

# 30 October 2020 [140–20]

# Call for submissions – Proposal P1051

Code Revision (2020)

Food Standards Australia New Zealand (FSANZ) has assessed a proposal prepared to make minor amendments, including the correction of typographical errors, formatting issues and updating references, and has prepared a draft food regulatory measure. 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 is provided in-confidence, but will record that such information is held. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1991*. Submissions will be published as soon as possible after the end of the public comment period. Where large numbers of documents are involved, FSANZ will make these available on CD, rather than on the website.

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

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

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) 27 November 2020

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:

Food Standards Australia New Zealand PO Box 5423 KINGSTON ACT 2604 AUSTRALIA Tel +61 2 6271 2222 Food Standards Australia New Zealand PO Box 10559 The Terrace WELLINGTON 6143 NEW ZEALAND Tel +64 4 978 5630

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# **Executive summary**

Food Standards Australia New Zealand (FSANZ) has prepared Proposal P1051 to make a number of amendments to the *Australia New Zealand Food Standards Code* (the Code) including the correction of typographical errors, formatting issues and updating references.

The proposed amendments in the draft variation are all relatively minor in nature. No potential public health and safety concerns have been identified.

# 1 Introduction

# 1.1 The Proposal

Proposal P1051 was prepared to make a range of relatively minor amendments to the *Australia New Zealand Food Standards Code* (the Code) including the correction of typographical errors, inconsistencies and formatting issues.

# 1.2 The current Standards

Standards 1.1.1, 1.1.2, 1.2.1, 1.2.5, 1.2.8, 1.6.1, 2.2.3, 2.6.3, 3.2.3, 4.2.3, 4.2.4, and Schedules 2, 3, 11, 13, 15, 18, 19, 20, 25, 27, 29 of the Code are affected by the proposed amendments.

# 1.3 Reasons for preparing the Proposal

Minor errors and issues are identified in the Code from time-to-time. This Proposal was prepared to resolve them.

# 1.4 Procedure for assessment

The Proposal is being assessed under the General Procedure.

# 2 Summary of the assessment

# 2.1 Risk assessment

No public health and safety concerns have been identified. As explained below, all of the issues considered are relatively minor in nature.

The reasons for the proposed variations are outlined in the supporting document to this report (SD1).

# 2.2 Risk management

The proposed amendments will ensure that the Code remains current and that errors and inconsistencies are addressed. As mentioned above, the proposed amendments are minor in nature and no potential public health and safety concerns have been identified.

# 2.3 Risk communication

# 2.3.1 Consultation

Consultation is a key part of the standards development process for Food Standards Australia New Zealand (FSANZ). Stakeholders will be notified about this Proposal via the Notification Circular, Food Standard News and on the FSANZ website and are welcome to make submissions.

# 2.3.2 World Trade Organization (WTO)

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

Amending the Code to make minor corrections and updates is unlikely to have a significant effect on international trade. Therefore, a notification to the WTO under Australia's and New Zealand's obligations under the WTO Technical Barriers to Trade or Sanitary and Phytosanitary Measures Agreement was not considered necessary.

# 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 *Food Standards Australia New Zealand Act 1991* (FSANZ Act):

### 2.4.1 Section 59

# 2.4.1.1 Consideration of costs and benefits

As all the proposed variations are relatively minor in nature, FSANZ considers it likely that there would be no or low cost benefit issues.

If the amendments are not made, errors and inconsistencies would continue to exist and the Code will retain provisions known to be inadequate.

Preparation of a Council of Australian Governments (COAG) regulation impact statement is not required for this Proposal. The Office of Best Practice Regulation, in an email on 9 October 2020 (reference ID 43153) advised that, on the basis of information provided by FSANZ, the Proposal did not appear to have a regulatory impact on businesses or individuals.

# 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 varied as a result of the Proposal.

# 2.4.1.3 Any relevant New Zealand standards

The majority of the Standards affected by the proposed amendments apply in both Australia and New Zealand. The exceptions are the amendments to Standards 3.2.3 and 4.2.3 which are Australia only Standards.

# 2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

# 2.4.2 **Subsection 18(1)**

FSANZ had regard to the three objectives in subsection 18(1) of the FSANZ Act during the assessment of the proposal, that is:

- the protection of public health and safety
- the provision of adequate information relating to food to enable consumers to make informed choices
- the prevention of misleading or deceptive conduct.

FSANZ concluded that the proposed variations will have little or no direct impact in terms of these objectives. As mentioned above, the proposed amendments are minor in nature and

no potential public health and safety concerns have been identified.

