8 July 2013
[10-13]

Approval Report – Application A1083

Maximum Residue Limits for Blueberries & Raspberries

Food Standards Australia New Zealand (FSANZ) has assessed an Application made by the Australian Food and Grocery Council and Patties Foods Limited to seek permission to amend maximum residue limits (MRLs) listed in Schedule 1 of Standard 1.4.2 to include Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries.

On 23 May 2013, FSANZ sought submissions on a draft variation and published an associated report. FSANZ received 9 submissions.

FSANZ approved the draft variation on 28 June 2013. The COAG Legislative and Governance Forum on Food Regulation[1] (Forum) was notified of FSANZ's decision on 5 July 2013.

This Report is provided pursuant to paragraph 33(1)(b) of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act).

[1] Previously known as the Australia and New Zealand Food Regulation Ministerial Council

Table of Contents

Supporting documents

The following document used to prepare this Report is available on the FSANZ website at http://www.foodstandards.gov.au/code/applications/Pages/A1083.aspx

SD1 Dietary exposure estimates

1. Executive summary

Food Standards Australia New Zealand (FSANZ) received an Application from the Australian Food and Grocery Council and Patties Foods Limited on 13 March 2013. The Application sought the inclusion of maximum residue limits (MRLs) for the agricultural chemicals Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries in Standard 1.4.2 in the *Australia New Zealand Food Standards Code* (the Code). These chemicals are already permitted for use in Australia for other commodities.

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.

FSANZ estimated the dietary exposure of the Australian population to these chemicals, which indicated that the proposed limits for the residues do not present any public health and safety concerns in relation to the health-based guidance values.

The potential benefits of including the MRLs in the Code outweigh the possible costs and will permit the import and sale of foods which may contain legitimate residues used as part of good agricultural practices internationally. Agricultural and veterinary chemicals are used differently in different countries around the world where pests, diseases and environmental factors differ and because product use patterns may differ. Further, the proposed MRL variations will harmonise the Code with international MRL standards.

FSANZ has approved a variation to Standard 1.4.2 to include the relevant agricultural chemicals under Schedule 1.

2. Introduction

2.1 The Applicant

The Australian Food and Grocery Council (AFGC) is a national organisation representing Australia's food, drink and grocery manufacturing industry.

Patties Foods Limited (Patties Foods) is an Australian manufacturer, supplier and marketer of branded frozen savoury and dessert products.

2.2 The Application

Application A1083 was submitted by the AFGC and Patties Foods on 13 March 2013. The Application sought the inclusion of maximum residue limits (MRLs) for the agricultural chemicals Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries under Schedule 1 of Standard 1.4.2 of the *Australia New Zealand Food Standards Code* (the Code).

There are currently no MRLs listed for the chemicals requested for blueberries and raspberries under Schedule 1. The MRLs requested (Table 1) would harmonise MRLs in the Code with other international standards including Codex Alimentarius (Codex) MRL standards and New Zealand standards (see Section 4.1.3).

Table 1 Requested MRLs for Application A1083

Commodity	Chemical	Requested MRL (Codex)
Blueberries	Azoxystrobin	5.0 mg/kg
Blueberries	Fenhexamid	5.0 mg/kg
Blueberries	Fludioxonil	2.0 mg/kg
Raspberries	Bifenthrin	1.0 mg/kg

2.3 The current Standard

Standard 1.4.2 lists the limits for agricultural and veterinary chemical residues which may occur in foods according to good agricultural practice. 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. FSANZ has the responsibility to ensure that there are no risks to human health as a result of changes to MRLs.

The chemicals requested for consideration in this Application are permitted for use as an insecticide (Bifenthrin) or fungicide (Azoxystrobin, Fenhexamid and Fludioxonil) under good agricultural practice in Australia for many domestically produced commodities, and have permissible MRLs for those commodities in the Code. There are currently no residues permitted for Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries because the chemicals are not used in domestic agricultural production of these commodities.

Agricultural and veterinary chemicals are used differently in different countries around the world where pests, diseases and environmental factors differ and because product use patterns may differ. Residues in imported foods may therefore legitimately differ from those in domestically produced foods.

