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03/01

STATEMENT OF REASONS

APPLICATIONS A398, A401, A407 – MAXIMUM RESIDUE LIMITS

FOR RECOMMENDING A VARIATION TO STANDARD A14 - MAXIMUM RESIDUE LIMITS.

The Australia New Zealand Food Authority (ANZFA) has before it the above applications from the National Registration Authority to amend current maximum residue limits (MRLs) in Standard A14.

In accordance with the transitional arrangements for food standards between Australia and New Zealand, individual country MRLs for agricultural and veterinary chemicals continue to apply for these standards and this application proposes changes for MRLs for food sold in Australia, whether imported or domestically produced.

Food sold in Australia which is either domestically produced or imported (other than from New Zealand) must comply with the Australian MRLs (ie in the *Food Standards Code*). Food imported from New Zealand must comply with either the New Zealand MRLs (New Zealand Maximum Residue Limits of Agricultural Compounds Mandatory Food Standard 1999) or the Australian MRLs.

Food sold in New Zealand which is either domestically produced or imported (other than from Australia) must comply with the MRL provisions in the New Zealand Maximum Residue Limits of Agricultural Compounds Mandatory Food Standard 1999. Food imported from Australia must comply with either the New Zealand MRLs or the Australian MRLs.

ANZFA has completed Full Assessments of the Applications, prepared draft variations to the Australian *Food Standards Code* and conducted inquiries into the draft variations. ANZFA has decided, pursuant to section 36 of the *Australia New Zealand Food Authority Act 19*, not to invite public submissions for the purposes of the Inquiries. ANZFA is satisfied that the applications raise issues of minor significance and complexity only, and that to omit to invite public submissions prior to making a recommendation to the Australia New Zealand Food Standards Council will not adversely affect the interests of any person or body.

Section 63 of the Act provides that, subject to the *Administrative Appeals Tribunal Act 1975*, an application for a review of ANZFA's decision not to invite public submissions for the purposes of an Inquiry may be made to the Administrative Appeals Tribunal by a person whose interests are affected by the decision. Further information about statutory rights to external

review may be obtained from the Administrative Appeals Tribunal in all capital cities, or from ANZFA.

STATEMENT OF REASONS

The Authority has recommended to the Australia New Zealand Food Standards Council that it adopt the draft variations to the *Food Standards Code*, as amended, for the following reasons:

- these MRLs have been recommended by the NRA after evaluation of both toxicological and residue data;
- the chemicals have been registered by the NRA and have specific uses in the States and Territories of Australia;
- these MRLs are set at levels consistent with good agricultural practice and do not raise concerns for public health and safety; and
- dietary intake calculations indicate there are no public health and safety problems with approving the proposed MRLs.

REGULATORY IMPACT

ANZFA has undertaken a regulatory impact assessment process which also fulfils the requirement in New Zealand for an assessment of compliance costs. That process concluded that the amendment to the Code is necessary, cost effective and of benefit to both producers and consumers.

WORLD TRADE ORGANIZATION NOTIFICATION

Australia and New Zealand are members of the World Trade Organization (WTO) and are bound as parties to WTO agreements. In Australia, an agreement developed by the Council of Australian Governments requires States and Territories to be bound as parties to those WTO agreements to which the Commonwealth is a signatory. Under the agreement between the Governments of Australia and New Zealand on Uniform Food Standards, ANZFA is required to ensure that food standards are consistent with the obligations of both countries as members of the WTO.

In certain circumstances Australia and New Zealand have an obligation to notify the WTO of changes to food standards to enable other member countries of the WTO to make comment. Notification is required in the case of any new or changed standards which may have a significant trade effect and which depart from the relevant international standard (or where no international standard exists).

This matter was not notified to the WTO because it did not impact on human or animal health and will not have significant effect on the trade of other members.

FOOD STANDARDS SETTING IN AUSTRALIA AND NEW ZEALAND

The Governments of Australia and New Zealand entered an Agreement in December 1995 establishing a system for the development of joint food standards. The Australia New Zealand Food Authority is now developing a joint *Australia New Zealand Food Standards Code* which will provide compositional and labelling standards for food in both Australia and New Zealand.

