

**17 July 2012**  
**[16-12]**

## **Call for submissions – Proposal M1008**

### **Maximum Residue Limits (2012)**

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FSANZ has assessed a proposal prepared to consider varying certain maximum residue limits (MRLs) in the Australia New Zealand Food Standards Code (the Code) 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 [information for submitters](#).

Submissions should be made in writing; be marked clearly with the word 'Submission' and quote the correct project number and name. While FSANZ accepts submissions in hard copy to our offices, it is more convenient and quicker to receive submissions electronically through the FSANZ website via the link on [documents for public comment](#). You can also email your submission directly to [submissions@foodstandards.gov.au](mailto: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) 13 August 2012**

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](mailto:standards.management@foodstandards.gov.au).

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

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# 1. Executive summary

The purpose of this Proposal is to consider incorporating certain maximum residue limits (MRLs) for agricultural and veterinary chemicals that may legitimately occur in food in Standard 1.4.2 in the *Australia New Zealand Food Standards Code* (the Code).

Standard 1.4.2 lists the MRLs for agricultural and veterinary chemical residues which may occur in foods in Australia. Limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class whether produced domestically or imported.

The Proposal includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) in November 2011 for carbendazim and dimethoate, and MRLs requested by other parties to further align the Code with Codex or trading partner standards.

Dietary exposure assessments indicate that the proposed limits for the agricultural and veterinary chemical residues of interest do not present any public health and safety concerns in relation to relevant health-based guidance values. The Proposal does not include consideration of any MRLs for antibiotic residues in food.

Inclusion of the MRLs in the Code will permit the sale of foods containing legitimate residues and protect public health and safety by minimising residues in foods consistent with the effective control of pests and diseases.

The *Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agricultural and veterinary chemicals in food from the system setting joint food standards.

FSANZ will make a Sanitary and Phytosanitary notification to the World Trade Organization (WTO).

## 2. Introduction

### 2.1 The Proposal

The Proposal was prepared to consider varying certain MRLs in the Code. This is a routine process, both to include limits to allow the sale of food with legitimate residues and to remove limits that the Australian Pesticides and Veterinary Medicines Authority (APVMA) has already removed from the APVMA MRL Standard. The Proposal includes consideration of MRL variations proposed by the APVMA, as well as MRL harmonisation requests from other interested parties.

### 2.2 The current Standard

Standard 1.4.2 lists the limits for agricultural and veterinary chemical residues which may occur in foods. Limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class whether produced domestically or imported. Food products with residues exceeding the relevant limit listed in the Code cannot legally be supplied in Australia. This ensures that residues of agricultural and veterinary chemicals are kept as low as possible and consistent with the approved use of chemical products to control pests and diseases of plants and animals.

### 2.3 Reasons for preparing the Proposal

The purpose of this Proposal is to vary MRLs for residues of agricultural or veterinary chemicals in food, see **Attachments A, B**.

The Proposal includes consideration of MRL variations for carbendazim and dimethoate proposed by the APVMA in Gazette No. APVMA 22, Tuesday, 8 November 2011<sup>1</sup>. These MRL variations relate to regulatory decisions on the use of chemical products made by the APVMA as part of its reviews of carbendazim and dimethoate. FSANZ and the APVMA agreed that the APVMA would discontinue its proposal to amend carbendazim and dimethoate MRLs in the Code and that FSANZ would consult further with interested parties and raise a proposal to consider these variations.

The Proposal also includes consideration of MRLs to further align the Code with Codex and trading partner standards, including some additional carbendazim and dimethoate MRLs. These MRLs were requested by the Australian Beverages Council, BASF, Bryant Christie, the California Citrus Quality Council, the California Grape and Tree Fruit League, the California Table Grapes Commission, the Cranberry Marketing Committee, DeGroot Technical Services Pty Limited, Langdon Ingredients, Max Mark International (Australia) Pty Limited, Monsanto, the Northwest Horticultural Council and Syngenta.

Internationally, countries set MRLs according to good agricultural practice (GAP) or good veterinary practice (GVP). Agricultural and veterinary chemicals are used differently in different countries around the world as pests, diseases and environmental factors differ and because product use patterns may differ. This means that residues in imported foods may legitimately differ from those in domestically produced foods.

The proposed MRLs will permit the sale of foods containing legitimate residues and protect public health and safety by minimising residues in foods consistent with the effective control of pests and diseases.

