

SOUTH AUSTRALIA

FOOD REGULATIONS, 1986

REGULATIONS UNDER THE FOOD ACT, 1985

Food Regulations, 1986

being

No. 13 of 1986: *Gaz.* 23 January 1986, p. 136¹

as varied by

No. 142 of 1988: *Gaz.* 28 July 1988, p. 553

No. 229 of 1988: *Gaz.* 10 November 1988, p. 1717²

No. 218 of 1989: *Gaz.* 14 December 1989, p. 1812

No. 35 of 1990: *Gaz.* 15 March 1990, p. 748³

No. 183 of 1990: *Gaz.* 20 September 1990, p. 895⁴

No. 261 of 1990: *Gaz.* 20 December 1990, p. 1905

No. 12 of 1991: *Gaz.* 31 January 1991, p. 326⁵

No. 37 of 1991: *Gaz.* 11 April 1991, p. 1222⁶

No. 37 of 1996: *Gaz.* 14 March 1996, p. 1654⁷

¹ Came into operation 3 February 1986: reg. 2.

² Came into operation 1 February 1989: reg. 2.

³ Came into operation 1 July 1990: reg. 2(1); except reg. 3(b) which came into operation 22 March 1990: reg. 2(2).

⁴ Came into operation 20 September 1990: reg. 2.

⁵ Came into operation 1 February 1991: reg. 2.

⁶ Came into operation 1 July 1991: reg. 2.

⁷ Came into operation 16 March 1996: reg. 2.

N.B. The following regulation has been disallowed:

No. 91 of 1987: *Gaz.* 21 May 1987, p. 1343 disallowed on 26 August 1987 see *Gaz.* 3 September 1987, p. 744.

Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.

2.

1. These regulations may be cited as the *Food Regulations, 1986*.

2. These regulations shall come into operation on 3 February, 1986.

3. In these regulations, unless the contrary intention appears—

"the Act" means the *Food Act, 1985*:

"the Code" means the Food Standards Code of the National Health and Medical Research Council published in the *Commonwealth of Australia Gazette* No. P 27 of 27 August, 1987, as in force from time to time and as modified in schedule 1:

"label" in relation to a package, means a statement, representation, design or other descriptive matter stamped or printed on the package or on a tag attached to the package; and "to label" has a corresponding meaning:

"manufacturer", in relation to packaged food that is not processed, includes the grower or producer:

"package" means anything in or by which food for sale is wholly or partly cased, covered, enclosed, contained or packed; and "to pack" has a corresponding meaning.

4. Parts I and III, and regulations 145, 147, 148, 150 and 151 of the *Food and Drugs Regulations, 1978*, published in the *Gazette* on 21 December, 1978, at page 2319, as varied, are revoked.

5. For the purposes of section 24(6)(b) of the Act, where the division of a sample of food into three approximately equal parts would—

(a) so affect the composition or quality of the sample as to render the divided parts unsuitable for analysis; or

(b) furnish parts of insufficient size for analysis,

the authorized officer shall—

(c) where the sample is not an individual serve or item of the food, obtain as much of the food as is necessary for the division of the food into three equal parts suitable for analysis;

(d) where the sample is an individual serve or item of the food, obtain as many serves or items of the food as are necessary for the division of the serves or items into three equal parts suitable for analysis.

6. (1) A person shall not be a dairy operator or itinerant vendor of milk or cream, unless that person is licensed in accordance with this regulation.

Penalty: \$1 000.

3.

(2) Every person requiring to be licensed as a dairy operator or as an itinerant vendor of milk or cream shall—

- (a) make an application in writing to the local Council; and
- (b) accompany the application with a fee of \$10.00.

(3) A licence issued to an itinerant vendor of milk or cream may contain a condition specifying the hours during which milk or cream may be sold.

(4) A licence issued pursuant to this regulation shall expire on the day fixed in the permit for its expiry, provided that day is not a day beyond 12 months from the day of commencement, or if no day is fixed upon the expiration of 12 months after the day on which it was issued.