# 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 desirability of an efficient and internationally competitive food industry
- the promotion of fair trading in food
- any written policy guidelines formulated by the Forum on Food Regulation.

These considerations are not directly relevant given the nature of the proposed amendments.

# 3 Draft variation

The draft variations are at Attachment A. The draft variations are intended to take effect on the date of gazettal.

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

# **Attachments**

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

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



# Food Standards (Proposal P1051 - Code Revision (2020)) 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 [To be completed by the Delegate]

# [Insert name of Delegate]

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 2020. 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 P1051 - Code Revision (2020)) Variation.

# 2 Variation to standards in the Australia New Zealand Food Standards Code

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

### 3 Commencement

The variation commences on the date of gazettal.

### **SCHEDULE**

# Standard 1.1.1 – Structure of the Code and general provisions

[1] Subsection 1.1.1—5(1)(b)

Omit '2014', substitute '2019'.

# Standard 1.1.2 – Definitions used throughout the Code

[2] Subsection 1.1.2—2(3) (definition of *permitted flavouring substance*)

Omit

(i) Generally Recognised as Safe (GRAS) lists of flavouring substances published by the Flavour and Extract Manufacturers' Association of the United States from 1960 to 2018 (edition 28);

substitute

- (i) Generally Recognised as Safe (GRAS) lists of flavouring substances published by the Flavour and Extract Manufacturers' Association of the United States from 1960 to 2019 (edition 29);
- [3] Subsection 1.1.2—3(2)

Insert in alphabetical order

wheat flour includes wholemeal wheat flour.

# Standard 1.2.1 – Requirements to have labels or otherwise provide information

[4] Subsection 1.2.1—2(3)

Omit 'caterers', substitute '\*caterers'.

[5] Subsection 1.2.1—6(1)(c)

Omit 'fruit', substitute '\*fruit'.

[6] Subsection 1.2.1—8(1)(b)

Omit 'lot', substitute '\*lot'.

[7] Subsection 1.2.1—8(1)(d)

Omit 'warning', substitute '\*warning'.

[8] Subsection 1.2.1—8(1)(k)

Omit 'foods', substitute '\*foods'.

[9] Subsection 1.2.1—8(1)(v)(i)

Omit 'average', substitute '\*average'.

[10] Subsection 1.2.1—8(3)

Omit 'warning', substitute '\*warning'.

[11] Section 1.2.1—10

Omit 'caterer', substitute '\*caterer'.

# [12] Subsection 1.2.1—12(3)(b)

Omit 'fruit', substitute '\*fruit'.

# [13] Subsection 1.2.1—15(b)

Omit 'lot', substitute '\*lot'.

# [14] Subsection 1.2.1—15(c)

Omit 'warning', substitute '\*warning'.

# [15] Subsection 1.2.1—20(2)(b)

Omit 'lot', substitute '\*lot'.

# [16] Subsection 1.2.1—20(3)(c)

Omit 'transportation', substitute '\*transportation'.

# Standard 1.2.5 - Information requirements - date marking of food for sale

# [17] Subsection 1.2.5—3(3)

Omit 'small package', substitute '\*small package'.

# Standard 1.2.8 – Nutrition information requirements

# [18] Section 1.2.8—4

Insert in alphabetical order

**average quantity**, of a substance in a food, means the average, for such foods from that producer or manufacturer, of:

- (a) where a serving or reference amount is specified—the amount of the substance that such a serving or reference amount contains; or
- (b) otherwise—the proportion of that substance in the food, expressed as a percentage.

**Note** See also section 1.1.1—6.

# [19] Subsection 1.2.8—6(1)

Repeal the subsection, substitute

- 1) A nutrition information panel must contain the following information:
  - (a) the number of servings in the package, expressed as either:
    - (i) the number of servings of the food; or
    - (ii) if the weight or the volume of the food as packaged is variable—the number of servings of the food per kilogram, or other unit as appropriate;
  - (b) the average quantity of the food in a serving expressed in:
    - (i) for a solid or semi-solid food—grams; or
    - (ii) for a beverage or other liquid food—millilitres;
  - (c) the \*unit quantity of the food;
  - (d) for a serving of the food and a unit quantity of the food:
    - (i) the \*average energy content expressed in kilojoules or both in kilojoules and in kilocalories; and
    - (ii) the \*average quantity of
      - (A) protein, carbohydrate, sugars, fat and,
      - (B) subject to subsection (4), saturated fatty acids, expressed in grams; and
    - (iii) the average quantity of sodium, expressed in milligrams or both

- milligrams and millimoles; and
- (iv) 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, micrograms or other units as appropriate;
- (e) any other matter this Code requires to be included.