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<sup>1</sup> [http://www.apvma.gov.au/publications/gazette/2011/22/gazette\\_2011-11-08\\_page\\_38.pdf](http://www.apvma.gov.au/publications/gazette/2011/22/gazette_2011-11-08_page_38.pdf)

The limits may minimise potential trade disruption and extend consumer choice. MRLs proposed in relation to requests to harmonise limits in the Code with trading partner or Codex limits are listed at **Attachment C**.

## **2.5 Procedure for assessment**

The Proposal is being assessed under the General Procedure.

# **3. Summary of the assessment**

## **3.1 Risk assessment**

To assess the public health and safety implications of chemical residues in food, FSANZ estimates the dietary exposure to chemical residues from potentially treated foods in the diet and compares the dietary exposure with the relevant health-based guidance value, for example the acceptable daily intake (ADI) or the acute reference dose (ARfD).

The ADI and ARfD for individual agricultural and veterinary chemicals are established by the Office of Chemical Safety and Environmental Health (OCSEH) following an assessment of the toxicology of each chemical. In the case that an Australian ADI or ARfD has not been established, a Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR) ADI or ARfD may be used for risk assessment purposes.

FSANZ conducts and reviews dietary exposure assessments using the best available scientific data and internationally recognised risk assessment methodology. Variations to limits in the Code will not be supported where estimated dietary exposures to the residues of a chemical indicate a potential public health and safety risk for the population or a population sub group.

The steps undertaken in conducting a dietary exposure assessment are:

- determining the residues of a chemical in a treated food
- calculating dietary exposure to a chemical from relevant foods, using residue data and food consumption data from national nutrition surveys; and
- completing a risk characterisation where estimated dietary exposures are compared to the relevant health-based guidance value.

FSANZ has reviewed the dietary exposure assessments submitted by the APVMA and conducted additional dietary exposure assessments to assess the limits requested by other parties. The proposed MRLs do not present any public health and safety concerns.

## **3.2 Risk Management**

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:

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

- whether other measures (whether available to FSANZ or not) would be more cost-effective than a food regulatory measure developed or varied as a result of the Proposal
- any relevant New Zealand standards
- any other relevant matters.

### **3.2.1 Cost/benefit analysis**

The proposed MRL variations benefit Australian Government, state and territory agencies, growers and producers, in that they serve to further harmonise agricultural and food standards. Achieving further consistency between agricultural and food legislation will minimise compliance costs to primary producers and assist in efficient enforcement of regulations.

Importers may benefit or be disadvantaged by the approval of the proposed draft variations. Additional or increased MRLs may benefit importers and consequently, consumers in that this may extend the options to source safe foods. Conversely, importers and consequently consumers may be disadvantaged where proposed additional or increased MRLs are not progressed as this may unnecessarily limit sources of certain foods.

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 retain specific MRLs where the residues do not present a human health risk, and there is a legitimate Codex or trading partner MRL.

### **3.2.2 Other measures**

There were no measures that could achieve the same result other than an amendment to Standard 1.4.2.

### **3.2.3 Relevant New Zealand standards**

*The Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agricultural and veterinary chemicals in food from the system setting joint food standards. Australia and New Zealand independently and separately develop MRLs for agricultural and veterinary chemicals in food.

All domestically produced food sold in New Zealand must comply with the New Zealand (Maximum Residue Limits of Agricultural Compounds) Food Standards 2011 and any amendments (the New Zealand MRL Standards). If food is imported into New Zealand, such food must comply either with the New Zealand MRL Standards or with Codex MRLs (except for food imported from Australia).

Under the New Zealand MRL Standards, agricultural chemical residues in food must comply with the specific MRLs listed in the Standards. The New Zealand MRL Standards also include a provision for residues of up to 0.1 mg/kg for agricultural chemical / commodity combinations not specifically listed.

Further information about the New Zealand MRL Standards is available on the New Zealand Ministry for Primary Industries website: <http://www.foodsafety.govt.nz/industry/sectors/plant-products/pesticide-mrl/>

Limits in the Code and in the New Zealand MRL Standards may differ for a number of legitimate reasons including differing use patterns for chemical products as a result of varying pest and disease pressures and varying climatic conditions.

### **3.2.4 Any other relevant matters**

A Regulation Impact Statement (RIS) is not required because the proposed variations to Standard 1.4.2 are minor and do not substantially alter existing arrangements.

