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**FOOD STANDARDS**

**Food Standards  
Australia New Zealand**

*Australia New Zealand  
Food Standards Code –  
Amendment No. 88 – 2006*

## ***Australia New Zealand Food Standards Code – Amendment No. 88 – 2006***

### ***Food Standards Australia New Zealand Act 1991***

#### **Preamble**

The variations set forth in the Schedule below are variations to Standards in the *Australia New Zealand Food Standards Code* published by the National Health and Medical Research Council in the *Commonwealth of Australia Gazette*, No. P 27, on 27 August 1987, which have been varied from time to time.

These variations are published pursuant to section 23A of the *Food Standards Australia New Zealand Act 1991*.

#### **Citation**

These variations may be collectively known as the *Australia New Zealand Food Standards Code – Amendment No. 88 – 2006*.

#### **Commencement**

These variations commence on Gazettal with the exceptions of Items [17.1], [17.2], [21.1], [21.2], [22], [23], [24], [25], [26], [27], [32] and [35] which commence 24 months from Gazettal .

## SCHEDULE

[1] *The Australia New Zealand Food Standards Code is varied by –*

[1.1] *omitting from the Commentary –*

Standards or variations to standards developed and approved by the Authority are subject to review by a council of Health Ministers known as the Australia and New Zealand Food Regulation Ministerial Council. The Council meets approximately twice a year, with some business conducted out-of-session through correspondence.

*substituting –*

Standards or variations to standards developed and approved by the Authority are subject to review by a council known as the Australia and New Zealand Food Regulation Ministerial Council. The Council comprises Health Ministers from all Australian States and Territories, the Australian Government and New Zealand, as well as other Ministers from related portfolios where these have been nominated by their jurisdictions. The Council meets approximately twice a year, with some business conducted out-of-session through correspondence.

[2] *Standard 1.1.1 is varied by –*

[2.1] *omitting the Editorial note to the Purpose, substituting –*

**Editorial note:**

This Code is adopted as the required standards for food produced in New Zealand and the States, Territories and Commonwealth of Australia in relation to food sold and/or imported into both countries under the following Acts –

*Food Act 1981 (New Zealand)*

*Health Act 1911 (Western Australia)*

*Food Act 2001 (Australian Capital Territory)*

*Food Act 2006 (Queensland)*

*Food Act 2003 (New South Wales)*

*Food Act 2003 (Tasmania)*

*Food Act (Northern Territory)*

*Food Act 1984 (Victoria)*

*Food Act 2001 (South Australia)*

*Imported Food Control Act 1992 (Commonwealth)*

[2.2] *omitting subclause 1(3), substituting –*

(3) Deleted

[2.3] *omitting subclause 1(4), substituting –*

(4) Deleted

[2.4] *omitting subclause 1(7), substituting –*

(7) Deleted

[2.5] *omitting from clause 2, the definition of AOAC substituting –*

**AOAC** means the publication entitled *Official methods of Analysis of AOAC International* published by AOAC International, Maryland USA and includes earlier editions of this publication under its previous name.

[2.6] *omitting from clause 2, the definition of Australian Approved Names List substituting –*

**Australian Approved Names List** means the list of names or terms included in the document entitled *Australian Approved Names for Pharmaceutical Substances* published by the Therapeutic Goods Administration in its edition *TGA Approved Terminology for Medicines* dated 6 March 2001.

[2.7] *omitting the Editorial note from clause 2, that follows the definition of RDI –*

**Editorial note:**

The RDIs used in this Code are based on those published by the National Health and Medical Research Council (NHMRC) of Australia in 1991.

[2.8] *inserting after clause 13 –*

#### **14 Interpretation of definitions**

Where a definition for a food in this Code contains a reference to the composition of the food, the definition is to be taken as a –

- (a) substantive requirement for the composition of the food; and
- (b) standard for the composition of the food.