(5) In this regulation—

"dairy" means any building, shed, land, structure, or place, used for the milking of animals for the purpose of producing milk or cream, and includes any structure, building or place used for the purpose of depositing, cooling, keeping, storing, treating, or exposing milk or cream when so produced:

"dairy operator" means any person responsible for the production of milk or cream, but does not include any person who is licensed or who operates a dairy from premises which are licensed under either the *Metropolitan Milk Supply Act, 1946*, or the *Dairy Industry Act, 1928*:

"milk" shall include the milk from any animal which has not been pasteurized, ultra heat treated or sterilized and includes cream which has not been pasteurized, ultra heat treated or sterilized:

"itinerant vendor of milk" means any person who sells milk or cream in any street, thoroughfare, or other place, or from any vehicle and who is not the holder of a licence under the *Metropolitan Milk Supply Act, 1946*.

7. (1) The Code is incorporated into these regulations.

(2) The standards and codes listed in Part A of schedule 2 and which are referred to in the Code are, as in force from time to time, incorporated into these regulations.

(3) The specified parts of the standards and codes listed in Part B of schedule 2 and which are referred to in the Code are incorporated into these regulations together with any other parts of those standards and codes as are necessary to give effect to the parts of those standards and codes as are specified.

8. (1) Subject to these regulations, every package of food intended for sale must bear a label setting out, in the manner prescribed by the Code, the following particulars:

- (a) the prescribed name of the food in the package or, where the food does not have a prescribed name, a name or description (or both) that is sufficient to indicate the true nature of the food (referred to in the Code as "appropriate designation");

4.

(b) the name and business address, in the Commonwealth, of one of the following persons:

- (i) the manufacturer of the food;
- (ii) the packer of the food;
- (iii) the vendor of the food;
- (iv) where the food has been imported into the Commonwealth, the importer of the food;

and

(c) such other particulars as are prescribed by the Code.

(2) Unless otherwise specified in the Code, subregulation (1) does not apply to food that is packed in the presence of the person who purchases the food.

9. A person who contravenes or fails to comply with a provision of the Code that is specified in schedule 3 is guilty of an offence.

Penalty: \$1 000.

SCHEDULE 1

MODIFICATION OF THE CODE

- a1. Standard A1 is varied by inserting after clause (5) the following clause:

(5A) Where a label on or attached to a package containing food contains a statement that gives prominence to the presence of a particular ingredient or component in the packaged food, the label must also state the proportion by weight in which that particular ingredient or component is present in the food.

1. Standard A2 is varied by inserting in clause (10) after the present contents the following:

bread—if packed before 1 July 1991;

crumpets, pikelets and flapjacks in transparent packages—if packed before 1 July 1991;

yeast raised cakes and pastry products not filled with cream, cream substitutes or similar products—if packed before 1 July 1991.

2. Standard A5 is varied by inserting after "shall not" in clause (4) ", subject to any other express provision of this Code,".

3. Standard A12 is varied—

(a) by striking out from column 3 of the table opposite to the item "Mercury" the passage "A mean level of 0.5*" and substituting "1.0";

(b) by striking out from the table the whole of the sentence appearing at the end of the table and marked with an asterisk;

(c) by striking out clause (7) and substituting the following clause:

(7) The mercury content of dried or partially dried fish shall be calculated on an 80% moisture basis.

4. The following standards are inserted after Standard A14:

A15—POTABLE WATER

- (1) Potable water is water that is—

(a) clear;

(b) odourless;

(c) free from pathogenic organisms characteristic of human or animal excremental pollution;

and

(d) in other respects wholesome.

- (2) Water used in the preparation of food must be potable water.

6.

A16-ICE

- (1) Ice means frozen water.
- (2) Ice intended for human consumption or that is intended to come into contact with food for human consumption must consist wholly of potable water.

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7a. Standard D1 is varied—

(a) by inserting after subparagraph (iii) of paragraph (a) of clause (10) the following subparagraph—

(iv) Cooked prawns may contain the following synthetic colouring substances:

(A) C1 16255 ponceau 4R;

(B) C1 19140 tartrazine,

provided that the total proportion of colouring substance does not exceed 10mg/kg of prawn flesh.;

and

(b) by inserting after paragraph (b) of clause (10) the following paragraph:

(ba) A person who exposes for sale unpackaged cooked prawns that contain a permitted colouring substance must display on or adjacent to the container in which the prawns are placed a label bearing the following words in standard 9 mm type:

"COLOUR (here insert, in brackets, the prescribed name, appropriate designation or code number of the added colouring substance) ADDED".