# [20] Subsection 1.2.8—6(7)

Omit '\*unavailable carbohydrate', substitute 'unavailable carbohydrate'.

# Standard 1.6.1 - Microbiological limits in food

# [21] Subsection 1.6.1—3(2)

Omit 'S27-3', substitute 'S27-4'.

# Standard 2.2.3 – Fish and fish products

# [22] Note 3

Omit the Note, substitute

Note 3 This Code does not define specific names for fish.

- An Australian Fish Names Standard (AS SSA 5300) has been published which provides guidance on standard fish names to be used in Australia. Hard copies of the Standard are available at <a href="https://infostore.saiglobal.com/en-au/Standards/AS-5300-2015-111200">https://infostore.saiglobal.com/en-au/Standards/AS-5300-2015-111200</a> SAIG AS AS 232622/.
- A searchable database of Australian Standard Fish Names is available at http://www.fishnames.com.au.
- New Zealand common, Maori, and scientific names for fish species are available at https://www.mpi.govt.nz/processing/seafood/seafood-processing/fish-names-labelling-requirements/

# Standard 2.6.3 - Kava

# [23] Section 2.6.3—4 Note

Omit '1.2.1—9(4)(c)', substitute '1.2.1—9(3)(f)'

# Standard 3.2.3 – Food Premises and Equipment

# [24] Subsection 3.2.3—3(d)

Omit '(ii) not provide harbourage for pests', substitute '(iii) not provide harbourage for pests'.

# Standard 4.2.3 – Primary production and processing standard for meat

# [25] Table of Provisions

Omit 'sail', substitute 'sale'.

# Standard 4.2.4 – Primary production and processing standard for dairy products

# [26] Subsection 4.2.4—15(1) Editorial note

Omit 'The provision concerning an applicable law of a State or Territory is a temporary one and will be reviewed by FSANZ under another proposal.'.

# Schedule 2 - Units of measurement

# [27] Section S2—2

Insert in the table in alphabetical order

MU mouse unit

# Schedule 3 – Identity and purity

#### Subsection S3—2(1)(b) [28]

Omit

(xii) FAO JECFA Monographs 20 (2017); or

# substitute

- FAO JECFA Monographs 20 (2017); (xii)
- FAO JECFA Monographs 22 (2018); (xiii)
- FAO JECFA Monographs 23 (2019); or (xiv)

#### [29] Subsection S3—2(1)(c)

Repeal the subsection, substitute

United States Pharmacopeial Convention (2020) Food chemicals codex. 12th ed, United States Pharmacopeial Convention, Rockville, MD; or

#### [30] Subsection S3—2(2)

### Omit

rebaudioside M	section S3—31
resistant maltodextrins	section S3—26
Salmonella phage preparation (S16 and FO1a)	section S3—33
steviol glycoside mixtures including rebaudioside M	section S3—32
steviol glycosides from fermentation	section S3—39
steviol glycosides from Stevia rebaudiana Bertoni	section S3—35

# substitute

resistant maltodextrins	section S3—26
Salmonella phage preparation (S16 and FO1a)	section S3—33
steviol glycosides from fermentation	section S3—39
steviol glycosides produced by enzymatic	section S3—35

conversion

#### [31] Subsection S3-3(b)

Repeal the subsection, substitute

United States Pharmacopeial Convention (2020) United States Pharmacopeia (43) and the National Formulary (38), (USP 43-NF 38). United States Pharmacopeial Convention, Rockville, MD;

#### [32] Subsection S3—3(i)

Omit '8th Edition (2007)', substitute '9th Edition (2018)'.

#### [33] Section S3-31

Repeal the section.

#### Section S3—32 [34]

Repeal the section.