[3] **Standard 1.1A.1** is varied by omitting the Standard

[4] **Standard 1.1A.3** is varied by omitting subclause 1(1), substituting –

(1) Unless the contrary intention appears, for the matters regulated in this Standard, food must comply with this Standard or Standard 1.2.11, but not a combination of, or parts of both.

[5] **Standard 1.1A.4** is varied by omitting the Standard

[6] **Standard 1.1A.5** is varied by omitting the Standard

[7] **Standard 1.1A.7** is varied by omitting the Standard

[8] **Standard 1.2.4** is varied by –

[8.1] *omitting from the Editorial note following subclause 6(1), flour substituting –*  
wheat flour

[8.2] *omitting from the Editorial note following clause 7, flour substituting –*  
wheat flour

[9] **Standard 1.2.8** is varied by *omitting from subclause 6(4), of the food, the substituting –*

of the food, or

[10] **Standard 1.2.11** is varied by –

[10.1] *omitting subclause 1(1), substituting –*

(1) Unless the contrary intention appears, for the matters regulated in this Standard, food must comply with this Standard or Standard 1.1A.3, but not a combination of, or parts of both.

[10.2] *inserting after subclause 1(1) –*

(1A) Subclause 1(2) of Standard 1.1.1 does not apply to subclause 2(2) and the Table to subclause 2(2) of this Standard.

[10.3] *omitting subclause 1(4), substituting –*

(4) The requirements in the Table to subclause 2(2) for fish, fruit and vegetables –

- (a) commence on 8 June 2006; and
- (b) apply exclusively.

(5) The requirements in the Table to subclause 2(2) for fresh pork and preserved pork commence and apply exclusively from 8 December 2006.

[10.4] *omitting the third paragraph in the Editorial Note following the Table to subclause 2(1), substituting –*

In complying with this Standard, manufacturers and retailers should be consistent with trade practices law. For Australia, the provisions of sections 65AA-AN of the *Trade Practices Act 1974* apply to statements as to the country of origin of goods.

There are conditions for the safe use of ‘product of’ representations and other statements as to country of origin, such as ‘made in’ or ‘manufactured in’ or other like statements. These statements may be used safely in the following circumstances –

[11] **Standard 1.3.1** is varied by –

[11.1] *omitting from subparagraph 11(a)(i), May 2003; or, substituting –*

August 2005; or

[11.2] *omitting subparagraph 11(a)(ii), substituting –*

- (ii) Chemically-defined flavouring substances, Council of Europe, 2003; or

[12] **Standard 1.3.3** is varied by –

[12.1] *omitting from clause 1, the definition of maximum permitted level, substituting –*

**maximum permitted level** means the maximum amount of the processing aid which may be present in the food as specified in the tables to clauses 3 to 18.

[12.2] *omitting from the Table to clause 14 –*

<p>Ethylene Oxide</p> <p>This permission ceases to have effect on 30 September 2003.</p> <p>This permission is an Australia Only Standard.</p> <p>Subclauses 1(2), 1(3) and 1(4) of Standard 1.1.1 do not apply to this permission</p>	<p>Sterilisation of herbs, spices, and dried vegetables used as seasonings – herbs, spices, and dried vegetables used as seasonings sterilised by the application of ethylene oxide may only be sold or imported into Australia 21 days after such sterilisation</p>	<p>20</p>
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[13] **Standard 1.3.4** is varied by –

[13.1] *omitting from the Schedule, Cytidine - 5' monophosphate, substituting –*

Cytidine – 5' monophosphate (CMP)

[13.2] *omitting from the Schedule, Guanosine - 5' monophosphate disodium salt, substituting –*

Guanosine – 5' monophosphate disodium salt (GMP)

[14] **Standard 1.4.2** is varied by –

[14.1] *omitting subclause 2(3), substituting –*

- (3) If a chemical is not listed in this Standard there must be no detectable residue of –
- (a) that chemical in food (whether or not the food is listed in Schedules 1, 2 or 4); and
- (b) metabolites of that chemical in food (whether or not the food is listed in Schedules 1, 2 or 4).