Application A1083 was lodged with FSANZ to enable continued trade between Australia and producers of individually quick frozen (IQF) berries where these agricultural chemicals are used as part of good agricultural practice in that country. The Application also sought harmonisation of these MRLs with those in Codex MRL standards.

2.4 Reasons for accepting the Application

The Application was accepted for assessment on the basis that:

- it complied with the procedural requirements under subsection 22(2);
- it related to a matter that warranted the variation of a food regulatory measure;
- it was not so similar to a previous application for the variation of a food regulatory measure that it ought to be rejected;
- there was no other relevant matter to consider.

2.5 Procedure for assessment

The Application was assessed under the General Procedure.

2.6 Decision

The draft variation as proposed following assessment was approved without change.

The approved variation is at Attachment A.

3. Summary of the findings

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[2], for example the acceptable daily intake (ADI)[3] or the acute reference dose (ARfD)[4].

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.

[2] **Health-based guidance value (HBGV)** A numerical value that reflects the level of a chemical that can be ingested over a defined time period (e.g. lifetime or 24 hours) without appreciable health risk.

[3] **Acceptable daily intake (ADI)** The estimate of the amount of a substance in food or drinking-water, expressed on a body weight basis, which can be ingested daily over a life-time without appreciable health risk to the consumer. The ADI is expressed in milligrams of the chemical per kilogram of body weight (a standard adult person weighs 60 kg).

[4] **Acute reference dose (ARfD)** The estimate of the amount of a substance in food or drinking-water, expressed on a body weight basis, that can be ingested in a period of 24 hours or less without appreciable health risk to the consumer. The ARfD is expressed in milligrams of the chemical per kilogram of body weight.

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
- completing a risk characterisation where estimated dietary exposures are compared to the relevant health-based guidance value.

FSANZ performed a dietary exposure assessment on the agricultural chemicals Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries, taking into account existing MRLs in the Code for these chemicals under Schedule 1 of Standard 1.4.2 for other commodities. The dietary exposure assessment revealed that the approved MRLs do not present any public health and safety concerns. The results of the dietary exposure assessment have been provided in the supporting document (SD1).

Further information on how FSANZ conducts dietary exposure assessments is available at http://www.foodstandards.gov.au/science/riskanalysis/exposure/pages/dietaryexposureandin4438.aspx.

3.2 Risk management

FSANZ is committed to maintaining limits in the Code that reflect residues that may legally occur in food. FSANZ will only approve variations to MRLs in the Code where the risk assessment concludes that estimated dietary exposure is within health-based guidance values. FSANZ considers including MRLs in the Code that are harmonised with those established by a trading partner where they do not present safety concerns and are associated with the controlled use of chemical products in the country where the food is produced.

3.2.1 Summary of submissions

Consultation is a key part of FSANZ's standards development process. FSANZ acknowledges the time taken by individuals and organisations to make submissions.

Every submission on an application or proposal is reviewed by FSANZ staff, who examine the issues identified and prepare a response to those issues. While not all comments can be taken on board during the process, they are valued and all contribute to the rigour of our assessment.

Nine submissions were received between 23 May and 20 June 2013. Six of the submissions were supportive of all approved MRL variations and another was supportive of variations to Azoxystrobin, Fenhexamid and Fludioxonil in blueberries but raised potential issues with the variation to include MRLs for Bifenthrin in raspberries.

The final two submissions raised several issues which have been summarised and addressed in table 2. When submissions have contained similar issues, they have been grouped together under one heading.