#### [35] Section S3—35

Omit the heading, substitute

#### S3—35 Specification for steviol glycosides produced by enzymatic

# conversion

# [36] Subsection S3—35(2)

Repeal the subsection, substitute

- The preparation must be obtained from the leaves of the *Stevia rebaudiana*Bertoni plant by using one of the following processes:
  - (a) by enzymatic conversion of purified stevia leaf extract to produce rebaudioside M using protein engineered enzymes that:
    - (i) contain both UDP-glucosyltransferase and sucrose synthase (EC 2.4.1.13) components; and
    - (ii) are sourced from both of the following:
      - (a) a Pichia pastoris strain expressing UGT-A;
      - (b) a *Pichia pastoris* strain expressing both UGT-B1 and UGT-B2;
  - (b) by enzymatic conversion of purified stevia leaf extract to produce rebaudioside D using a protein engineered enzyme that:
    - (i) contains both UDP-glucosyltransferase and sucrose synthase (EC 2.4.1.13) components; and
    - (ii) is sourced from Pichia pastoris strain UGT-A;
  - (c) by enzymatic conversion of purified stevia leaf extract to produce one or more prescribed rebaudiosides using a combination of enzymes that contains:
    - (i) a UDP-glucosyltransferase from *Stevia rebaudiana* sourced from *Escherichia coli*; and
    - (ii) a UDP-glucosyltransferase from *Solanum lycopersicum* sourced from *Escherichia coli*; and
    - (iii) a sucrose synthase (EC 2.4.1.13) sourced from Escherichia coli.

# Schedule 11 - Calculation of values for nutrition information panel

# [37] Subsection S11—2(1)

Omit 'average amount', substitute '\*average quantity'.

# Schedule 13 - Nutrition information required for food in small packages

# [38] Section 13—2

Omit 'sugars and dietary', substitute 'sugars and dietary fibre'.

# Schedule 15 – Substances that may be used as food additives

# [39] Section 15—5 (table entry 2.2.2 Oil emulsions (<80% oil))

Omit

# 2.2.2 Oil emulsions (<80% oil)

additives permitted at GMP colourings permitted at GMP

colourings permitted to a maximum level

substitute

# 2.2.2 Oil emulsions (<80% oil)

Additives permitted at GMP Colourings permitted at GMP

Colourings permitted to a maximum level

# [40] Section 15—5 (table entry 13.2 Food for infants)

Omit

307b	Tocopherols concentrate, mixed	300	Of fat
322	Lecithin	15 000	
330 331 332 333 380	Citric acid and sodium, potassium, calcium and ammonium citrates	GMP	
307b	Tocopherols concentrate, mixed	300	Of fat
322	Lecithin	15 000	
330 331 332 333 380	Citric acid and sodium, potassium, calcium and ammonium citrates	GMP	
substitute			
307b	Tocopherols concentrate, mixed	300	Of fat
322	Lecithin	15 000	
330 331 332 333 380	Citric acid and sodium, potassium, calcium and ammonium citrates	GMP	

# Schedule 18 - Processing aids

# [41] Subsection S18—9(3)

Omit '(EC 2.4.1.17)' wherever occurring.

# Schedule 19 – Maximum levels of contaminants and natural toxicants

# [42] Subsection S19—7(2)(c)

Omit '(a) of', substitute '(a) or'.

# Schedule 20 - Maximum residue limits

# [43] Section S20—3 (table entry for Agvet chemical: Aminocyclopyrachlor)

Omit 'Mammalian fats [except poultry fats]', substitute 'Mammalian fats [except milk fats]'.

# [44] Section S20—3 table

Omit

Agvet chemical: Clodinafop-propargyl	
Permitted residue: Clodinafop-propargyl	
Edible offal (mammalian)	*0.05
Eggs	*0.05
Meat (mammalian)	*0.05
Milks	*0.05
Poultry, edible offal of	*0.05
Poultry meat	*0.05
Wheat	*0.05

Agvet chemical: Clodinatop acid	
Permitted residue: (R)-2-[4-(5-chloro-3-fluctory) phenoxy] propanoic acid	oro-2-
Edible offal (mammalian)	*0.1
Eggs	*0.1
Meat (mammalian)	*0.1
Milks	*0.1
Poultry, edible offal of	*0.1
Poultry meat	*0.1
Wheat	*0.1

substitute

Permitted residue: (R)-2-[4-(5-chloro pyridinyloxy) phenoxy] propanoic acid	
Edible offal (mammalian)	*0.1
Eggs	*0.1
Meat (mammalian)	*0.1
Milks	*0.1
Poultry, edible offal of	*0.1
Poultry meat	*0.1
Wheat	*0.1

Agvet chemical: Clodinafop-propargyl	
Permitted residue: Clodinafop-propargyl	
Edible offal (mammalian)	*0.05
Eggs	*0.05
Meat (mammalian)	*0.05
Milks	*0.05
Poultry, edible offal of	*0.05
Poultry meat	*0.05
Wheat	*0.05