[14.2] *omitting from Schedule 1, under the entry for the following chemical, the maximum residue limit for the food, substituting –*

<b>DIAZINON</b> DIAZINON	
PARSLEY	T0.7

[15] *Standard 1.5.2 is varied by –*

[15.1] *omitting subclause 4(5), substituting –*

(5) Deleted

[15.2] *omitting subclause 4(6), substituting –*

(6) Deleted

[15.3] *omitting the Editorial note following clause 4*

[15.4] *omitting from the Editorial note following clause 7 –*

Division 2 of this Standard is to be reviewed 3 years from its date of gazettal.
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[16] *Standard 1.5.3 is varied by omitting subclause 6(1), substituting –*

(1) The label on a package of irradiated food must include a statement to the effect that the irradiated food has been treated with ionising radiation.

[17] *Standard 1.6.2 is varied by –*

[17.1] *omitting clause 1, substituting –*

**1 Deleted**

[17.2] *omitting clause 2, substituting –*

**2 Deleted**

[17.3] *inserting immediately before subclause 9(1) –*

(1A) This clause ceases to have effect on 24 November 2007, and subclause 1(2) of Standard 1.1.1 does not apply.

[18] *Standard 2.1.1 is varied by omitting the Editorial note to clause 4*

[19] *Standard 2.2.3 is varied by omitting from the Editorial note following clause 1 –*

(1) clause 32 of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2000; and

*substituting –*

(1) Scientific names of fish, approved under clause 32 of the Animal Products (Specifications for Products Intended for Human Consumption) Notice 2004; and

[20] **Standard 2.4.2** is varied by omitting the Editorial note to clause 2

[21] **Standard 2.5.1** is varied by –

[21.1] omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[21.2] omitting subclause 4(2), substituting -

(2) Milk must be processed according to Standard 4.2.4 of this Code.

[22] **Standard 2.5.2** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[23] **Standard 2.5.3** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[24] **Standard 2.5.4** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[25] **Standard 2.5.5** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[26] **Standard 2.5.6** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[27] **Standard 2.5.7** is varied by omitting from the Purpose text the reference to Standard 1.6.2, substituting –

Standard 4.2.4

[28] **Standard 2.6.3** is varied by omitting from subclause 3(1) ‘May cause drowsiness’; and, substituting –

‘May cause drowsiness’.



[29] **Standard 2.9.1** is varied by –

[29.1] *omitting subclause 23(a), substituting –*

- (a) not contain medium chain triglycerides except where a medium chain triglyceride is present in a particular infant formula or follow-on formula as the result of being –
- (i) a natural constituent of a milk-based ingredient of that particular infant formula or follow-on formula or;
  - (ii) a processing aid used in preparations of permitted fat soluble vitamins of that particular infant formula or follow-on formula where the fat soluble vitamins have been specified in Schedule 1 to this Standard; and

[29.2] *omitting from Schedule 1 –*

Molybdenum	sodium molybdate VI dehydrate
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*substituting –*

Molybdenum	sodium molybdate VI
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[30] **Standard 3.1.1** is varied by *omitting from paragraph 1(o) under the definition of sell, defined, or substituting –*

defined; or

[31] **Standard 3.2.2** is varied by *omitting subclause 21(1), substituting –*

(1) A food business must maintain food premises and all fixtures, fittings and equipment, having regard to their use, and those parts of vehicles that are used to transport food, and other items provided by the business to purchasers to transport food, in a good state of repair and working order having regard to their use.

[32] **The Australia New Zealand Food Standards Code** is varied by *inserting after Standard 3.2.3 –*

## STANDARD 3.3.1

### FOOD SAFETY PROGRAMS FOR FOOD SERVICE TO VULNERABLE PERSONS

#### (Australia only)

#### Purpose and commentary

This Standard requires food businesses that process food for service to vulnerable persons to implement a documented and audited food safety program.