8. Standard H1 is revoked and the following standard is substituted:

H1—MILK AND LIQUID MILK PRODUCTS

(1)—

(a) Milk is the lacteal secretion of a healthy cow. Milk must not contain discernable colostrum or abnormal constituents.

(b) Milk must be cooled and may be filtered and clarified.

(c) The freezing point of milk when determined by either the method described in AS 2300.2.4, Determination of the Freezing Point of Milk—Modified Hortvet Method, or the method described in AS 2300.2.5, Determination of the Freezing Point of Milk—Thermistor Method, must not be higher than—0.517°C.

(2) For the purposes of this standard—

(a) "liquid milk products" includes modified milk, skim milk and flavoured milk products;

(b) protein content must be calculated as $N \times 6.38$.

7.

(3) Milk and liquid milk products must not contain—

- (a) antibiotics in excess of 0.002 µg/mL of Penicillin G equivalents calculated using the method set out in AS 1095.1.3.3.2, Estimation of Penicillin in Milk (Disc Assay Method), using *B. calidolactis*;
- (b) iodine in excess of 500 µg/L.

(4) Milk and liquid milk products must be processed by one of the following:

(a) pasteurization by—

- (i) heating the product to a temperature of not less than 72°C and retaining it at such temperature for not less than 15 seconds and immediately shock cooling it to a temperature below 4.5°C;

or

- (ii) heating the product and immediately shock cooling, using any other time and temperature combination of equal or greater lethal effect on bacteria,

provided that in the case of flavoured liquid milk products, pasteurization may precede addition of pasteurized flavouring or pasteurized flavouring syrups if approved by an appropriate authority;

- (b) ultra-heat treatment by subjecting the product to a temperature of not less than 132°C for not less than one second and aseptically packaging it in approved hermetically sealed packages;

or

- (c) sterilization by packaging in approved hermetically sealed packages and subjecting to a heat sterilizing process.

(5) Pasteurized milk and pasteurized liquid milk products must, after having been subjected to processing by heat as indicated in clause (4)(a) of this standard, be packed in a sealed package.

(6) Pasteurized milk and pasteurized liquid milk products must not exhibit a phosphatase activity in excess of that required to give a reading of 10 µg/mL of p-nitrophenol when tested by the current standard method in AS 1095, Microbiological Methods for the Dairy Industry.

(7)—

- (a) Pasteurized milk is milk that has been processed by one of the methods indicated in clause (4)(a) of this standard.

(b) Pasteurized milk must contain not less than—

- (i) 32g/kg of milk fat;
- (ii) 85g/kg of milk solids non-fat or 31g/kg of milk protein.

(8) Homogenized pasteurized milk is pasteurized milk that, before or during pasteurization, has been treated in such a manner as to reduce the size of the fat globules. It must have an index of homogenization not exceeding 10.

8.

(9)—

(a) Ultra heat treated milk or U.H.T. milk is milk that has been processed as indicated in clause (4)(b) of this standard.

(b) Ultra heat treated milk must contain not less than—

(i) 32g/kg of milk fat;

(ii) 85g/kg of milk solids non-fat or 31g/kg of milk protein.

(10)—

(a) Sterilized milk is milk that has been processed as indicated in clause (4)(c) of this standard.

(b) Sterilized milk must contain not less than—

(i) 32g/kg of milk fat;

(ii) 85g/kg of milk solids non-fat or 31g/kg of milk protein.

(10A) Pasteurized milk, homogenized pasteurized milk, ultra heat treated milk or sterilized milk may be prepared from milk using one or more of the following processes:

(a) the removal of cream;

(b) the addition of cream;

(c) the addition of one or more of the following:

(i) skim milk;

(ii) skim milk powder;

(iii) skim milk concentrate.

(11) Notwithstanding the requirements of clause (4) of this standard, milk that has not been processed in accordance with that clause may be sold for consumption by humans, provided that—

(a) the milk contains not less than—

(i) 32g/kg of milk fat;

(ii) 85g/kg of milk solids non-fat or 31g/kg of milk protein;

and

(b) there is written in the label on or attached to the package containing the milk—

(i) in standard type of 6mm the word—

"UNPASTEURIZED"

immediately preceding or following the word "MILK";

9.

- (ii) in standard type of 3mm the words—

"BOIL BEFORE CONSUMPTION. STORE AT OR BELOW 4.5°C".