### **3.2.5 Addressing FSANZ's objectives for standards-setting**

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

#### ***3.2.5.1 Protection of public health and safety***

FSANZ has reviewed the dietary exposure assessments submitted by the APVMA and conducted additional dietary exposure assessments to assess the MRLs requested by other parties. Using the best available scientific data and internationally recognised risk assessment methodology, FSANZ concluded that in relation to current health-based guidance values, setting the limits as proposed does not present any public health and safety concerns.

#### ***3.2.5.2 The provision of adequate information relating to food to enable consumers to make informed choices***

This objective is not relevant to matters under consideration in the Proposal.

#### ***3.2.5.3 The prevention of misleading or deceptive conduct***

This objective is not relevant to matters under consideration in the Proposal.

#### ***3.2.5.4 Subsection 18(2) considerations***

FSANZ has also had regard to the matters listed in subsection 18(2):

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

FSANZ's primary role in developing food regulatory measures for residues of agricultural and veterinary chemicals in food is to ensure that estimated exposures to potential residues are within health-based guidance values. As described in Section 3.2.5.1, FSANZ conducts and reviews dietary exposure assessments using the best available scientific data and internationally recognised risk assessment methodology.

- 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 Codex and trading partner standards.



- the desirability of an efficient and internationally competitive food industry

The proposed MRL variations ensure openness and transparency in relation to the residues that could reasonably occur in food. The changes will minimise potential costs to primary producers, rural and regional communities and importers in terms of permitting the sale of food containing legitimate residues.

- the promotion of fair trading in food

Section 3.2.1 lists a number of considerations that address fair trading with respect to variations to MRLs in this proposal.

- any written policy guidelines formulated by the Ministerial Council<sup>2</sup>.

The proposal has regard to the need to promote a consistent approach to MRLs for both domestic and imported foods, where appropriate, and the need to be consistent with Australia's obligations under the WTO Sanitary and Phytosanitary Agreement (SPS Agreement).

### **3.3. Risk communication**

FSANZ has adopted a basic communication strategy for this Proposal, with a focus on alerting the community that changes to the Code are being contemplated.

FSANZ is seeking public comment on the proposed changes to the Code outlined in this consultation document to help finalise the assessment. All comments are welcome. However FSANZ is particularly interested in comments on any impacts (costs/benefits) of the proposed variations, in particular, likely impacts on importation of food if specific variations are advanced and any public health and safety considerations associated with the proposed changes.

FSANZ publishes details about proposed changes, submissions and subsequent reports on its website, alerts more than 5000 subscribers via email of the availability of these reports for comment, and issues media releases drawing attention to proposed Code amendments.

Social media and FSANZ publications are also used to communicate calls for submissions.

Individuals and organisations making submissions on this Proposal will be notified at each stage of the assessment. If the FSANZ Board approves the draft variations to the Code, FSANZ will notify its decision to the COAG Legislative and Governance Forum on Food Regulation. FSANZ will notify the gazetted changes to the Code in the national press and on the FSANZ website.

#### **3.3.2 World Trade Organization (WTO)**

As a member of the WTO, Australia is obligated to notify WTO member nations where proposed mandatory regulatory measures are inconsistent with any existing or imminent international standards and where the proposed measure may have a significant effect on trade.

Limits prescribed in the Code constitute a mandatory requirement applying to all food products of a particular class whether produced domestically or imported.

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<sup>2</sup> Now known as the COAG Legislative and Governance Forum on Food Regulation.

Food products with residues exceeding the relevant limit listed in the Code cannot legally be supplied in Australia.

This Proposal includes consideration of varying limits in the Code for residues of agricultural and veterinary chemicals in food that are addressed in the international Codex standard. Limits in the Proposal relate to chemical residues that may occur in heavily traded agricultural commodities that may indirectly have a significant effect on trade of derivative food products between WTO members.

The primary objective of the measure is to support the regulation of the use of agricultural and veterinary chemical products to protect human, animal and plant health and the environment. Therefore, a notification to the WTO under Australia's obligations under the WTO Sanitary and Phytosanitary Measures Agreement has been made to enable other WTO members to comment on the proposed amendments.

### 3.3.3 Codex Alimentarius Commission Standards

Codex standards are used as the relevant international standard to determine whether a new or changed standard requires a WTO notification.