Food businesses that process or serve potentially hazardous food for hospital patients, aged care recipients, children in child care centres and vulnerable people receiving other services will generally fall within the requirements of this Standard, provided the food is intended for six or more vulnerable persons. This Standard also applies to delivered meals organisations that process potentially hazardous meals intended for six or more vulnerable persons.

#### Table of Provisions

- 1 Application
- 2 Interpretation
- 3 Food safety programs

#### Clauses

#### 1 Application

(1) This Standard applies to food businesses that engage in one of the activities listed and described in the Table to this subclause.

Table to subclause 1(1)

Activity 1	Process or serve potentially hazardous food within a facility listed and defined in the Schedule to six or more vulnerable persons at any given time
Activity 2	The principal activity is processing food into ready to eat food for service in a facility listed and defined in the Schedule and the processed food – (a) is for service to six or more vulnerable persons at any given time; and (b) includes ready to eat potentially hazardous food.
Activity 3	The principal activity is processing food into ready to eat food for delivery by a delivered meal organisation and the processed food – (a) is for service to six or more vulnerable persons at any given time; and (b) includes ready to eat potentially hazardous food.

#### Editorial note:

‘Process’ in relation to food is defined in Standard 3.2.2 as an activity conducted to prepare food for sale including chopping, cooking, drying, fermenting, heating, pasteurising, thawing and washing, or a combination of these activities.

A number of the definitions of the facilities listed in the Schedule are adapted from the National Health Data Dictionary, version 12. This Dictionary contains core definitions endorsed by the Australian Health Ministers Advisory Council as the authoritative source of national standard definitions for use in clinical care delivery.

- (2) This Standard also applies to delivered meals organisations that –
- (a) are food businesses; and
  - (b) process food for service to six or more vulnerable persons at any given time, and the food served is ready to eat food which includes ready to eat potentially hazardous food.

**Editorial note:**

‘Potentially hazardous food’ is defined in Standard 3.2.2 as food that has to be kept at certain temperatures to minimise the growth of any pathogenic micro-organisms that may be present in the food or to prevent the formation of toxins in the food.

- (3) This Standard does not apply to –
- (a) food businesses that only serve milk or soy milk as, or in, a beverage; or
  - (b) delivered meals organisations that only deliver food.
- (4) Subclause 1(2) of Standard 1.1.1 does not apply to this Standard.

## 2 Interpretation

(1) Unless the contrary intention appears, the definitions in Parts 3.1 and 3.2 of this Code apply in this Standard.

(2) In this Standard –

**milk** includes flavoured and modified milk.

**ready to eat** in relation to food means food that is ready for consumption, but includes food that may be re-heated, portioned or garnished or food that undergoes similar finishing prior to service.

**vulnerable person** means a person who is in care in a facility listed in the Schedule or a client of a delivered meals organisation.

## 3 Food safety programs

- (1) A food business to which this Standard applies must comply with Standard 3.2.1
- (2) Clause 6 of Standard 3.2.1 applies to a food business to which this Standard applies.