Until the joint *Australia New Zealand Food Standards Code* is finalised the following arrangements for the two countries apply:

- **Food imported into New Zealand other than from Australia** must comply with either the *Australian Food Standards Code*, as gazetted in New Zealand, or the *New Zealand Food Regulations 1984*, but not a combination of both. However, in all cases maximum residue limits for agricultural and veterinary chemicals must comply solely with those limits specified in the *New Zealand Food Regulations 1984*.
- **Food imported into New Zealand from Australia** must comply with either the *Australian Food Standards Code* or the *New Zealand Food Regulations 1984*, but not a combination of both. However, in all cases maximum residue limits for agricultural and veterinary chemicals must comply solely with those limits specified in the *New Zealand (Maximum Residue Limits of Agricultural Compounds) Mandatory Food Standard 1999*
- **Food imported into New Zealand from Australia** must comply with either the *Australian Food Standards Code* or the *New Zealand Food Regulations 1984*, but not a combination of both.
- **Food imported into Australia from New Zealand** must comply with the *Australian Food Standards Code*. However, under the provisions of the Trans-Tasman Mutual Recognition Arrangement, food may be imported into Australia from New Zealand if it complies with the *New Zealand Food Regulations 1984* or *Dietary Supplements Regulations 1985*.
- **Food manufactured in Australia and sold in Australia** must comply solely with the *Australian Food Standards Code*, except for exemptions granted in Standard T1.

In addition to the above, all food sold in New Zealand must comply with the *New Zealand Fair Trading Act 1986* and all food sold in Australia must comply with the *Australian Trade Practices Act 1974*, and the respective Australian State and Territory *Fair Trading Acts*.

Any person or organisation may apply to ANZFA to have the *Food Standards Code* amended. In addition, ANZFA may develop proposals to amend the *Australian Food Standards Code* or to develop joint Australia New Zealand food standards. ANZFA can provide advice on the requirements for applications to amend the *Food Standards Code*.

Any person or organisation may apply to the Authority to have the *Australian Food Standards Code* amended. In addition, the Authority may develop proposals to amend the *Australian Food Standards Code*. the Authority can provide advice on the requirements for applications to amend the *Australian Food Standards Code*.

FURTHER INFORMATION

Submissions: No submissions on this matter are sought as the Authority has completed its assessments and the matter is now with the Australia New Zealand Food Standards Council for consideration.

Further information on this and other matters should be addressed to the Standards Liaison Officer at the Australia New Zealand Food Authority at one of the following addresses:

PO Box 7186
Canberra Mail Centre ACT 2610
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Tel (02) 6271 2258
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Requests for copies of other information papers should be addressed to the Authority's Information Officer at the above address, or Email info@anzfa.gov.au

DRAFT VARIATIONS TO THE AUSTRALIAN *FOOD STANDARDS CODE*

See Attachments 1, 2 and 3

APPLICATION A398 - DRAFT VARIATIONS TO THE AUSTRALIAN FOOD STANDARDS CODE

Standard A14 is varied by -

Explanatory Note: These are new MRLs for agricultural or veterinary chemicals not previously listed in Standard A14.

[1] inserting in columns 1 and 2 respectively of Schedule 1 each chemical (shown in bold type) and its associated food and maximum residue limit for that food, listed below -

Chemical	
Food	MRL
CGA 27902	
Banana	0.1
Grapes	3
Pome fruit	0.5
Methoxyfenozide	
Cotton seed	0.05
Tomato	2
Novaluron	
Cotton seed	0.1

Explanatory Note: Permission for a residue of the specified chemical in these foods is being repealed or amended.

[2] omitting from columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below -

Chemical	
Food	MRL
Dimethoate	
Fruiting vegetables, cucurbits	2
Fruits [except strawberry, litchi, peach and quandong]	2
Pepper, sweet	1
Tomato	1
Fenthion	
Fruiting vegetables, cucurbits	2
Fruiting vegetables, other than cucurbits	2
Tropical and sub-tropical fruits (inedible peel)	2
Metolachlor	
Edible offal (mammalian)	0.5

Permethrin	
Chervil	5
Rucola (rocket)	5
Streptomycin and Dihydrostreptomycin	
Eggs	0.2
Poultry, edible offal of	0.3
Poultry meat	0.3
Tebuconazole	
Broad bean (green and immature seeds)	0.5
Peas	0.5

Explanatory Note: These are new MRLs (extensions of use) for existing chemicals or amendments to existing MRLs

[3] inserting in columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below –

Chemical	
Food	MRL
Abamectin	
Blackcurrants	0.02
Carbaryl	
Chervil	10
Galangal, rhizomes	5
Herbs	10
Rucola (rocket)	10
Turmeric, root	5
Chlorothalonil	
Pulses	7
Chlorpyrifos	
Sweet potato	0.05
Chorfenvinphos	
Deer meat (in the fat)	0.2
Cyfluthrin	
Avocado	0.05
Cypermethrin	
Deer meat (in the fat)	0.5
Cyromazine	
Cattle, edible offal of	0.05
Cattle meat	0.05
Eggs	0.2
Pig, edible offal of	0.05

Pig meat	0.05
Poultry, edible offal of	0.1
Poultry meat	0.05

Dimethoate

Chervil	2
Galangal, rhizomes	2
Herbs	2
Rucola (rocket)	2
Turmeric, root	2
Fruiting vegetables, cucurbits	5
Fruits [except strawberry, litchi, peach and quandong]	5
Pepper, sweet	2
Tomato	2