FSANZ may consider varying limits for residues of agricultural or veterinary chemicals in food in a Proposal where interested parties have identified anomalies between the Code and international standards that may result in adverse impacts. FSANZ must have regard to its WTO obligations, the promotion of consistency between domestic and international food standards and the promotion of fair trading in food. These matters encompass a consideration of international standards and trade issues. The assessment gives careful consideration to public health and safety.

Interested parties provided information that specific anomalies between the Code and Codex or other standards may present barriers to trade in certain foods. The proposed variations to the Code would align limits in the Code with international standards and/or standards in producer or other importing countries and permit the sale in Australia of relevant foods containing legitimate residues that do not present health or safety concerns.

The following table lists proposed limits where there is a corresponding Codex limit. Note that numerical MRL values may not be directly comparable as residue definitions may differ. MRLs proposed for inclusion in the Code in relation to MRL harmonisation requests are listed in **Attachment C**.

Chemical Food	Proposed limit <sup>†‡</sup> mg/kg	Codex limit mg/kg
<b>Abamectin</b> Citrus fruits	0.02	0.01
<b>Azoxystrobin</b> Citrus fruits	10	15

<b>Chemical</b> Food	<b>Proposed limit<sup>1±</sup></b> mg/kg	<b>Codex limit</b> mg/kg
<b>Carbendazim</b>		
Apple	0.2	Pome fruits 3
Apricot	2	2
Banana	T1	0.2
Berries and other small fruits [except grapes]	T5	1
Cherries	0.5	10
Ginger, root	T10	Root or rhizome 0.1
Grapes	0.3	3
Nectarine	0.2	2
Oranges	0.2	Oranges, Sweet, Sour (including Orange-like hybrids): several cultivars 1
Peach	0.2	2
Pear	0.2	Pome fruits 3
Tomato	0.5	0.5
<b>Chlorantraniliprole</b>		
Cranberry	1	Berries and other small fruits 1
<b>Clothianidin</b>		
Cranberry	0.01	Berries and other small fruits [except grapes] 0.07
<b>Cyfluthrin</b>		
Citrus fruits	0.2	0.3
<b>Cypermethrin</b>		
Stone fruits	1	2
<b>Cyprodinil</b>		
Stone fruits	2	2
<b>Difenoconazole</b>		
Dried grapes	6	Grapes 0.1
Grapes	4	
<b>Dimethoate</b>		
Artichoke, globe	T1	0.05
Asparagus	0.02	*0.05
Cabbages, head	T0.2	Cabbage, savoy *0.05
Cauliflower	T0.3	0.2
Celery	T0.5	0.5
Cereal Grains	T0.5	Barley 2 Wheat 0.05
Cherries	T0.2	2
Citrus fruits	5	5
Edible offal (mammalian)	0.1	Cattle, Edible offal of *0.05 Sheep, Edible offal of *0.05
Fruit [except as otherwise listed under this chemical]	Omit 5	Olives 0.5 Pear 1
Galangal, rhizomes	Omit T2	Roots or rhizomes *0.1
Legume vegetables	T2	Peas (pods and succulent=immature seeds) 1
Peppers, Chili	T5	Peppers Chili, dried 3
Peppers, Sweet	0.7	Peppers, Sweet (including pimento or pimiento) 0.5
Potato	0.1	0.05
Turmeric, root	Omit T2	Roots or rhizomes *0.1
Turnip, garden	*0.2	0.1
Vegetables [except as otherwise listed under this chemical]	Omit 2	Brussels sprouts 0.2 Lettuce, Head 0.3 Sugar beet 0.05 Turnip greens 1
Wheat bran, processed	T1	Wheat 0.05

Chemical Food	Proposed limit <sup>†‡</sup> mg/kg	Codex limit mg/kg
<b>Fenpyroximate</b> Citrus fruits	0.6	0.5
<b>Glyphosate</b> Maize Rape seed (canola)	5 20	5 Rape seed 20
<b>Indoxacarb</b> Stone fruits	2	1
<b>Mandipropamid</b> Grapes	2	2
<b>Phosmet</b> Blueberries Lemon Mandarins	10 5 5	10 Citrus fruits 3
<b>Pyrimethanil</b> Citrus fruit [except lemon] Lemon	10 11	Citrus fruits 7
<b>Spinetoram</b> Citrus fruits	3	Oranges, Sweet, Sour (including Orange-like hybrids): several cultivars 0.07
<b>Spirodiclofen</b> Citrus fruits Stone fruits	0.5 1	0.4 2

<sup>†</sup> Note that a 'T' indicates that the limit is temporary.