(12)—

- (a) The prescribed name of a food defined in clauses (1), (7), (8), (9) and (10) of this standard must be written, in standard type of 3mm, in the label on or attached to a package containing that food, provided that—

- (i) the word "MILK" where it appears as part of the prescribed name may be written in letters of a larger size, and of a different colour or style than the other words forming part of the prescribed name;

and

- (ii) the word "MILK" may precede the other words of the prescribed name.

- (b) There must be written in the label on or attached to a package containing ultra heat treated milk or sterilized milk other than a package of a capacity less than 30mL, in standard type of 3mm, the statement—

"STORE IN A REFRIGERATOR AFTER OPENING".

(13)—

- (a) Skim milk is milk from which milk fat has been removed.

- (b) Skim milk must contain—

- (i) not more than 1.5g/kg milk fat;
(ii) not less than 88g/kg milk solids non-fat or 32g/kg of milk protein.

- (c) (i) There must be written in the label on or attached to a package of less than 5 litres capacity which contains skim milk, in standard type of 6mm, the words—

"SKIM MILK"

immediately followed, in standard type of 3mm, by the words—

"SEEK MEDICAL ADVICE BEFORE USE IN INFANT FEEDING"

or

"UNSUITABLE FOR INFANTS EXCEPT ON MEDICAL ADVICE".

- (ii) There must be written in the label on or attached to a package of 5 litres or more capacity which contains skim milk the words "SKIM MILK" in standard type of 18mm.

(14)—

- (a) Modified milk is a liquid mixture of any two or more of the following:
- (i) milk;
 - (ii) concentrated milk;
 - (iii) dried full cream milk;
 - (iv) skim milk;
 - (v) concentrated skim milk;
 - (vi) dried skim milk;
 - (vii) cream;
 - (viii) buttermilk;
 - (ix) dried buttermilk;
 - (x) milk fat;
 - (xi) water.
- (b) Modified milk must contain not less than 85g/kg of milk solids non-fat or 31g/kg of milk protein.
- (c) Modified milk prepared from dried skim milk, milk fat and water with or without dried buttermilk may contain—
- (i) not more than 0.3g/kg of salt;
 - (ii) modifying agents specified in Group IV set out in Standard A10.
- (d) A low fat modified milk conforming to the milk fat specification in clause (17)(a) of this standard may contain added vitamin A and vitamin D at levels not exceeding 350 µg/kg (expressed as retinol activity) and 0.3 µg/kg (expressed as cholecalciferol), respectively.
- (e) There must be written in the label on or attached to a package containing modified milk, in standard type of 6mm, the words—

"MODIFIED MILK"

except in the case of a package containing less than 500mL where the letter height must be not less than 4.5mm.

11.

- (f) There must be written in the label on or attached to a package containing modified milk statements of the minimum percentages of milk fat and milk solids non-fat or milk protein present in the modified milk product, in standard type of 3mm, in the form—

"MILK FAT MINIMUM (here insert minimum percentage) %"

immediately followed by—

"MILK SOLIDS NON-FAT MINIMUM (here insert minimum percentage) %"

or

"MILK PROTEIN (here insert minimum percentage) %",

provided that, if the product is claimed to have a lowered milk fat content as provided for under clauses (17)(a) and (17)(b) of this standard, there must be written in the label a statement of the maximum milk fat present in the stead of the minimum, in standard type of 3mm, in the form—

"MILK FAT MAXIMUM (here insert maximum percentage) %".

- (g) There must be written in the label on or attached to a package containing modified milk that has a milk fat content less than 21g/kg, immediately following the statement required by paragraph (e) of this clause, in standard type of 3mm, the words—

"SEEK MEDICAL ADVICE BEFORE USE IN INFANT FEEDING" or
"UNSUITABLE FOR INFANTS EXCEPT ON MEDICAL ADVICE".

(14A) Pasteurized milk, homogenized pasteurized milk, ultra heat treated milk or sterilized milk that has been prepared in accordance with clause (10A) is not modified milk for the purposes of clause (14).