# [45] Section S20—3 (table entry for Agvet chemical: Difenoconazole)

Omit

Carrot 2

substitute

Carrot 0.2

# [46] Section S20—3 (table entry for Agvet chemical: Flumioxazin)

Omit

Cherries 0.02

# [47] Section S20—3 (table entry for Agvet chemical: Kresoxim-methyl)

Omit

Egg plant	0.6	
Fruiting vegetables, cucurbits	0.4	
Egg plant	0.6	
substitute		
Egg plant	0.6	
Fruiting vegetables, cucurbits	0.4	

# [48] Section S20—3 (table entry for Agvet chemical: Phosphine)

Omit

Citrus fruits 0.01

substitute

Citrus fruits \*0.01

# [49] Section S20—3 (table entry for Agvet chemical: Pirimicarb)

Omit

All other foods except animal food	0.05
commodities	

### substitute

All other foods except animal food 0.05 commodities

### Schedule 25 - Permitted novel foods

# [50] Section S25—2 (table entry for \*Phytosterols, phytostanols and their esters)

### Omit

- 3. May only be added to breakfast cereals, not including breakfast cereal bars, if:
  - (a) the total fibre content of the breakfast cereal is no less than 3 g/50 g; and
  - (b) the breakfast cereal contains no more than 30 g/100 g of total sugars; and
  - (c) the \*total plant sterol equivalents content is the prescribed amount.
- 3A. For the purposes of condition 3(c) above:
  - (a) the prescribed amount during the exclusive use period is:
    - (i) for breakfast cereals sold under the brands *Sanitarium Health and Wellbeing* or *Weet-Bix* an amount that is no less than 0.5 g per serving and no more than 2.2 g per serving; and
    - (ii) for all other breakfast cereals an amount that is no less than 15 g/kg and no more than 19 g/kg; and
  - (b) the prescribed amount after the end of the exclusive use period is an amount that is no less than 0.5 g per serving and no more than 2.2 g per serving.
- 3B. For the purposes of condition 3A above, **exclusive use period** means the period commencing on the date of gazettal of the *Food Standards (Application A1134 Increased Concentration of Plant Sterols in Breakfast Cereals) Variation* and ending 15 months after that date.

### substitute

- 3. May only be added to breakfast cereals, not including breakfast cereal bars, if:
  - (a) the total fibre content of the breakfast cereal is no less than 3 g/50 g; and
  - (b) the breakfast cereal contains no more than 30 g/100 g of total sugars; and
  - (c) the \*total plant sterol equivalents content is no less than 0.5 g per serving and no more than 2.2 g per serving.

# Schedule 27 - Microbiological limits in food

# [51] Note 1

Omit 'section 1.6.1—2 and subsection 1.6.1—3(2)', substitute 'sections 1.6.1—2 and 1.6.1—4, and subsection 1.6.1—3(2)'.

# [52] Section S27—4

Omit 'For section 1.6.1—2, the table is:' from under the heading.

# Schedule 29 – Special purpose foods

# [53] Section S29—7

Omit

# S29—7 Permitted forms of vitamins, minerals and electrolytes in infant formula products, food for infants and food for special medical purposes

For sections 2.9.1—12, 2.9.2—4, 2.9.2—5, 2.9.2—6 and 2.9.5—6, the table is:

# substitute

S29—7 Permitted forms of vitamins, minerals and electrolytes in infant formula products, food for infants, formulated meal replacements (vitamin K) and food for special medical

# purposes

For sections 2.9.1—12, 2.9.2—4, 2.9.2—5, 2.9.2—6, 2.9.3—3(2)(c)(iii) and 2.9.5—6, the table is:

# 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.

The Authority prepared Proposal P1051 to make a number of relatively minor amendments to the Code. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has prepared a draft variation to a number of standards.

# 2. Purpose

The Authority has prepared draft variations to correct minor errors, omissions and to improve clarity. The issues considered are relatively minor in nature.

# 3. Documents incorporated by reference

None of the variations incorporate 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 P1051 includes one round of consultation following an assessment and the preparation of draft variations to a number of Standards and an associated assessment summary.

A Regulation Impact Statement was not required because of the nature of the proposed variations as described in section 2 above.

# 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. Variations

# 6.1 Correcting minor errors and omissions

Items [3] to [20], [22], [24] to [27], [30], [35], part of [36], [37] to [49], and [52] of the draft variation include amendments to correct minor errors and omissions to format, text and punctuation, as well to improve the clarity of some text.

# 6.2 Updating references

Items [1], [2], [21], [23], [28] to [29], [31] to [34], part of [36], [50] to [51], and [53] of the draft variation include amendments to correct cross references.