<sup>‡</sup> An asterisk indicates that the limit is at or about the limit of analytical quantification.

### 3.3.5 Impacts on imported foods of MRL variations proposed by the APVMA

Deletions or reductions of MRLs may affect imported foods containing residues that currently comply with existing MRLs. In cases where deletions are proposed by the APVMA, these existing MRLs are no longer required for domestically produced food. FSANZ is committed to ensuring that the implications of MRL variations are considered. Under the current process for considering variations to the Code, FSANZ encourages submissions including information demonstrating a need for an alternative specific MRL variation to be considered rather than the proposed variation. FSANZ will consider amending proposed MRL variations to continue to allow the sale of food where such MRLs are supported by adequate data or information demonstrating that the residues are legitimate and likely to occur. The risk assessment will consider dietary exposure in the context of the Australian diet. Further information on data requirements may be obtained from FSANZ.

To assist in identifying possible impacts on imported foods, FSANZ has compiled the following table of foods for which deletion or reduction of carbendazim and dimethoate MRLs is proposed.

Chemical
Food
<b>Carbendazim</b> Avocado Cereal grains Citrus fruits Custard apple Fruiting vegetables, cucurbits Fruiting vegetables, other than cucurbits [except mushrooms] Grapes Herbs Litchi Mango Papaya (pawpaw) Peanut Pistachio nut Pome fruits Stone fruits Turmeric root Other vegetables [except garlic and pulses]
<b>Dimethoate</b> Avocado Chervil Fruiting vegetables, cucurbits Galangal, rhizomes Herbs Litchi Lupin (dry) Mizuna Peach Peppers, Sweet Quandong Rucola (rocket) Strawberry Tomato Turmeric, root Other fruit [except abiu, banana passionfruit, bearberry, bilberries, blackberries, blueberries, cactus fruit, citrus fruits, cranberry, raspberries, rollinia, santols, mango, watermelon and other assorted tropical and sub-tropical fruits – inedible peel] Other vegetables [except legume vegetables, chilli peppers and melons]

**FSANZ requests comment on any possible ramifications for imported foods of the proposed variations.**

## **4. Draft variation**

The draft variations and an explanatory statement to the variations are at **Attachments A, B.**

### **Attachments**

- A. Draft variations to the *Australia New Zealand Food Standards Code*
- B. Draft Explanatory Statement
- C. MRLs proposed in relation to MRL harmonisation requests

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

To commence: on gazettal

[1] **Standard 1.4.2** of the *Australia New Zealand Food Standards Code* is varied by –

[1.1] *inserting in alphabetical order in Schedule 1 –*

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

[1.2] *omitting from Schedule 1 the foods and associated MRLs the following chemicals –*

<b>Carbendazim</b>	
Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim	
Avocado	3
Cereal grains	*0.05
Citrus fruits	10
Custard apple	1
Fruiting vegetables, cucurbits [except as otherwise listed under this chemical]	2
Fruiting vegetables, other than cucurbits [except mushrooms]	2

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

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

<b>Acetamiprid</b>	
<i>Commodities of plant origin:</i> Acetamiprid	
<i>Commodities of animal origin:</i> Sum of acetamiprid and N-demethyl acetamiprid (( <i>E</i> )-N <sup>1</sup> -[(6-chloro-3-pyridyl)methyl]-N <sup>2</sup> -cyanoacetamidine), expressed as acetamiprid	
Citrus fruits	0.5
Cranberry	0.6

<b>Bifenazate</b>	
Sum of bifenazate and bifenazate diazene (diazene-carboxylic acid, 2-(4-methoxy-[1,1'-biphenyl-3-yl] 1-methylethyl ester), expressed as bifenazate	
Cranberry	1.5
<b>Carbendazim</b>	
Sum of carbendazim and 2-aminobenzimidazole, expressed as carbendazim	
Apple	0.2
Apricot	2
Cherries	0.5
Citron	0.7
Grapefruit	0.2
Lemon	0.7
Lime	0.7
Mandarins	0.7
Mineola	0.7
Nectarine	0.2
Onion, bulb	T*0.2
Oranges	0.2
Peach	0.2
Pear	0.2
Shaddock (pomelo)	0.2
Tangelo [except mineola]	0.2
Tangors	0.7
Tomato	0.5
<b>Chlorantraniliprole</b>	
<i>Plant commodities and animal commodities other than milk:</i> Chlorantraniliprole	
<i>Milk:</i> 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	
Cranberry	1
<b>Clothianidin</b>	
Clothianidin	
Cranberry	0.01
<b>Cyfluthrin</b>	
Cyfluthrin, sum of isomers	
Citrus fruits	0.2
Stone fruits	0.3
<b>Cypermethrin</b>	
Cypermethrin, sum of isomers	
Stone fruits	1
<b>Difenoconazole</b>	
Difenoconazole	
Dried grapes	6
Grapes	4
<b>Dimethoate</b>	
Sum of dimethoate and omethoate, expressed as dimethoate see also Omethoate	
Abiu	5
Artichoke, globe	T1
Asparagus	0.02



