

Proposal to Amend Schedule 20 in the Australia New Zealand Food Standards Code

In the previous notice, the APVMA gazetted amendments which it has approved varying maximum residue limits (MRLs) for substances contained in agricultural and veterinary chemical products as set out as in the APVMA's *MRL Standard*, have been made.

Under section 82 of the *Food Standards Australia New Zealand Act 1991*, the APVMA is proposing to incorporate those variations (*Agricultural and Veterinary Chemicals Code Instrument No. 4 (MRL Standard) Amendment Instrument 2016 (No. 12)*) to MRLs into Schedule 20—Maximum residue limits in the *Australia New Zealand Food Standards Code*.

MRLs contained in Schedule 20 provide the limits for residues of agricultural and veterinary chemicals that may legitimately occur in foods. By this means, Schedule 20 permits the sale of treated foods and protects public health and safety by minimising residues in foods consistent with the effective control of pests and diseases.

The APVMA and FSANZ are satisfied, based on dietary exposure assessments and current health standards, that the proposed limits are not harmful to public health.

The Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System, 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.

Food Standards Australia New Zealand (FSANZ) will make a Sanitary and Phytosanitary (SPS) notification to the World Trade Organization (WTO).

The APVMA invites comment on these proposals. Details on how to make a submission appear near the end of this notice, below the details of the proposed amendment.

The APVMA will consider any public comments made in response to this proposal. If the APVMA decides to proceed with the proposal, it will further notify any variations it makes to Schedule 20 in the *APVMA Gazette*. The variations will take effect as from the date of that subsequent notice.

PROPOSED AMENDMENT (AGRICULTURAL AND VETERINARY CHEMICALS CODE INSTRUMENT NO. 4 (MRL STANDARD) AMENDMENT INSTRUMENT 2016 (NO. 12))

Note: Subsection 82(2) of the *Food Standards Australia New Zealand Act 1991* provides that variations to standards are legislative instruments, but are not subject to disallowance or sunseting.

To commence: on gazettal of variation

[1] The table to section S20–3 in **Schedule 20** is varied by

[1.1] omitting from each of the following chemicals, the foods and associated MRLs

Agvet chemical: Dimethomorph

Permitted residue: Sum of E and Z isomers of dimethomorph

Leafy vegetables [except lettuce, head]	T10
---	-----

Agvet chemical: Metribuzin

Permitted residue: Metribuzin

Root and tuber vegetables [except potato]	T*0.05
---	--------

Agvet chemical: Spinetoram

Permitted residue: Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L

Tree nuts [except almonds]	0.02
----------------------------	------

[1.2] inserting for each of the following chemicals the foods and associated MRLs in alphabetical order

Agvet chemical: Captan

Permitted residue: Captan

Mandarins	T3
-----------	----

Agvet chemical: Cypermethrin

Permitted residue: Cypermethrin, sum of isomers

Fruiting vegetables, other than cucurbits [except sweet corn (corn on the cob); tomato]	T1
---	----

Agvet chemical: Metribuzin

Permitted residue: Metribuzin

Carrot	T0.3
Root and tuber vegetables [except carrot: potato]	T*0.05

Agvet chemical: Spinetoram

Permitted residue: Sum of Ethyl-spinosyn-J and Ethyl-spinosyn-L

Macadamia nuts	*0.01
----------------	-------

INVITATION FOR SUBMISSIONS

Written submissions are invited from interested individuals and organisations to assist the APVMA in considering the proposal to vary Schedule 20—Maximum residue limits in the *Australia New Zealand Food Standards Code*. Submissions should be strictly confined to relevant matters that the APVMA must consider (such as public health and safety) which are associated with the occurrence of the proposed residues in foods. Comments received outside these grounds will not be considered by the APVMA. Claims made in submissions should be supported wherever possible by referencing or including relevant studies, research findings, trials, surveys etc. Technical information should be in sufficient detail to allow independent scientific assessment.

Please note that FSANZ will make a SPS notification to the WTO and submissions related to impacts on international trade should be made to FSANZ in response to that notification.

Submissions must be made in writing and should be clearly marked as a 'submission on the proposed amendment to Schedule 20' and quote the correct amendment number.

DEADLINE FOR PUBLIC SUBMISSIONS: 6 pm (AEST) 4 October 2016

SUBMISSIONS RECEIVED AFTER THIS DEADLINE WILL ONLY BE CONSIDERED BY PRIOR ARRANGEMENT

Submissions received after this date will only be considered if agreement for an extension has been given prior to this closing date. Agreement to an extension of time will only be given if extraordinary circumstances warrant an extension to the submission period.

For further information please contact:

MRL Contact Officer
Australian Pesticides and Veterinary Medicines Authority
PO Box 6182
KINGSTON ACT 2604

Phone: +61 2 6210 4897

Fax: +61 2 6210 4840

Email: enquiries@apvma.gov.au