Table 2 Summary of issues raised in submissions

Issue	Raised by	FSANZ Response (including any amendments to drafting)
Bifenthrin is a chemical of concern and is no longer listed for raspberries in the European Union (EU)	Coles Supermarket	FSANZ has confirmed that the EU does have an MRL for Bifenthrin in raspberries at the same level as those approved in this Application (1.0 mg/kg). FSANZ notes that MRLs may differ based on the agricultural and veterinary practices of different countries. Particular countries may not have an MRL for a commodity, if it is not used in local farming practice.
Bifenthrin does not have any MRLs listed in Schedule 1 of Standard 1.4.2 for berries and is very low for grapes (0.01 ppm)	Coles Supermarket	FSANZ notes that there are several potential reasons for not having an MRL for other berries including that: agricultural chemicals may not be used in Australian due to pests, diseases and environmental factors differing to those in other countries; because product use patterns may differ in other countries; the agricultural chemical may be under assessment by the Australian Pesticides and Veterinary Medicines Authority (APVMA) for local use and are not currently permitted. FSANZ notes that the MRL for grapes of 0.01 mg/kg was set by the APVMA and reflects the outcomes of its risk assessment process.
Local fresh berries are now provided year round and have to compete with imported berries, whether fresh or IQF, and not having chemicals registered for domestic use disadvantages local farmers.	Australian Blueberry Growers Association (ABGA) Raspberries and Blackberries Australia (RABA)	FSANZ conducted a qualitative cost benefit analysis as a part of the assessment for this Application. The outcomes supported approving the MRL variations. Other submissions have further highlighted that the current supply of local IQF and fresh berries is unable to meet local demand. FSANZ notes that the need for agricultural chemical use is dictated by local environmental factors such as pests and disease. If there is an identified need for the use of chemicals to control local pests in Australia, then the APVMA has a process to apply for agricultural permits to enable their use.

Issue	Raised by	FSANZ Response (including any amendments to drafting)
Request for FSANZ to hasten/expedite permits for chemicals for Australian growers and accept the Codex MRLs without further local testing/residue trials in Australia.	ABGA RABA	FSANZ does not have responsibility for assessing agricultural or veterinary chemicals for use in Australia.
Request for clarification on whether variations to the Code automatically apply to use of chemicals by Australian producers?	RABA	FSANZ notes that variations to Standard 1.4.2 apply to all MRLs in food. Where a chemical is used to produce a food and sold in Australia any resulting residue in food must meet the required MRLs in the Code, whether produced domestically or internationally. The APVMA is responsible for permits for using agricultural and veterinary chemicals in Australia.
Overseas MRLs are accepted when setting MRLs for imported foods but are not considered adequate by the APVMA in the absence of detailed field trialling and analysis	RABA	FSANZ is unable to comment on the APVMA process for registering chemicals for local use. International permits for chemicals are based on the local pests, diseases and environmental factors which may legitimately differ from those permitted locally. FSANZ's decision in relation to approving MRL variations considers whether there are health or safety concerns based on established health-based guidance values and dietary exposure in the Australian population, and no issues were found in relation to this Application.
Imported berries must be monitored for chemical residues in the same way Australian products are tested.	RABA	Monitoring of food available for sale in Australia is conducted via a range of programs. The Department of Agriculture, Fisheries and Forestry is responsible for monitoring of food imported into Australia to ensure it complies with the Code. Food is further analysed for residues through State and Territory residue monitoring programs, Australian Government programs such as the National Residue Survey and dietary exposure studies such as the FSANZ Australian Total Diet Study.

Issue	Raised by	FSANZ Response (including any amendments to drafting)
Need for a consistent approach to local and imported produce when applying MRLs and chemical registration for both local and imported products.	ABGA	FSANZ MRL standards are consistent in their application to all food products of a particular class whether produced domestically or imported. Food cannot be sold legally in Australia if it contains residues which are not listed in the Code. The *Food Standards Australia New Zealand Amendment Act 2010* empowers the APVMA to vary MRLs in Schedule 1 of Standard 1.4.2 after its assessment of agricultural and veterinary chemicals. FSANZ is not involved in the APVMA process for chemical registration or permits.

3.3 Risk communication

FSANZ developed and applied a basic communication strategy to this Application. All calls for submissions were notified via the FSANZ Notification Circular, media release and through FSANZ's social media tools and Food Standards News. Subscribers and interested parties were notified about the availability of reports for public comment.

The process by which FSANZ considers standard matters is open, accountable, consultative and transparent. Public submissions were called to obtain the views of interested parties on the draft variation to the Code. FSANZ placed all related Application documents and submissions on the FSANZ website. All public comments received were reviewed and considered before approval of the variation to the Code by the FSANZ Board.

