



**Commonwealth
of Australia**

Gazette

No. FSC 70, Thursday, 12 January 2012
Published by Commonwealth of Australia

FOOD STANDARDS

AMENDMENT NO. 128

The following instruments are separate instruments in the Federal Register of Legislative Instruments and are known collectively in the Food Standards Gazette as Amendment No. 128.

TABLE OF CONTENTS

Food Standards (Application A1057 – Endo-protease (EC 3.4.21.26) as a Processing Aid (Enzyme)) Variation

Standard 4.2.6 – Production and Processing Standard for Seed Sprouts

Food Standards (Proposal P1004 – Production & Processing Standard for Seed Sprouts – Consequential) Variation

ISSN 1446-9685

© Commonwealth of Australia 2012

This work is copyright. You may download, display, print and reproduce this material in unaltered form only (retaining this notice) for your personal, non-commercial use or use within your organisation. All other rights are reserved. Requests and inquiries concerning reproduction and rights should be addressed to The Information Officer, Food Standards Australia New Zealand, PO Box 7186, Canberra BC ACT 2610 or by email information@foodstandards.gov.au.

Food Standards (Application A1057 – Endo-protease (EC 3.4.21.26) as a Processing Aid (Enzyme)) 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 5 January 2012



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

1 Name

This instrument is the *Food Standards (Application A1057 – Endo-protease (EC 3.4.21.26) as a Processing Aid (Enzyme)) Variation*.

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

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

3 Commencement

This variation commences on 12 January 2012.

SCHEDULE

[1] **Standard 1.3.3** is varied by inserting in alphabetical order in the Table to clause 17 –

Endo-protease EC 3.4.21.26	<i>Aspergillus niger</i>
-------------------------------	--------------------------

Standard 4.2.6 – Production and Processing Standard for Seed Sprouts

The Board of Food Standards Australia New Zealand gives notice of the making of this Standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 12 July 2013.

Dated 5 January 2012



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

STANDARD 4.2.6
PRODUCTION AND PROCESSING STANDARD
FOR SEED SPROUTS

(Australia only)

Table of Provisions

Division 1 – Preliminary

- 1 Interpretation
- 2 Application to retail sale
- 3 Application of food safety standards

Division 2 – Processing of seed sprouts

- 4 Meaning of sprout processor
- 5 General food safety management
- 6 Receiving seed
- 7 Inputs
- 8 Decontamination
- 9 Traceability
- 10 Sale or supply

Clauses

Division 1 – Preliminary

1 Interpretation

(1) Unless the contrary intention appears, and subject to Standard 4.1.1, the definitions in Chapter 3 of this Code apply in this Standard.

(2) In this Standard –

decontamination means a process using a controlled environment to reduce the level of pathogenic organisms that may be present in seed sprouts.

seed means seed for use in the production of seed sprouts.

seed sprouts means sprouted seeds or sprouted beans for human consumption that include all or part of the seed.

sprout processor has the meaning given by clause 4.

2 Application to retail sale

This Standard does not apply to retail sale activities of a sprout processor.

3 Application of food safety standards

Standards 3.2.2 and 3.2.3 apply to a sprout processor.

Division 2 – Processing of seed sprouts

4 Meaning of sprout processor

A **sprout processor** means a business, enterprise or activity that involves any or all of the following for producing seed sprouts –

- (a) decontamination of seed or seed sprouts;
- (b) soaking of seed;
- (c) germination or growth of seed;
- (d) harvest of seed sprouts; or
- (e) washing, drying or packing of seed sprouts.

5 General food safety management requirements

A sprout processor must comply with the general food safety management requirements.

6 Receiving seed

A sprout processor must not produce or process seed sprouts if the processor ought reasonably know or suspect that the seed is of a nature or in a condition that would make the seed sprouts unacceptable.

7 Inputs

A sprout processor must take all reasonable measures to ensure inputs do not make the seed sprouts unacceptable.

8 Decontamination

A sprout processor must implement effective decontamination processes prior to sale or supply of seed sprouts.

9 Traceability

A sprout processor must have a system to identify –

- (a) from whom seed or seed sprouts were received;
- (b) to whom seed or seed sprouts were supplied.

10 Sale or supply

A sprout processor must not sell or supply seed sprouts for human consumption if the sprout processor ought reasonably know or reasonably suspect that the seed sprouts are unacceptable.

**Food Standards (Proposal P1004 –Production & Processing Standard for Seed Sprouts –
Consequential) 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 5 January 2012



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

1 Name

This instrument is the *Food Standards (Proposal P1004 – Production & Processing Standard for Seed Sprouts – Consequential) Variation*.

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

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

3 Commencement

These variations commence on 21 May 2012.

SCHEDULE

[1] **Standard 4.1.1** is varied by –

[1.1] *omitting the definition of inputs in clause 1, substituting –*

inputs includes any feed, litter, water (including recycled water), chemicals or other substances used in, or in connection with, the primary production or processing activity.

[1.2] *inserting the following definitions in clause 1 –*

food safety management statement has the meaning given by clause 5 of this Standard.

general food safety management requirements means the requirements in Division 2 of this Standard.

[1.3] *inserting after clause 2 –*

3 When an animal or food is unacceptable

(1) An animal is unacceptable if –

- (a) food derived from that animal would be unsafe;
- (b) food derived from that animal would be unsuitable; or
- (c) the animal is in a condition which a reasonable person would regard as making food derived from that animal unfit for human consumption.

(2) A food is unacceptable if –

- (a) it is unsafe;
- (b) it is unsuitable; or
- (c) it is in a condition, or contains a substance or organism, which a reasonable person would regard as making that food unfit for human consumption.

(3) To avoid doubt, the standards in this Chapter of the Code may include other matters which, for the purposes of particular standards, make food or animals unacceptable.

Division 2 – General food safety management requirements

4 The general food safety management requirements

(1) Where a standard in this Chapter of the Code provides that a person or business is required to comply with the general food safety management requirements, that person or business must –

- (a) have a food safety management statement; and
- (b) operate according to its food safety management statement.

(2) A person or business required to comply with the food safety management requirements must also –

- (a) systematically examine its operations to identify potential hazards and implement control measures to address those hazards; and
- (b) have evidence to show that a systematic examination has been undertaken and that control measures for those identified hazards have been implemented; and
- (c) verify the effectiveness of the control measures.

5 Food safety management statements

A **food safety management statement** is a statement which –

- (a) has been approved or recognised by the authority; and
- (b) is subject to ongoing verification activities by the business or person; and
- (c) if required by the authority, is also subject to ongoing verification activities by the relevant authority; and
- (d) sets out how the obligations imposed by this Chapter of the Code are to be, or are being, complied with.

Editorial note:

Note that businesses with existing approved food safety arrangements (for example, HACCP-based food safety programs, Standard 3.2.1 of this Code, AQIS approved arrangements) should be considered to meet the outcomes of a food safety management statement. However, the relevant authority will need to verify that the existing food safety arrangement meets the requirements of this Division.

Some of the standards in this Chapter of the Code contain definitions of 'food safety management statement'. Those definitions will be removed when FSANZ reviews those standards.