(15)—

- (a) Flavoured liquid milk products are milk, modified milk or skim milk, to which flavouring has been added, with or without other ingredients listed in paragraph (e) of this clause.
- (b) Flavoured milk must contain not less than—
- (i) 30g/kg of milk fat;
 - (ii) 77g/kg of milk solids non-fat or 28g/kg of milk protein.
- (c) Flavoured modified milk must contain not less than 77g/kg of milk solids non-fat or 28g/kg of milk protein.
- (d) Flavoured skim milk must contain—
- (i) not more than 1.5g/kg of milk fat;
 - (ii) not less than 80g/kg of milk solids non-fat or 29g/kg of milk protein.

12.

- (e) Flavoured liquid milk products may contain—
- (i) modifying agents specified in Groups I and IV set out in Standard A10;
 - (ii) colouring;
 - (iii) sugars;
 - (iv) other foods.
- (f) Flavoured ultra heat treated liquid milk products may contain not more than 0.5g/kg of phosphates specified in Group II set out in Standard A10, calculated as phosphorus.
- (g) There must be written in the label on or attached to a package containing a flavoured liquid milk product, in standard type of 4.5mm, the words—
- "FLAVOURED MILK" or "FLAVOURED (here insert the name of the liquid milk product)",
- immediately preceded by the name of the flavouring in the same size, style and colour of type.
- (h) In the case of flavoured modified milk, the writing on the label required by paragraph (g) of this clause must be immediately followed by statements of the minimum percentages of milk fat and milk solids non-fat or alternatively milk protein present in the milk product, in standard type of 3mm, in the form—
- "MILK FAT MINIMUM (here insert minimum percentage) %"
- immediately followed by—
- "MILK SOLIDS NON-FAT MINIMUM (here insert minimum percentage) %" or
- "MILK PROTEIN (here insert minimum percentage) %",
- provided that, if the product is claimed to have a lowered milk fat content as provided for under clauses (17)(a) and (17)(b) of this standard, there must be written in the label a statement of the maximum milk fat present in the stead of the minimum, in standard type of 3mm, in the form—
- "MILK FAT MAXIMUM (here insert the maximum percentage) %".
- (16)—
- (a) There must be written in the label on or attached to a package containing a liquid milk product the word "PASTEURIZED" or "STERILIZED" or the words "ULTRA HEAT TREATED", whichever is appropriate, in the same size, style and colour of type as the name of the product, provided that the letters "U.H.T." may be used in the stead of the words "ULTRA HEAT TREATED".
- (b) There must be written in the label on or attached to a package containing any ultra heat treated liquid milk product or sterilized liquid milk product, other than a package of a capacity less than 30mL, in standard type of 3mm, the statement—
- "STORE IN A REFRIGERATOR AFTER OPENING".

(17)—

- (a) The words "LOW FAT" or any word or words having the same or a similar effect must not be written in the label on or attached to a package containing, nor used in any advertisement relating to, any liquid milk product unless it has a milk fat content of not more than 10g/kg.
- (b) The words "REDUCED FAT" or any word or words having the same or a similar effect must not be written in the label on or attached to a package containing, nor used in any advertisement relating to, any liquid milk product unless it has a milk fat content of not more than 20g/kg and not less than 10g/kg.

(18) Microbiological standards. When examined by the methods prescribed by clause (19) of this standard—

- (a) milk must have—
 - (i) a standard plate count not exceeding 50 000 micro-organisms per millilitre;
 - (ii) a coliform count not exceeding 100 coliforms per millilitre;
 - (iii) a coagulase positive staphylococci count not exceeding 100 coagulase positive staphylococci per millilitre;
- (b) pasteurized milk and pasteurized liquid milk products must have—
 - (i) a standard plate count not exceeding 50 000 micro-organisms per millilitre;
 - (ii) a coliform count not exceeding 1 coliform per millilitre;
- (c) ultra heat treated milk, sterilized milk, ultra heat treated liquid milk products and sterilized liquid milk products must show no microbial growth.

(19) Methods of microbiological analysis. The methods set out in this clause are the prescribed methods with respect to the microbiological examination of milk and liquid milk products. In the case of pasteurized milk, pasteurized homogenized milk and pasteurized liquid milk products, samples must be of the packed product taken at the processing factory or at the wholesale level. Retail samples must not be used for this purpose.

- (a) Standard plate count. Proceed in accordance with the current standard method in AS 1095, Microbiological Methods for the Dairy Industry, except that, for the purpose of this method, when 5 sample units each consisting of 100mL or more of milk, pasteurized milk or pasteurized liquid milk product are examined as detailed, the result for milk, pasteurized milk and pasteurized liquid milk products must be reported as "not exceeding 50 000 micro-organisms per millilitre of the food" if at least 4 of the 5 sample units have a standard plate count not exceeding 50 000 micro-organisms per millilitre and any remaining sample unit has a standard plate count not exceeding 100 000 micro-organisms per millilitre.