Dimethomorph

Edible offal (mammalian)	0.01
Meat (mammalian)	0.01
Milks	0.01

Diquat

Sesame seed	2
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Doramectin

Pig meat (in the fat)	0.1
Pig kidney	0.03
Pig liver	0.05
Sheep, edible offal of	0.05
Sheep meat	0.02
Sheep fat	0.1

Fenthion

Tropical and sub-tropical fruits (inedible peel)	5
Fruiting vegetables, cucurbits	3
Fruiting vegetables, other than cucurbits	5

Fluquinconazole

Edible offal (mammalian)	0.2
Eggs	0.02
Meat (mammalian)(in the fat)	0.5
Milks	0.1
Poultry meat (in the fat)	0.02
Poultry, edible offal of	0.02
Wheat	0.02

Glufosinate ammonium

Tomato	0.05
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Methamidophos

Leafy vegetables [except
lettuce head and lettuce leaf] 1

Methomyl

Guava 0.1
Avocado 0.1

Metolachlor

Eggs 0.01
Poultry meat 0.01
Poultry, edible offal of 0.01
Edible offal, mammalian 0.05

Permethrin

Leafy vegetables [except
lettuce head and lettuce leaf] 5

Phosphorous acid

Chervil 5
Galangal, rhizomes 5
Herbs 5
Rucola (rocket) 5
Strawberry 50
Turmeric, root 5

Propiaconazole

Persimmon, American 0.2

Tebuconazole

Legume vegetables 0.5

APPLICATION A401- DRAFT VARIATIONS TO THE AUSTRALIAN FOOD STANDARDS CODE

To commence: On gazettal

Standard A14 is varied by -

Explanatory Note: These are new MRLs for agricultural or veterinary chemicals not previously listed in Standard A14.

[1] *inserting in columns 1 and 2 respectively of Schedule 1 each chemical (shown in bold type) and its associated food and maximum residue limit for that food, listed below -*

Chemical	
Food	MRL
Benzocaine	
Abalone	0.5
Finfish	0.5
Fenhexamid	
Strawberry	5
Tolyfluanid	
Strawberry	3

Explanatory Note: Permission for a residue of the specified chemical in these foods is being repealed or amended.

[2] *omitting from columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below -*

Chemical	
Food	MRL
Benzofenap	
Rice	0.02
Carbendazim	
Chick-pea (dry)	1
Vegetables [except chick-pea; fruiting vegetables, cucurbits; fruiting vegetables, other than cucurbits; mushrooms]	3
Chlorpyrifos	
Ginger, root	0.01
Cypermethrin	
Wheat	0.05
Difenoconazole	
Banana	0.5

Fipronil	
Sorghum	0.005
Imidacloprid	
Cereal grains	0.05
Edible offal (mammalian)	0.05
Maize	0.02
Meat (mammalian)	0.02
Milks	0.02
Ivermectin	
Sheep liver	0.01
Neomycin	
Milk (in the fat)	0.02
Oxyfluorfen	
Cotton seed	0.05
Spinosad	
Brassica (cole or cabbage) vegetables	0.1
Lettuce, head	2
Lettuce, leaf	2
Peppers	0.1
Spinach	3
Tomato	0.1
Tebufenozide	
Avocado	0.1

Explanatory Note: These are new MRLs (extensions of use) for existing chemicals or amendments to existing MRLs

[3] inserting in columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below -

Chemical	
Food	MRL
Bentazone	
Garden pea, shelled	0.05
Benzofenap	
Rice	0.01
Bifenthrin	
Avocado	0.1
Stone fruit	0.5
Carbendazim	
Broad beans (dry)	0.5
Chick-pea (dry)	0.5

Lentils (dry)	0.5
Vegetables [except broad beans (dry); chick-pea (dry); fruiting vegetables, cucurbits; fruiting vegetables, other than cucurbits; lentils (dry); mushrooms]	3
Chlorothalonil	
Persimmons, Japanese	10
Chlorpyrifos	
Ginger, root	0.05
Clomazone	
Beans [except broad beans and soya beans]	0.05
Common beans (pod and/or immature seeds)	0.05
Fruiting vegetables, cucurbits	0.05
Poppy seed	0.05
Potato	0.05
Cyfluthrin	
Rape seed	0.05
Cypermethrin	
Avocado	0.2
Chick-pea (dry)	0.2
Wheat	0.2
Difenoconazole	
Avocado	0.5
Banana	0.02
Fipronil	
Maize	0.005
Peanut	0.01
Peanut oil, crude	0.01
Rape seed	0.01
Sorghum	0.01
Stone fruit	0.1
Sunflower seed	0.01
Sweet potato	0.01
Fluazinam	
Wine grapes	0.05
Fluroxypyr	
Eggs	0.01
Poultry, edible offal of	0.05
Poultry meat	0.05