## SCHEDULE

Column 1	Column 2
Facility	Definition
Acute care hospitals	<p>Establishments which provide at least minimal medical, surgical or obstetric services for inpatient treatment or care, and which provide round-the-clock comprehensive qualified nursing services as well as other necessary professional services. Most patients have acute conditions or temporary ailments and the average stay per admission is relatively short. Acute care hospitals include:</p> <ul style="list-style-type: none"> <li>(a) Hospitals specialising in dental, ophthalmic aids and other specialised medical or surgical care;</li> <li>(b) Public acute care hospitals;</li> <li>(c) Private acute care hospitals;</li> <li>(d) Veterans' Affairs hospitals.</li> </ul>
Psychiatric hospitals	<p>Establishments devoted primarily to the treatment and care of inpatients with psychiatric, mental or behavioural disorders including any:</p> <ul style="list-style-type: none"> <li>(a) Public psychiatric hospital;</li> <li>(b) Private psychiatric hospital.</li> </ul>
Nursing homes for the aged	<p>Establishments which provide long-term care involving regular basic nursing care to aged persons and including any:</p> <ul style="list-style-type: none"> <li>(a) Private charitable nursing home for the aged;</li> <li>(b) Private profit nursing home for the aged;</li> <li>(c) Government nursing home for the aged.</li> </ul>
Hospices	<p>Freestanding establishments providing palliative care to terminally ill patients, including any:</p> <ul style="list-style-type: none"> <li>(a) Public hospice;</li> <li>(b) Private hospice.</li> </ul>
Same day establishments for chemotherapy and renal dialysis services	<p>Including both the traditional day centre/hospital that provides chemotherapy and/or renal dialysis services and also freestanding day surgery centres that provide chemotherapy and/or renal dialysis services including any:</p> <ul style="list-style-type: none"> <li>(a) Public day centre/hospital</li> <li>(b) Public freestanding day surgery centre</li> <li>(c) Private day centre/hospital</li> <li>(d) Private freestanding day surgery centre that provides those services.</li> </ul> <p>Day centres/ hospitals are establishments providing a course of acute treatment on a full-day or part-day non- residential attendance basis at specified intervals over a period of time.</p> <p>Freestanding day surgery centres are hospital facilities providing investigation and treatment for acute conditions on a day-only basis.</p>

Respite care establishments for the Aged	Establishments which provide short-term care including personal care and regular basic nursing care to aged persons.
Same – day aged care establishments	Establishments where aged persons attend for day or part-day rehabilitative or therapeutic treatment.
Low care aged care establishments	Establishments where aged persons live independently but on-call assistance, including the provision of meals, is provided if needed.
Child care centres	<p>A facility which is not a private residential dwelling and is designated for the purpose of childcare and provides long day care, employer sponsored childcare, or occasional care, for children four years of age or less, but does not include the following:</p> <ul style="list-style-type: none"> <li>(a) a service for providing preschool education conducted by a school;</li> <li>(b) a service principally conducted to provide: <ul style="list-style-type: none"> <li>(i) therapeutic services;</li> <li>(ii) residential facilities;</li> <li>(iii) instruction in a particular activity e.g. dance, music or a sport;</li> <li>(iv) tutoring, coaching or religious instruction;</li> <li>(v) a recreational activity, for example, a camp or party.</li> </ul> </li> <li>(c) a service for which, ordinarily, the children in care are entirely or mostly different on each occasion child care is provided, for example, resort care for children of guests of the resort.</li> </ul>

[33] *Standard 4.2.1 is varied by –*

[33.1] *omitting the heading from Division 2, substituting –*

### **Division 2 – General seafood safety requirements**

[33.2] *omitting the heading from Division 3, substituting –*

### **Division 3 – Harvesting and other requirements for bivalve molluscs**

[34] *Standard 4.2.3 is varied by inserting –*

#### **3A Application**

This Division commences and applies exclusively from 24 November 2007 and subclause 1(2) of Standard 1.1.1 does not apply.

[35] *The Australia New Zealand Food Standards Code is varied by inserting –*

## **STANDARD 4.2.4**

# **PRIMARY PRODUCTION AND PROCESSING STANDARD FOR DAIRY PRODUCTS**

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### **(Australia only)**

#### **Purpose and commentary**

This Standard sets out a number of food safety requirements, including the implementation of documented food safety programs for dairy primary production, collection, transportation and processing. However, this Standard does not apply to retail sale activities. Chapter 3 of this Code covers retail sale activities.