14.

- (b) Coliforms. Proceed in accordance with the current standard method in AS 1095, Microbiological Methods for the Dairy Industry, except that, for the purpose of this method, when 5 sample units each consisting of 100mL or more of milk, pasteurized milk or pasteurized liquid milk product are examined as detailed using an incubation temperature of 30°C, the result for pasteurized milk or pasteurized liquid milk products must be reported as "not exceeding 1 coliform per millilitre of the food" when at least 4 of the 5 sample units have a coliform count not exceeding 1 coliform per millilitre and any remaining sample unit has a coliform count not exceeding 10 coliforms per millilitre. In the case of milk, the result must be reported as "not exceeding 100 coliforms per millilitre of the food" if at least 4 of the 5 sample units have a coliform count not exceeding 100 coliforms per millilitre and any remaining sample unit has a coliform count not exceeding 1 000 coliforms per millilitre.
- (c) Absence of microbial growth. Proceed in accordance with the current standard method in AS 1095, Microbiological Methods for the Dairy Industry, except that, for the purpose of this method, when 5 sample units of ultra heat treated milk, sterilized milk, ultra heat treated liquid milk product or sterilized liquid milk product are examined as detailed, the result must be reported as "microbial growth not detected" if no microbial growth is detected in each of the following:
- (i) 5 out of 5 sample units examined without incubation;
 - (ii) 5 out of 5 sample units examined after 7 days incubation at $30 \pm 1^\circ\text{C}$;
 - (iii) 5 out of 5 sample units examined after 7 days incubation at $55 \pm 2^\circ\text{C}$.

9. Standard H2 is varied by striking out clause (9).

9a. Standard O2 is amended by inserting after clause (4) the following clauses:

(4A) For the purposes of clauses (4B) and (4C), fruit juice, concentrated fruit juice, sweetened fruit juice or fruit juice drink contains an imported fruit ingredient if an ingredient of the food—

(a) is a fruit juice ingredient that was imported into Australia;

or

(b) was prepared wholly or partly from fruit that was imported into Australia.

(4B) Where fruit juice, concentrated fruit juice, sweetened fruit juice or fruit juice drink offered for retail sale is not labelled as the product of a country other than Australia, but contains one or more imported fruit ingredients, the label on or attached to a package containing the food must include, other than in the ingredient list—

(a) a statement identifying the country or countries of origin of all of the imported fruit ingredients of the food as the case requires;

or

(b) a statement to the effect that the food is made from—

(i) imported fruit ingredients;

or

15.

- (ii) imported fruit ingredients and local fruit ingredients,
as the case requires.

(4C) The label on or attached to a package containing fruit juice, concentrated fruit juice, sweetened fruit juice or fruit juice drink must not, if the food contains a fruit ingredient imported into Australia—

- (a) include a statement to the effect that or that implies;

or

- (b) be structured in a way that suggests,

that all of the fruit juice ingredients originated in Australia.

(4D) Clauses (4B) and (4C) apply only in relation to fruit juice, concentrated fruit juice, sweetened fruit juice or fruit juice drink that was packed on or after the day on which those clauses came into operation.

9b. Standard 07 is amended by inserting after clause (6) the following clauses:

(7) For the purposes of clauses (8) and (9), orange juice, concentrated orange juice or sweetened orange juice contains an imported fruit ingredient if an ingredient of the food—

- (a) is orange juice, concentrated orange juice or sweetened orange juice that was imported into Australia;

or

- (b) was prepared wholly or partly from oranges that were imported into Australia.

(8) Where orange juice, concentrated orange juice or sweetened orange juice offered for retail sale is not labelled as the product of a country other than Australia, but contains one or more imported fruit ingredients, the label on or attached to a package containing the food must include, other than in the ingredient list—

- (a) a statement identifying the country or countries of origin of all of the fruit ingredients of the food as the case requires;

or

- (b) a statement to the effect that the food is made from—

- (i) imported oranges, imported orange juice, imported orange juice concentrate or imported sweetened orange juice;

or

- (ii) imported fruit ingredients and local fruit ingredients, as the case requires.

