiting vegetables other than cucurbits [except peppers, chili (dry); peppers; sweet corn (corn-on-the-cob)]	0.5
Peppers	1
Peppers, chili (dry)	10

Agvet chemical: Isofetamid

Permitted residue: Isofetamid

Apricot	3
Beans with pods	0.6
Cherries	4
Nectarine	3
Peach	3
Plums (including fresh prunes)	0.8
Podded peas (young pods) (snow and sugar snap)	0.6
Pome fruits	0.6
Prunes, dried	3

Agvet chemical: Kresoxim-methyl

Permitted residue—commodities of plant origin: Kresoxim-methyl

Permitted residue—commodities of animal origin: Sum of a-(p-hydroxy-o-tolyloxy)-o-tolyl (methoxyimino) acetic acid and (E)-methoxyimino[a-(o-tolyloxy)-o-tolyl]acetic acid, expressed as kresoxim-methyl

All other foods except animal food commodities	0.02
Barley, similar grains, and pseudocereals with husks (=barley; buckwheat; oats)	15
Eggs	*0.02
Mango	0.1
Peach	1.5
Persimmon, Japanese	5
Poultry, edible offal of	*0.02
Poultry fats	*0.02

Agvet chemical: Lufenuron

Permitted residue: Lufenuron

All other foods except animal food commodities	0.02
Coffee beans	0.07
Fats (mammalian)	2
Lime	0.4
Maize	*0.01
Meat (mammalian)	2
Milk fats	5
Oranges, sweet, sour	0.3
Orange oil, edible	8
Pome fruits	1

Agvet chemical: Maldison

Permitted residue: Maldison

Peanut	8

Agvet chemical: Mandipropamid

Permitted residue: Mandipropamid

Beans with pods	1

Agvet chemical: MCPA

Permitted residue: MCPA

Hops, dry	*0.1
Herbs	*0.05

Agvet chemical: MCPB

Permitted residue: MCPB

Herbs	*0.05

Agvet chemical: Mefentrifluconazole

Permitted residue: Mefentrifluconazole

All other foods except animal food commodities	0.02
Cereal grains [except wheat; corn]	0.01
Cherries	4
Citrus fruit [except kumquat; lemon; lime]	0.6
Citrus oil	15
Dried grapes (raisin)	4
Grapes	1.5
Kumquat	1
Legume vegetables [except lentils; soya bean]	0.15
Lemon	1
Lentils, (dry)	2
Lime	1
Maize	0.01
Peanut	0.01
Pome fruits	1.5
Popcorn	0.01

Potato	0.04
Plums	2
Prunes	4
Rape seed	1
Soya bean (dry)	0.4
Stone fruits [except apricot; cherries; plums]	1.5
Sugar beet	0.6
Sweet corn (corn-on-the- cob; kernels)	0.03
Tree nuts	0.06
Wheat	0.3

Agvet chemical: Metalaxyl

Permitted residue: Metalaxyl

Berries and other small fruits [except blueberries; cranberry; grapes; strawberry]	T0.5
Blueberries	2
Herbs [except basil; basil, dry; hops, dry]	3

Agvet chemical: Metconazole

Permitted residue: Metconazole

Peanut	0.04

Agvet chemical: Methamidophos

Permitted residue: Methamidophos

see also Acephate

Bean, seed (dry)	1
Lime	0.01
Mango	*0.01

Agvet chemical: Milbemectin

Permitted residue: Sum of milbemycin MA3 and milbemycin MA4 and their photoisomers, milbemycin (Z) 8,9-MA3 and (Z) 8,9Z-MA4

Hops, dry	*0.2

Agvet chemical: Myclobutanil

Permitted residue: Myclobutanil

Peppers	3
Peppers, chili (dry)	20

Agvet chemical: Norflurazon

Permitted residue: Norflurazon

Edible offal (mammalian)	0.3
Eggs	*0.02
Fats (mammalian)	*0.02
Meat (mammalian)	*0.02
Milks	*0.02
Poultry, edible offal of	*0.02
Poultry fats	*0.02
Poultry meat	*0.02

Agvet chemical: Novaluron

Permitted residue: Novaluron

Peppers, chili, sweet	0.7

Agvet chemical: Oxamyl

Permitted residue: Sum of oxamyl and 2-hydroxyimino-N,N-dimethyl-2-(methylthio)-acetamide, expressed as oxamyl