3.3.1 World Trade Organization (WTO)

The amendment was a trade–liberalising measure which harmonised with international standards, and FSANZ was under no obligation to notify the WTO of the amendment being proposed. However, FSANZ policy approach is in line with WTO policy to notify MRL amendments to the WTO in the interests of openness and transparency, even if they are harmonising with international standards, as there is often a strong interest in such measures among Australia's trading partners. Therefore, a notification was made under the Sanitary and Phytosanitary Agreement. No WTO member nation provided comment on this Application.

4. Reasons for decision

The variation to the Code to include MRLs for the agricultural chemicals Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries under Schedule 1 of Standard 1.4.2 was approved based on available evidence, for the following reasons:

- The chemicals under review have established health-based guidance values with the aim to protect people's health and well-being, and protect those who would be most at risk to experiencing health effects.

- The dietary exposure assessment did not identify any public health and safety concerns associated with the inclusion of the MRLs in the Code for any of the relevant chemicals.

- There were no measures that would be more cost-effective than a variation to Standard 1.4.2 and could achieve the same result.

4.1 Section 29 matters

FSANZ had regard to the following matters under section 29 of the FSANZ Act:

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

- there were no other measures that would be more cost-effective than a variation to Standard that could achieve the same end

- any relevant New Zealand standards

- any other relevant matters.

4.1.1 Cost/benefit analysis

Application A1083 was covered under the standing exemption from the need to contact the Office of Best Practice Regulation (OBPR) regarding applications relating to maximum residue limits (ID 12065). Therefore, no Regulation Impact Statement was required for this Application.

When approving the variations to standard 1.4.2, FSANZ had consideration of the cost benefit issues which could potentially arise. Consideration was given to costs and benefits that the approved changes could impose for the community, government and industry.

Consumers: There will be continued year-round availability of imported IQF blueberries and raspberries and products made with IQF blueberries and raspberries.

Government: There will be barriers to trade with international trading partners on regulatory grounds for products which contain residues of agricultural chemicals with legitimate use in growing blueberries and raspberries.

The proposed MRLs harmonise with the Codex Alimentarius Commission, New Zealand and trading partner standards and , as stated under paragraphs 18 (2) (b) and (c) of the *Food Standards Australia New Zealand Act 1991*.

The variations benefit Australian Government, state and territory agencies, 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.

Industry: Importers of IQF berries will benefit by bringing imported berries into compliance with the Code, allowing continued market access and choice in raw materials.

The applicant has stated that Australian berry production does not fill the needs for shelf stable or IQF berry products for industry or for sale to the consumer. These variations will therefore benefit industry by allowing them to fill a demand that cannot be met by local production alone.

Retailers will be able to continue to offer food products manufactured using imported IQF berries.

The potential benefits of approving the variation were shown to outweigh costs.

4.1.2 Other measures

There are no measures which could achieve the same result other than an amendment to Standard 1.4.2. Commodities with residues not included in the Code cannot legally be supplied in Australia.

4.1.3 Relevant New Zealand standards

New Zealand has its own standards for chemical residues set out in the *New Zealand* (Maximum Residue Limits of Agricultural Compounds) *Food Standards* (the MRL Standards) and amendments, and the New Zealand Government enforces these standards.

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.

Foods imported into New Zealand must comply either with the New Zealand MRL Standards or with Codex MRLs (except for food imported from Australia).

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

The MRLs set out in the New Zealand MRL Standards for Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries refer to MRLs in Codex standards shown above (Table 1).

4.1.4 Any other relevant matters

There are no other relevant matters to consider in relation to A1083.

4.2 Addressing FSANZ's objectives for standards-setting

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

4.2.1 Protection of public health and safety

Inclusion of MRLs for Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries was assessed using internationally accepted procedures for estimating dietary exposure to food chemicals. FSANZ concluded that in relation to current health-based guidance values, setting the approved limits does not present any public health and safety concerns.

4.2.2 The provision of adequate information relating to food to enable consumers to make informed choices

Country of origin labelling requirements under Standard 1.2.11 will continue to be required allowing consumers to make informed choices when purchasing berry products.

There are no specific labelling requirements for agricultural chemicals and this was not a consideration for A1083.