(9) The label on or attached to a package containing orange juice, concentrated orange juice or sweetened orange juice must not, if the food contains an imported fruit ingredient—

- (a) include a statement to the effect that or that implies;

or

16.

(b) be structured in a way that suggests, that all of the orange juice ingredients originated in Australia.

(10) Clauses (8) and (9) apply only in relation to orange juice, concentrated orange juice or sweetened orange juice that was packed on or after the day on which those clauses came into operation.

10. Standard H5 is varied by striking out paragraph (a) of clause (3).

* * * * *

12. Standard S4 is varied by striking out clause (5).

13. The following standard is inserted after standard S4:

S6—IRRADIATION OF FOOD

(1) For the purposes of this standard, "ionizing radiation" means all radiations capable of producing ions directly or indirectly in their passage through matter, including but not limited to electromagnetic radiations such as X-rays and gamma rays and particulate radiations such as alpha particles, beta particles, electrons, protons and neutrons, but excluding natural background ionizing radiation.

(2) Food, other than packaged food, shall not be exposed to ionizing radiation.

(3) Packaged food shall not be exposed to ionizing radiation other than ionizing radiation resulting from the examination of packaged food if the absorbed dose of ionizing radiation received during examination does not exceed 10 milligray.

SCHEDULE 2

STANDARDS AND CODES INCORPORATED INTO THESE REGULATIONS

PART A

AS 1766	Methods for Microbiological Examination of food.
AS 1142	Methods for the Microbiological Examination of Egg and Egg Products.
AS 2300.2.4	Determination of the Freezing Point of Milk—Modified Hortvet Method.
AS 2300.2.5	Determination of the Freezing Point of Milk—Thermistar Method.
AS 1095	Microbiological Methods for the Dairy Industry.
AS 2300	Methods of Chemical and Physical Testing for Dairying Industry. Society of Dyers and Colourists Colour Index Third Edition 1971.

PART B

AOAC 10th Edition	Sections 12.043; 23.030.
AOAC 13th Edition	Sections 19.025—19.028.
AOAC 14th Edition	Sections 8.010; 9.145; 13.013; 13.030; 13.062; 21.001—21.009; 22.024; 31.011; 32.004—32.009; 43.A14—43.A20 of the first supplement 1985; 44.206—44.211; 44.194—44.196.

Those parts of the standards and codes specified in the schedule to Standard A11.

SCHEDULE 3

PROVISIONS OF THE CODE THE CONTRAVENTION OF WHICH CONSTITUTES
AN OFFENCE

Standard	Clauses
A1	(23)
A2	(9)
A13	(1)
A14	(1)
H1	(10)(c); (12)(b)(iii); (15)
H4	(1)(g); (3)(c)
H8	(10)(c).

APPENDIX**LEGISLATIVE HISTORY**

Regulation 3:	substituted by 142, 1988, reg. 2
Regulations 7 and 8:	substituted by 142, 1988, reg. 3
Regulation 9:	inserted by 142, 1988, reg. 3
Schedule 1:	inserted by 142, 1988, reg. 3
Clause a1:	inserted by 37, 1991, reg. 3
Clause 1:	varied by 12, 1991, reg. 3(a)
Clause 2:	revoked by 229, 1988, reg. 3(a); inserted by 183, 1990, reg. 3(a)
Clause 5:	revoked by 12, 1991, reg. 3(b)
Clause 6:	revoked by 229, 1988, reg. 3(b)
Clause 7:	substituted by 35, 1990, reg. 3(a); revoked by 37, 1996, reg. 3
Clause 7a:	inserted by 183, 1990, reg. 3(b)
Clause 8:	substituted by 35, 1990, reg. 3(b)
Clauses 9a and 9b:	inserted by 261, 1990, reg. 2
Clause 10:	substituted by 229, 1988, reg. 3(c)
Clause 11:	varied by 229, 1988, reg. 3(d); revoked by 12, 1991, reg. 3(b)
Clause 13:	varied by 35, 1990, reg. 3(c), (d)
Schedule 2:	inserted by 142, 1988, reg. 3
Part B:	varied by 229, 1988, reg. 4; substituted by 218, 1989, reg. 2; varied by 183, 1990, reg. 4
Schedule 3:	inserted by 142, 1988, reg. 3