Ioxynil	
Garlic	0.02
Imidacloprid	
Cereal grains [except maize and sorghum]	0.05
Edible offal (mammalian)	0.2
Maize	0.05
Meat (mammalian)	0.05
Milks	0.05
Ivermectin	
Deer kidney	0.01
Deer liver	0.01
Deer meat (in the fat)	0.01
Sheep liver	0.015
Lincomycin	
Cattle milk	0.02
Methidathion	
Coffee beans	0.1
Methomyl	
Coffee beans	1
Myclobutanil	
Strawberries	1
Neomycin	
Milk	0.5
Procymidone	
Spinach	2
Propachlor	
Radish	0.05
Swede	0.05
Spinosad	
Brassica (cole or cabbage) vegetables	0.5
Leafy vegetables	5
Peppers	0.2
Tomato	0.2
Tebufenozide	
Avocado	0.5
Tebuthiuron	
Sugar cane	0.2
Trifluralin	

Prawns	0.001
Shrimps	0.001

APPLICATION A407 - DRAFT VARIATIONS TO THE AUSTRALIAN FOOD STANDARDS CODE

To commence: On gazettal

Standard A14 is varied by -

Explanatory Note: These are new MRLs for agricultural or veterinary chemicals not previously listed in Standard A14.

[1] inserting in columns 1 and 2 respectively of Schedule 1 each chemical (shown in bold type) and its associated food and maximum residue limit for that food, listed below -

Chemical	MRL
Food	
Buprofezin	
Citrus fruits	3
Edible offal (mammalian)	0.05
Milks	0.01
Meat (mammalian)	0.05
Imazapyr	
Edible offal (mammalian)	0.05
Meat (mammalian)(in the fat)	0.05
Milks	0.01
Rape seed	0.05
Indoxacarb	
Brassica (cole or cabbage) vegetables	1
Cotton seed	3
Edible offal (mammalian)	0.01
Meat (mammalian)(in the fat)	0.2
Milk [in the fat]	0.5
Pome fruit	2

Explanatory Note: Permission for a residue of the specified chemical in these foods is being repealed or amended

[2] omitting from columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below -

Chemical	MRL
Food	
Captan	
Stone fruits	20
Strawberry	25
Chlorothalonil	

Vegetables [except carrot, celery, fruiting vegetables, leafy vegetables, cucurbits, leeks, onion bulb, potato, spring onion, tomato]	7
2,4-D	
Cereal grains	0.2
Fipronil	
Meat (mammalian)(in the fat)	0.05
Milk (in the fat)	0.01
Sorghum	0.005
Phosphorous acid	
Fruiting vegetables, cucurbits	25
Tebuconazole	
Broad bean (green and immature seeds)	0.5
Peas	0.5

Explanatory Note: These are new MRLs (extensions of use) for existing chemicals or amendments to existing MRLs

[3] inserting in columns 1 and 2 respectively of Schedule 1, in relation to each chemical shown in bold type below, the food and the maximum residue limit for that food listed below -

Chemical	
Food	MRL
Bitertanol	
Strawberry	0.1
Captan	
Stone fruits	15
Strawberry	10
Chlorothalonil	
Vegetables [except carrot, celery, fruiting vegetables, leafy vegetables, cucurbits, leeks, onion bulb, potato, spring onion, tomato, wasabi]	7
Wasabi	7
2,4-D	
Cereal grains	2
Dithiocarbamates	
Herbs (except parsley)	5

Doramectin	
Pig kidney	0.03
Pig liver	0.05
Pig meat (in the fat)	0.1
Fipronil	
Edible offal (mammalian)	0.02
Eggs	0.02
Meat (mammalian)(in the aft)	0.1
Milks	0.01
Poultry, edible offal of	0.01
Poultry meat (in the fat)	0.02
Sorghum	0.01
Imazapic	
Rape seed	0.05
Imidacloprid	
Brassica (cole or cabbage) vegetables	0.5
Iprodione	
Brussels sprouts	0.05
Metalaxyl	
Herbs	0.3
Phosphorous acid	
Fruiting vegetables, cucurbits	100
Procymidone	
Snow peas	5
Tebuconazole	
Legume vegetables	0.5
Tebufenozide	
Custard apple	0.2
Litchi	1
Longan	1

Explanatory Note: Permission for a residue of the specified chemical in these foods is being repealed.

[4] omitting the chemicals shown below, and all associated foods and maximum residue limits, from columns 1 and 2 respectively of Schedule 1 -

No entries in this category