4.2.3 The prevention of misleading or deceptive conduct

In Australia, compliance with the Code for all foods is monitored by authorities in the states and territories. Testing for agricultural chemical residues will ensure that imported foods are in compliance with MRLs in the Code.

4.2.4 Subsection 18(2) considerations

FSANZ has also had regard to the objectives set out 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 dietary exposures to potential residues are within health-based guidance values. As described in Section 3.1, 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 approved MRL variations remove inconsistencies between MRLs in the Code and those in Codex and other international trading partner standards, removing potential barriers to trade.

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

The approved MRL variations ensure openness and transparency in relation to the residues that could reasonably occur in food and will minimise potential costs to primary producers and importers by permitting the sale of food containing legitimate residues.

- *the promotion of fair trading in food*

The approved MRLs harmonise with the Codex, New Zealand and trading partner standards and would give regard to the promotion of consistency between domestic and international food standards. The approved variations meet WTO obligations; promotion of consistency between domestic and international trading partners; and the promotion of fair trading in food.

- *any written policy guidelines formulated by the Ministerial Council*[5]*.*

The Application 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).

[5] Now known as the COAG Legislative and Governance Forum on Food Regulation

Attachments

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

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

Food Standards (Application A1083 – Maximum Residue Limits for Blueberries and Raspberries) 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 Standard 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 (Application A1083 – Maximum Residue Limits for Blueberries and Raspberries) Variation*.

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

The Schedule varies Standard 1.4.2 in the *Australia New Zealand Food Standards Code*.

3 Commencement

The variation commences on **the date of gazettal**.

SCHEDULE

[1] Standard 1.4.2 is varied by inserting in Schedule 1 for each of the following chemicals the foods and associated MRLs in alphabetical order

Azoxystrobin Azoxystrobin	
Blueberries	5

Bifenthrin Bifenthrin	
Raspberries, red, black	1

Fenhexamid Fenhexamid	
Blueberries	5

Fludioxonil Commodities of animal origin: Sum of fludioxonil and oxidisable metabolites, expressed as fludioxonil Commodities of plant origin: Fludioxonil	
Blueberries	2

Attachment B – 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 1 of Part 3 of the FSANZ Act specifies that the Authority may accept applications for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering an application for the development or variation of food regulatory measures.

FSANZ accepted Application A1083 which seeks to amend maximum residue limits (MRLs) listed in Schedule 1 of Standard 1.4.2 to include Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries. The Authority considered the Application in accordance with Division 1 of Part 3 and has approved a draft Standard.

Following consideration by COAG Legislative and Governance Forum on Food Regulation[6], section 92 of the FSANZ Act stipulates that the Authority must publish a notice about the standard or draft variation of a standard.

Section 94 of the FSANZ Act specifies that a standard, or a variation of a standard, in relation to which a notice is published under section 92 is a legislative instrument, but is not subject to parliamentary disallowance or sunsetting under the *Legislative Instruments Act 2003*.

2. Purpose

The Authority has approved a variation to Standard 1.4.2 to include Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries. The approved variation promotes consistency between domestic and international regulations and supports global trade with a net benefit to the community.

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. In the absence of the relevant limit in the Code, the food may not be sold where there are detectable residues.

MRL variations are required to permit the sale of foods containing legitimate residues. 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 dietary exposure assessment was conducted for Azoxystrobin, Fenhexamid and Fludioxonil in blueberries and Bifenthrin in raspberries to ensure that proposed limits do not present any public health or safety concerns.

[6] Previously known as the Australia and New Zealand Food Regulation Ministerial Council

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 3 of Part 1 of the FSANZ Act, the Authority's consideration of Application A1083 included one round of public consultation following an assessment and the preparation of a draft Standard and associated report. Submissions were called for on 23 March 2012 for a four-week consultation period.

FSANZ also made a Sanitary and Phytosanitary notification to the World Trade Organization (WTO) in the interests of openness and transparency.

A Regulation Impact Statement was not required because the proposed variations to Standard 1.4.2 are likely to have a minor impact on business 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 sets out proposed amendments to Schedule 1 of Standard 1.4.2 inserting 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.