All other foods except animal food commodities	0.05
Peanut	0.05
Peppers, chili	*0.01

Agvet chemical: Oxathiapiprolin

Permitted residue: Oxathiapiprolin

Cane berries (= Blackberries; Dewberries (including Boysenberry; Loganberry and Youngberry); Raspberries, red, black)	0.5
Citrus oil, edible	3
Grapes	0.9
Leafy vegetables (including brassica leafy vegetables) [except lettuce, head]	15
Poultry fats	*0.01
Poultry meat	*0.01
Root and tuber vegetables [except beetroot; carrot; celeriac; chicory, roots; horseradish; parsnip; radish, japanese; salsify; scorzonera; sugar beet; swede; turnip, garden]	0.04
Young shoots	2

Agvet chemical: Paraquat

Permitted residue: Paraquat cation

Oilseed [except cotton seed]	*0.05

Agvet chemical: Pendimethalin

Permitted residue: Pendimethalin

Peanut	0.1
Peppers, sweet	*0.05

Agvet chemical: Phorate

Permitted residue: Sum of phorate, its oxygen analogue, and their sulfoxides and sulfones, expressed as phorate

Peanut	0.1

Agvet chemical: Phosphine

Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)

Oilseed [except peanut]	*0.01

Agvet chemical: Pirimiphos-methyl

Permitted residue: Pirimiphos-methyl

All other foods except animal food commodities	0.02
Cacao beans	*0.05

Agvet chemical: Profenofos

Permitted residue: Profenofos

Coffee beans	0.04

Agvet chemical: Prohexadione-calcium

Permitted residue: Sum of the free and conjugated forms of prohexadione expressed as prohexadione

Peanut	1

Agvet chemical: Propamocarb

Permitted residue: Propamocarb (base)

Fats (mammalian)	0.03
Herbs [except basil]	30
Meat (mammalian)	0.03

Agvet chemical: Propiconazole

Permitted residue: Propiconazole

Orange oil, edible	1850

Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin: Pyraclostrobin

Permitted residue—commodities of animal origin: Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Avocado	0.2
Beans, podded [except common bean]	0.3
Celery	1.5
Cereal grains [except barley; oats; rice; rye; triticale; wheat]	*0.01
Common bean (pods and/or immature seeds)	0.6
Common beans (succulent seeds)	0.3
Fats (mammalian)	0.5
Olive oil, virgin	0.07
Peas with pods	0.3
Peas without pods (succulent)	0.08
Pineapple	0.3
Rice	1.5
Rice, husked	0.09
Rice, polished	0.03
Sugar cane	0.08
Tea, green, black	6
Witloof chicory (sprouts)	0.09

Agvet chemical: Pyraflufen-ethyl

Permitted residue: Sum of pyraflufen-ethyl and its acid metabolite (2-chloro-5-(4-chloro-5-difluoromethoxy-1-methylpyrazol-3-yl)-4-fluorophenoxyacetic acid)

Hops, dry	*0.1

Agvet chemical: Pyrethrins

Permitted residue: Sum of pyrethrins i and ii, Cinerinsi i and ii and jasmolins i and ii, determined after calibration by means of the International Pyrethrum Standard

Herbs	1

Agvet chemical: Pyriofenone

Permitted residue: Pyriofenone

Berries and other small fruit [except Cane berries (= Blackberries; Dewberries (including Boysenberry; Loganberry and Youngberry); Raspberries, red, black); cloudberry; cranberry; strawberry]	1.5
Cane berries (= Blackberries; Dewberries (including Boysenberry; Loganberry and Youngberry); Raspberries, red, black)	0.9
Cloudberry	0.5
Cranberry	0.5
Strawberry	0.5

Agvet chemical: Pyriproxyfen

Permitted residue: Pyriproxyfen

Fruiting vegetables, other than cucurbits [except peppers, chili (dry)]	1
Papaya	0.3
Peanut	0.2
Peppers, chili (dry)	6

Agvet chemical: Pyroxasulfone

Permitted residue—commodities of plant origin: Sum of pyroxasulfone and (5-difluoromethoxy-1-methyl-3-trifluoromethyl-1H-pyrazol-4-yl)methanesulfonic acid, expressed as pyroxasulfone

Permitted residue—commodities of animal origin: 5-Difluoromethoxy-1-methyl-3-trifluoromethyl-1H-pyrazole-4-carboxylic acid, expressed as pyroxasulfone