Assorted tropical and sub-tropical fruits – inedible peel [except avocado; mango]	5
Avocado	3
Banana passionfruit	5
Bearberry	T5
Beetroot	T*0.1
Bilberry	T5
Bilberry, bog	T5
Bilberry, red	T5
Blackberries	T5
Blueberries	T5
Boysenberry	0.02
Broccoli	T0.3
Cabbages, head	T0.2
Cactus fruit	5
Carrot	T0.3
Cauliflower	T0.3
Celery	T0.5
Cherries	T0.2
Citrus fruits	5
Cranberry	T5
Elderberries	0.02
Grapes	T*0.1
Legume vegetables	T2
Melons, except watermelon	T5
Onion, bulb	0.7
Parsnip	T0.3
Peppers, Chili	T5
Potato	0.1
Pulses	T0.5
Radish	T3
Raspberries, red, black	T5
Rhubarb	0.7
Rollinia	5
Santols	5
Squash, summer (including zucchini)	0.7
Stone fruits [except cherries]	T*0.02
Sweet corn (corn-on-the-cob)	T0.3
Sweet potato	0.1
Turnip, garden	*0.2
Watermelon	T5
Wheat bran, processed	T1
<b>Fenpropathrin</b> Fenpropathrin	
Cherries	5
Citrus fruits	2
<b>Fenpyroximate</b> Fenpyroximate	
Citrus fruits	0.6
<b>Glyphosate</b> Sum of glyphosate and Aminomethylphosphonic acid (AMPA) metabolite, expressed as glyphosate	
Cereal grains [except barley; maize; sorghum; wheat]	T*0.1
Maize	5
<b>Hexazinone</b> Hexazinone	
Blueberries	0.6
<b>Indoxacarb</b> Sum of indoxacarb and its <i>R</i> -isomer	
Stone fruits	2

<b>Novaluron</b> Novaluron	
Cranberry	0.45
<b>Phosmet</b> Sum of phosmet and its oxygen analogue, expressed as phosmet	
Blueberries	10
Lemon	5
Mandarins	5
<b>Pyridaben</b> Pyridaben	
Citrus fruits	0.5
<b>Pyrimethanil</b> Pyrimethanil	
Citrus fruits [except lemon]	10
Lemon	11

[1.4] omitting from Schedule 1 the MRL for the food for the following chemicals, substituting –

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

<b>Mandipropamid</b> Mandipropamid	
Grapes	2
<b>Metrafenone</b> Metrafenone	
Grapes	4.5
<b>Spinetoram</b> Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L	
Citrus fruits	3

## **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 M1008 to amend certain MRLs for agricultural and veterinary chemicals. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has approved a draft Standard.

### **2. Purpose**

The purpose of the proposed variation to Standard 1.4.2 is to vary MRLs for residues of agricultural or veterinary chemicals in food.

Standard 1.4.2 lists the limits for agricultural and veterinary chemical residues which may occur in foods. If a limit 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 the absence of the relevant limit 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 both the development of new products and crop uses, and the withdrawal of older products following review. In regard to Australia's WTO obligations, limits may be harmonised with international or trading partner standards. Internationally, farmers face different pest and disease pressures, agricultural and veterinary chemical use patterns and the legitimate residues in food associated with these uses may vary accordingly.

A dietary exposure assessment is conducted before MRLs are varied to ensure that proposed limits do not present any public health or safety concerns.

### **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 M1008 includes one round of public consultation following an assessment and preparation of draft variations to Standard 1.4.2 and associated reports. Submissions were called for on 17 July 2012 for a four-week consultation period.

A Regulation Impact Statement (RIS) is not required because the proposed variations to Standard 1.4.2 are minor and do not substantially alter existing arrangements.

