

New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002

The Minister for Food Safety, under section 11C of the Food Act 1981, issues the following food standards:

1. Title

These standards are the New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002.

2. Commencement

These standards come into force on 20 December 2002.

3. Interpretation

In these standards, unless the context otherwise requires,—

- (a) The term “Food Standards Code” means the Australia New Zealand Food Standards Code (formerly known as Volume 2 of the Australia New Zealand Food Standards Code, with the associated amendments). It is developed under the Agreement Between The Government Of Australia And The Government Of New Zealand Concerning A Joint Food Standards System and given effect in Australia by application of the Food Standards Australia New Zealand Act 1991, an Act of the Australian Parliament. It is given effect in New Zealand by the Minister under section 11C Food Act 1981.
- (b) The terms used in these standards and defined in the Food Act 1981 have the same meanings as in that Act.

4. The Food Standards Code

- (1) Under section 11F of the Food Act 1981, these standards incorporate the Food Standards Code, as amended, up to and including amendment 63 to the Food Standards Code.
- (2) Despite clause 4(1), these standards do not incorporate those parts of the Food Standards Code identified in the Food Standards Code as applying only in Australia.

5. Revocation

Under section 11L of the Food Act 1981, the following standards are revoked:

- (a) The New Zealand Food Standard 2001 issued by the Minister of Health on 20 December 2000;
- (b) The New Zealand Food Standard 2001 Amendment No. 1 issued by the Minister of Health on 26 September 2001;
- (c) The New Zealand Food Standard 2001 Amendment No. 2 issued by the Minister of Health on 6 November 2001;
- (d) The New Zealand Food Standard 2001 Amendment No. 3 issued by the Minister of Health on 14 December 2001; and
- (e) The New Zealand Food Standard 2001 Amendment No. 4 issued by the Minister for Food Safety on 15 October 2002.

Issued at Wellington this 18th day of November 2002

Signed

Hon Annette King
Minister for Food Safety

Explanatory Note

This note is not part of the standards and has been included to explain their general effect.

The New Zealand (Australia New Zealand Food Standards Code) Food Standards 2002 (“Food Standards 2002”) were notified in the *New Zealand Gazette* on 21 November 2002 and come into effect on 20 December 2002. They give effect in part to New Zealand’s obligations under the *Agreement Between the Government of New Zealand and the Government of Australia Concerning a Joint Food Standards System*, which allows for the introduction of the Australia New Zealand Food Standards Code (“the Food Standards Code”).

The New Zealand Food Standard 2001 recognised the Food Standards Code (Volume 1, the Australian Food Standards Code, and Volume 2, what has been known as the Australia New Zealand Food Standards Code or the “Joint Code”) as alternatives to the requirements in the New Zealand Food Regulations 1984. As a result, manufacturers and food importers in New Zealand were able to comply with either the Food Regulations 1984 or the Food Standards Code (Volume 1 or 2).

The Food Standards 2002 replace the New Zealand Food Standard 2001 and its amendments No. 1 to 4. On 20 December 2002, the New Zealand Food Regulations 1984 are also revoked, and replaced by the Food (Safety) Regulations 2002, the Food Standards Code (that part formerly known as Volume 2) comes fully into effect and Volume 1 ceases to have effect. This means that food produced in New Zealand now must comply with the food standards contained in the Food Standards Code, Food (Safety) Regulations 2002 as well as other relevant legislation.

The Food Standards 2002 adopt into New Zealand domestic law the Food Standards Code, with the exception of those parts of the Code that are identified as applying in Australia only.

Amendment 63 of Food Standards Code

Amendment 63 of the Food Standards Code has been made since Amendment No. 4 to the New Zealand Food Standard 2001 and is now incorporated into these standards. It contains amendments to the Food Standards Code relating to:

- Oil and linters derived from insect-protected cotton lines (Standard 1.5.2)
- Wine production requirements (Australia only).

Food standards subject to Regulations (Disallowance) Act 1989

Food standards, including these standards, are subject to the Regulations (Disallowance) Act 1989. Any person has the right to make a complaint about a food standard to the Regulations Review Committee.

Availability of food law

An outline of New Zealand food law, including copies of New Zealand Food Standards, and further advisory information on these standards, can be viewed on the New Zealand Food Safety Authority (“NZFSA”) web site: <http://www.nzfsa.govt.nz> or can be obtained from the NZFSA, Policy and Standards Group, PO Box 2835, Wellington.

Copies of all New Zealand food law, including food standards, can be viewed free of charge at NZFSA, 86 Jervois Quay, Wellington, or purchased from:

- Bennetts, Commerce House, 360 Queen Street, Auckland Ph (09) 377 3496, Fax (09) 377 3497
- Whitcoulls, Shop 42 Centre Place, PO Box 928, Hamilton Ph (07) 839 6305, Fax (07) 834 3520
- Bennetts on Broadway, PO Box 138, Palmerston North Ph (06) 358 3009, Fax (06) 358 2836
- Bennetts Government Bookshop, PO Box 5334, Wellington Ph (04) 499 3433, Fax (04) 499 3375
- Whitcoulls, Cashel Street, Private Bag, Christchurch Ph (03) 379 7142, Fax (03) 377 2529
- Whitcoulls George St, PO Box 1104, Dunedin Ph (03) 477 8294, Fax (03) 477 7869.

The Food Standards Code can be viewed on the Food Standards Australia New Zealand website: <http://www.foodstandards.govt.nz> or can be viewed free of charge at NZFSA, 86 Jervois Quay, Wellington. Copies of the Code, or Amendments to the Code, can be purchased by subscription from: ANSTAT, PO Box 447, South Melbourne, VIC 3205, Australia, <http://www.anstat.com.au>, email foodcode@anstat.com.au, Ph +61 3 9278 1144.