Peanut	0.3

Agvet chemical: Ractopamine

Permitted residue: Ractopamine

Cattle fat	0.01
Cattle kidney	0.09
Cattle liver	0.04
Cattle muscle	0.01

Agvet chemical: Sethoxydim

Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim

Citrus fruits	0.5
Beans (dry)	25
Pulses [except beans (dry); lupin (dry)]	*0.1
Stone fruits [except plum]	0.2

Agvet chemical: Simazine

Permitted residue: Simazine

Cranberry	0.25

Agvet chemical: Spinosad

Permitted residue: Sum of spinosyn A and spinosyn D

Peanut	0.02

Agvet chemical: Sulfoxaflor

Permitted residue: Sulfoxaflor

Cereal grains [except rice; rice husked; rice, polished, sorghum]	*0.01
Fats (mammalian)	0.2
Rice	7
Rice, husked	1.5
Rice, polished	1
Sorghum	0.2
Tree nuts	0.03

Agvet chemical: Sulfuryl fluoride

Permitted residue: Sulfuryl fluoride

All other foods except animal food commodities	0.02

Agvet chemical: Tebuconazole

Permitted residue: Tebuconazole

Pear	1
Peppers, sweet	1
Pome fruits [except pear]	*0.01

Agvet chemical: Tebufenozide

Permitted residue: Tebufenozide

Blueberries	3

Agvet chemical: Thiacloprid

Permitted residue: Thiacloprid

Peppers, sweet	1

Agvet chemical: Thiamethoxam

See also Clothianidin

Permitted residue—commodities of plant origin: Thiamethoxam

Commodities of animal origin: Sum of thiamethoxam and N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine, expressed as Thiamethoxam

(Note: the metabolite clothianidin has separate MRLs)

Peppers, chili (dry)	7

Agvet chemical: Thiophanate-methyl

Permitted residue: Sum of thiophanate-methyl and 2-aminobenzimidazole,expressed as thiophanate-methyl

All other foods except animal food commodities	0.1
Peanut	0.1

[1.4] omitting for each of the following chemicals, the maximum residue limit for the food and substituting

Agvet chemical: Abamectin	
Permitted residue: Avermectin B1a	
Dried grapes (currants, raisins and sultanas)	0.1
Grapes	0.03

Agvet chemical: Acifluorfen	
Permitted residue: Acifluorfen	
Peanut	0.1

Agvet chemical: Azoxystrobin	
Permitted residue: Azoxystrobin	
Peanut	0.2

Agvet chemical: Bifenthrin	
Permitted residue: Bifenthrin	
Herbs	T0.5

Agvet chemical: Chlorfenapyr	
Permitted residue: Chlorfenapyr	
Milks	0.03
Tea, green, black	60

Agvet chemical: Chlorpyrifos	
Permitted residue: Chlorpyrifos	
Peanut	0.2
Peppers, sweet	2

Agvet chemical: Cyantraniliprole	
Permitted residue: Cyantraniliprole	
Strawberry	1.5

Agvet chemical: Cypermethrin	
Permitted residue: Cypermethrin, sum of isomers	
Peppers, chili	2

Agvet chemical: Fludioxonil

Permitted residue—commodities of animal origin: Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil

Permitted residue—commodities of plant origin: Fludioxonil

Poultry, Edible offal of	0.1
Poultry meat	*0.01

Agvet chemical: Fluxapyroxad	
Permitted residue: Fluxapyroxad	
Mango	0.6
Papaya (pawpaw)	1

Agvet chemical: Glyphosate	
Permitted residue: Sum of glyphosate, N-acetyl-glyphosate and aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate	
Tea, green, black	T20

Agvet chemical: Imidacloprid	
Permitted residue: Sum of imidacloprid and metabolites containing the 6-chloropyridinylmethylene moiety, expressed as imidacloprid	
Blueberries	3.5
Peanut	0.45

Agvet chemical: Iprodione	
Permitted residue: Iprodione	
Peanut	0.5

Agvet chemical: Kresoxim-methyl

Permitted residue—commodities of plant origin: Kresoxim-methyl

Permitted residue—commodities of animal origin: Sum of a-(p-hydroxy-o-tolyloxy)-o-tolyl (methoxyimino) acetic acid and (E)-methoxyimino[a-(o-tolyloxy)-o-tolyl]acetic acid, expressed as kresoxim-methyl