#### **Table of Provisions**

##### Division 1 – Preliminary

- 1 Interpretation
- 2 Application

##### Division 2 – Dairy primary production requirements

- 3 Controlling food safety hazards
- 4 Specific requirements
- 5 Tracing
- 6 Skills and knowledge

##### Division 3 – Dairy collection and transportation

- 7 Controlling food safety hazards
- 8 Specific requirements
- 9 Product tracing
- 10 Time and temperature controls
- 11 Skills and knowledge

##### Division 4 – Dairy processing

- 12 Application
- 13 Controlling food safety hazards
- 14 Product tracing
- 15 Processing of milk and dairy products
- 16 Processing of dairy products to make cheese and cheese products

#### **Clauses**

## Division 1 – Preliminary

### 1 Interpretation

(1) Unless the contrary intention appears, the definitions in Chapters 2 and 3 of this Code apply to this Standard.

(2) In this Standard –

**Authority** means the State, Territory or Commonwealth government agency or agencies having the legal authority to implement and enforce this Standard.

**control measure** means a measure that prevents, eliminates or reduces to an acceptable level, a food safety hazard.

**dairy primary production** means the production of milk or colostrum for further processing for human consumption and includes the keeping, grazing, feeding and milking of animals and the storage of milk on the premises at which the animals were milked.

**dairy primary production business** means a business, enterprise or activity that involves dairy primary production.

**dairy processing** includes the manufacture of dairy products.

**dairy processing business** means a business, enterprise or activity that involves dairy processing.

**dairy products** include –

- (a) milk; and
- (b) colostrum; and
- (c) liquid milk products; and
- (d) cream and thickened cream; and
- (e) butter, butter concentrate, buttermilk, concentrated buttermilk, dairy blend, ghee, and anhydrous milk fat (butter oil);
- (f) casein, caseinate, and cheese; and
- (g) whey, whey cream and concentrated whey cream; and
- (h) cultured milk and yoghurt; and
- (i) ice-cream and ice-cream mix; and
- (j) buttermilk powder, lactose powder, milk sugar, powdered milk, skim milk powder, whey powder, milk protein powder and other milk concentrates.

**dairy transport business** means a business, enterprise or activity involving the collection and transport of milk from the dairy primary production business to the processing business or the transport of bulk milk or dairy products between dairy processors.

**inputs** includes any feed, water and chemicals, including agricultural and veterinary chemicals, used in connection with the primary production of milk or colostrum.

## **2 Application**

- (1) Subclause 1(2) of Standard 1.1.1 does not apply to this Standard.
- (2) This Standard does not apply in New Zealand.
- (3) This Standard does not apply to retail sale activities.

## **Division 2 – Dairy primary production requirements**

### **3 Controlling food safety hazards**

A dairy primary production business must control its potential food safety hazards by implementing a documented food safety program.

### **4 Specific requirements**

- (1) For clause 3, the control measures must manage the hazards arising from –
  - (a) inputs; and
  - (b) the design, construction, maintenance and operation of premises and equipment; and
  - (c) milking animals; and
  - (d) persons involved in milking; and
  - (e) milking practices.
- (2) For clause 3, the control measures must also–
  - (a) include support programs that ensure that premises and equipment are clean and sanitary and that pests are controlled; and
  - (b) ensure that milk is cooled and stored at a temperature that prevents or reduces the growth of microbiological hazards in the milk; and
  - (c) ensure that milk for human consumption is only sourced from healthy animals.

### **5 Tracing**

As part of the documented food safety program in clause 3, a dairy primary production business must have a system that enables the tracing of -

- (a) inputs; and
- (b) animals to be milked; and
- (c) the milk produced.



## **6 Skills and knowledge**

A dairy primary production business must ensure that persons undertaking primary production activities have skills and knowledge of food safety and hygiene matters commensurate with their work activities.

### **Division 3 – Dairy collection and transportation**

## **7 Controlling food safety hazards**

A dairy transport business must control its potential food safety hazards by implementing a documented food safety program.