Business compliance costs and other impacts on business, individuals, regulatory agencies and the economy are low or nil. The regulatory proposal does not impose impacts on business, individuals, regulatory agencies or the economy that warrant further analysis. The changes to regulation are machinery in nature involving technical variations to the Standard, which will not have appreciable impacts and are consistent with existing policy.

## **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**

Items 1.1 to 1.4 set out proposed amendments to Schedule 1 of Standard 1.4.2.

### *Item 1.1*

This item inserts new entries for the chemicals listed. The entries include the chemical name, residue definition, foods and associated MRLs. This item incorporates the new entries in alphabetical order among the chemicals listed in the Schedule.

### *Item 1.2*

This item omits the foods and associated MRLs for the chemicals listed.

### *Item 1.3*

This item inserts the foods and associated MRLs for the chemicals listed. It incorporates the new entries in alphabetical order among the foods listed under each chemical.

### *Item 1.4*

This item omits the MRL for the foods listed, replacing it with the limit shown for each of the chemicals listed.

## Attachment C – MRLs proposed in relation to MRL harmonisation requests

Chemical	Commodity descriptor	MRL (mg/kg)	Trading partner/Codex
Abamectin	Citrus fruit	0.02	United States of America
Acequinocyl	Citrus fruits	0.2	United States of America
Acetamiprid	Citrus fruit	0.5	United States of America
	Cranberry	0.6	United States of America
Azoxystrobin	Citrus fruits	10	United States of America
Bifenazate	Cranberry	1.5	United States of America
Carbendazim	Apple	0.2	European Union
	Apricot	2	Codex
	Cherries	0.5	European Union
	Citron	0.7	European Union
	Grapefruit	0.2	European Union
	Grapes	0.3	European Union
	Lemon	0.7	European Union
	Lime	0.7	European Union
	Mandarins	0.7	European Union
	Mineola	0.7	European Union
	Nectarine	0.2	European Union
	Oranges	0.2	European Union
	Peach	0.2	European Union
	Pear	0.2	European Union
	Shaddock (pomelo)	0.2	European Union
Tangelo [except mineola]	0.2	European Union	
Tangors	0.7	European Union	
Tomato	0.5	Codex	
Chlorantraniliprole	Cranberry	1	United States of America
Chlorpyrifos	Peanut	0.05	European Union
Clothianidin	Cranberry	0.01	United States of America
Cyfluthrin	Citrus fruits	0.2	United States of America
	Stone fruits	0.3	United States of America
Cypermethrin	Stone fruits	1	United States of America
Cyprodinil	Stone fruits	2	United States of America
Dicamba	Soya bean (immature seeds)	10	United States of America
Difenoconazole	Dried grapes	6	United States of America
	Grapes	4	United States of America
Dimethoate	Boysenberry	0.02	European Union
	Cherries	T0.2	European Union
	Elderberries	0.02	European Union
	Strawberry	0.02	European Union
Fenpropathrin	Cherries	5	United States of America
	Citrus fruits	2	United States of America
Fenpyroximate	Citrus fruits	0.6	United States of America
Fluoxastrobin	Cranberry	1.9	United States of America
Fluxapyroxad	Plums (including prunes)	3	United States of America
	Pome fruits	0.8	United States of America
	Pulses [except soya bean(dry)]	0.4	United States of America
	Soya bean (dry)	0.3	United States of America
	Soya bean (immature seeds)	0.15	United States of America

<b>Chemical</b>	<b>Commodity descriptor</b>	<b>MRL (mg/kg)</b>	<b>Trading partner/Codex</b>
	Stone fruits [except plums (including prunes)]	2	United States of America
Glyphosate	Maize	5	United States of America
	Rape seed (canola)	20	United States of America
Hexazinone	Blueberries	0.6	United States of America
Indoxacarb	Stone fruits	2	United States of America
Mandipropamid	Grapes	2	United States of America
Metrafenone	Grapes	4.5	United States of America
Novaluron	Cranberry	0.45	United States of America
Phosmet	Blueberries	10	United States of America
	Lemon	5	United States of America
	Mandarins	5	United States of America
Pyridaben	Citrus fruits	0.5	United States of America
Pyrimethanil	Citrus fruits [except lemon]	10	United States of America
	Lemon	11	United States of America
Spinetoram	Citrus fruits	3	United States of America
Spirodiclofen	Citrus fruits	0.5	United States of America
	Stone fruits	1	United States of America
Spiromesifen	Cranberry	2	United States of America