Dried grapes (=currants, raisins and sultanas)	3
Fruiting vegetables, cucurbits	0.5
Leek	10
Olive oil, virgin	1

Agvet chemical: Lufenuron	
Permitted residue: Lufenuron	
Edible offal (mammalian)	0.15

Agvet chemical: Methomyl	
Permitted residue: Methomyl	
Peanut	0.1

Agvet chemical: Metolachlor

Permitted residue: Metolachlor

Peanuts	0.2

Agvet chemical: Oxathiapiprolin

Permitted residue: Oxathiapiprolin

Basil	10

Agvet chemical: Phosphine

Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)

Peanut	0.1

Agvet chemical: Propamocarb

Permitted residue: Propamocarb (base)

Edible offal (mammalian)	1.5

Agvet chemical: Propiconazole

Permitted residue: Propiconazole

Citrus fruits	10
Pineapple	2

Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin: Pyraclostrobin

Permitted residue—commodities of animal origin: Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Mango	0.6
Peanut	0.05

Agvet chemical: Pyriofenone

Permitted residue: Pyriofenone

Dried grapes (currants, raisins and sultanas)	2.5

Agvet chemical: Sethoxydim

Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim

Peanut	25

Agvet chemical: Sulfoxaflor

Permitted residue: Sulfoxaflor

Edible offal (mammalian)	1
Meat (mammalian)	0.4
Milks	0.3
Poultry meat	0.7

Agvet chemical: Sulfuryl fluoride

Permitted residue: Sulfuryl fluoride

Peanut	15

Agvet chemical: Thiamethoxam

See also Clothianidin

Permitted residue—commodities of plant origin: Thiamethoxam

Commodities of animal origin: Sum of thiamethoxam and N-(2-chloro-thiazol-5-ylmethyl)-N'-methyl-N'-nitro-guanidine, expressed as Thiamethoxam

(Note: the metabolite clothianidin has separate MRLs)

Fruiting vegetables, other than cucurbits	0.7

Attachment B – Draft Explanatory Statement

1. Authority

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

Division 2 of Part 3 of the FSANZ Act specifies that the Authority may prepare a proposal for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering a proposal for the development or variation of food regulatory measures.

FSANZ prepared Proposal M1018 to consider amending certain maximum residue limits (MRLs) in the Code for residues of agricultural and veterinary chemicals that may occur in food. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has prepared a draft Standard.

2. Purpose

The purpose of the proposed variation to Schedule 20 is to vary maximum residue limits (MRLs) for residues of agricultural and veterinary chemicals in food commodities. Section S20—3 currently lists the MRLs for agricultural and veterinary chemicals which may occur in foods. If an MRL is not listed for a particular agricultural or veterinary chemical food combination, there must be no detectable residues of that chemical in that food. This general prohibition means that, in absence of the relevant MRL in the Code, food may not be sold where there are detectable residues.

MRL variations may be required to permit the sale of foods containing legitimate residues. These are technical amendments following changes in use patterns of agricultural and veterinary chemicals available to chemical product users. These changes include the development of new products and crop uses, and the withdrawal of older products following review. In regard to Australia's WTO obligations, MRLs may be harmonised with international or trading partner standards. Internationally, farmers face different pest and disease pressures and therefore agricultural and veterinary chemical use patterns and the legitimate residues in food associated with these uses may vary accordingly.

A risk assessment including a dietary exposure assessment is conducted before MRLs are varied to ensure that the proposed limits pose negligible public health and safety concerns to consumers.

3. Documents incorporated by reference

The variations to food regulatory measures do not incorporate any documents by reference.

4. Consultation

In accordance with the procedure in Division 2 of Part 3 of the FSANZ Act, the Authority's consideration of Proposal M1018 will include one round of public consultation following an assessment and the preparation of a draft Standard and associated assessment summary.

A Regulation Impact Statement was not required because the proposed variations to S20—3 are likely to have a minor impact on businesses and individuals.

5. Statement of compatibility with human rights

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

6. Variation

Item [1] varies Schedule 20.

Item [1.1] inserts chemicals not currently listed, in alphabetical order, including chemical name, residue definition, food commodity and new associated MRLs

Item [1.2] omits the food commodities and associated MRLs for the chemicals listed.

Item [1.3] inserts the food commodities and associated MRLs for the chemicals listed.

Item [1.4] omits the food commodities and associated MRLs for the chemicals listed, substituting them with new MRLs