## **8 Specific requirements**

For clause 7, the control measures must manage hazards arising from –

- (a) transport vehicles, equipment and containers used in the collection and transport of the milk or dairy product; and
- (b) persons engaged in the dairy transport business;

and must include a support program that ensures that the food contact surfaces of transport vehicles, and equipment and containers used in collecting and transporting of the dairy products are clean and sanitary.

## **9 Product tracing**

As part of the documented food safety program in clause 7, a dairy transport business must have a system to identify the immediate supplier and immediate recipient of the dairy product.

## **10 Time and temperature controls**

A dairy transport business must transport dairy products using time and temperature controls that prevent or reduce the growth of microbiological hazards in the product.

## **11 Skills and knowledge**

A dairy transport business must ensure that persons undertaking milk or dairy product collection and transport activities have skills and knowledge of food safety and hygiene matters commensurate with their work activities.

### **Division 4 – Dairy processing**

## **12 Application**

To avoid doubt, Standards 3.2.2 and 3.2.3 apply to the processing of dairy products.

### 13 Controlling food safety hazards

A dairy processing business must control its potential food safety hazards by implementing a documented food safety program.

### 14 Product tracing

As part of the documented food safety program in clause 13, a dairy processing business must have a system to identify the immediate supplier of dairy products and ingredients and the immediate recipient of the dairy products.

### 15 Processing of milk and dairy products

- (1) Milk must be pasteurised by –
- (a) heating to a temperature of no less than 72°C and retaining at such temperature for no less than 15 seconds; or
  - (b) heating, using any other time and temperature combination of equivalent or greater lethal effect on any pathogenic micro-organisms in the milk; or
  - (c) using any other process that provides an equivalent or greater lethal effect on any pathogenic micro-organisms;

unless an applicable law of a State or Territory otherwise expressly provides.

**Editorial note:**

For paragraph 15(1)(c), any other process used would need to be validated by the business and verified by the Authority.

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

- (2) Milk processed under paragraph 15(1)(a) must be cooled immediately in a way that ensures that the growth of microbiological hazards in the milk is prevented or reduced.
- (3) Dairy products, other than cheese and cheese products, must be processed using –
- (a) a heat treatment that uses a combination of time and temperature of equal or greater lethal effect on any pathogenic micro-organisms in the milk product achieved by paragraphs 15(1)(a) or 15(1)(b); or
  - (b) using any other process that provides an equivalent or greater lethal effect on any pathogenic micro-organisms.

**Editorial note:**

For paragraph 14(3)(b), any other process used would need to be validated by the business and verified by the Authority.

(4) Dairy products processed under paragraph 15(3)(a) must be cooled immediately in a way that ensures that the growth of microbiological hazards in the product is prevented or reduced.

(5) To avoid doubt, subclause 15(3) does not apply to the processing of dairy products that have been made using milk already processed in accordance with subclause 15(1).

**Editorial note:**

Dairy products may have a greater fat and/or solids content compared to milk and therefore require a greater time and temperature treatment to achieve an equivalent level of bacterial reduction. Information on equivalent heat treatments to pasteurisation for these products is provided in the 'Interpretive Guide' to this Standard.

## 16 Processing of dairy products to make cheese and cheese products

Milk or dairy products used to make cheese or cheese products must be processed –

- (a) in accordance with subclause 15(1); or
- (b) by being held at a temperature of no less than 62°C for a period of no less than 15 seconds, and the cheese or cheese product stored at a temperature of no less than 2°C for a period of 90 days from the date of processing; or
- (c) such that –
  - (i) the curd is heated to a temperature of no less than 48°C; and
  - (ii) the cheese or cheese product has a moisture content of less than 36%, after being stored at a temperature of no less than 10°C for a period of no less than 6 months from the date of processing; or
- (d) in accordance with clause 1 of Standard 4.2.4A.

**Editorial note:**

For dairy product distribution, refer to the requirements in Standards 3.2.2 and 3.2.3 on storage and transportation.

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