11 December 2018
[68–18]

Call for submissions – Proposal M1016

Maximum Residue Limits (2018)

FSANZ has assessed a Proposal prepared to consider varying (including some deletions) Maximum Residue Limits (MRLs) for residues of agricultural and veterinary chemicals in the *Australia New Zealand Food Standards Code* (the Code*)* and has prepared a draft food regulatory measure. Pursuant to section 61 of the *Food Standards Australia New Zealand Act 1991* (FSANZ Act), FSANZ now calls for submissions to assist consideration of the draft food regulatory measure.

For information about making a submission, visit the FSANZ website at information for submitters.

All submissions on applications and proposals will be published on our website. We will not publish material that that we accept as confidential, but will record that such information is held. In-confidence submissions may be subject to release under the provisions of the *Freedom of Information Act 1991*. Submissions will be published as soon as possible after the end of the public comment period. Where large numbers of documents are involved, FSANZ will make these available on CD, rather than on the website.

Under section 114 of the FSANZ Act, some information provided to FSANZ cannot be disclosed. More information about the disclosure of confidential commercial information is available on the FSANZ website at information for submitters.

Submissions should be made in writing; be marked clearly with the word 'Submission' and quote the correct project number and name. While FSANZ accepts submissions in hard copy to our offices, it is more convenient to receive submissions electronically through the FSANZ website via the link on documents for public comment. You can also email your submission directly to submissions@foodstandards.gov.au.

There is no need to send a hard copy of your submission if you have submitted it by email or via the FSANZ website. FSANZ endeavours to formally acknowledge receipt of submissions within 3 business days.

DEADLINE FOR SUBMISSIONS: 6pm (Canberra time) 20 January 2019

Submissions received after this date will not be considered unless an extension had been given before the closing date. Extensions will only be granted due to extraordinary circumstances during the submission period. Any agreed extension will be notified on the FSANZ website and will apply to all submitters.

Questions about making submissions or the application process can be sent to standards.management@foodstandards.gov.au.

Hard copy submissions may be sent to one of the following addresses:

Food Standards Australia New Zealand
PO Box 5423
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NEW ZEALAND
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Supporting document

The following document which informed the assessment of this Proposal is available on the FSANZ website.

Supporting Document (SD1)	Proposed MRL changes, origin of requests, comparisons with Codex and dietary exposure estimates for the Australian population.

Executive summary

This Proposal considers the variation of Maximum Residue Limits (MRLs) for a number of agricultural and veterinary (agvet) chemicals listed in Schedule 20 of the *Australia New Zealand Food Standards Code* (the Code). The Proposal relates to Australia only as the *Agreement between the Government of Australia and the Government of New Zealand concerning Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system that sets joint food standards.

MRLs are legal limits and apply to all foods sold in Australia. They are determined through good agricultural practice based on the amount of a chemical that is needed to control pests and/or diseases.

This Proposal includes consideration of MRLs gazetted by the Australian Pesticides and Veterinary Medicines Authority (APVMA) and comprises deletions, reductions and increases of MRLs to align with agvet chemical uses in Australia as well as amendments to several residue definitions. This Proposal also considers MRLs requested by other parties seeking to align MRLs in the Code with MRLs established by the Codex Alimentarius Commission (Codex) or other trading partner standards.

The dietary exposure of the Australian population that may arise from the proposed MRLs in the food supply has been assessed. The assessment indicates that the proposed limits present negligible health and safety risks to consumers.

FSANZ has also assessed whether an *All other foods except animal food commodities* MRL is appropriate for the chemicals requested and has followed protocols and principles established in a previous Proposal (P1027- Managing low-level Agvet Chemicals without maximum residue limits) to complete these.

International stakeholders may be affected by proposed deletions of a number of agvet chemicals or the reduction of MRLs for some commodities currently listed in Schedule 20 of the Code. Proposed changes, including deletions to MRLs in Schedule 20 are listed in Supporting Document 1, an attachment to this report.

1 Introduction

1.1 The Proposal

This Proposal has been prepared to consider varying certain agvet MRLs in Schedule 20 of the Code. It includes considerations of MRL variations and amendments to residue definitions proposed by the APVMA, as well as MRL harmonisation requests from other interested parties.

This Proposal is a routine process that allows the sale of imported food with legitimate residues of agvet chemicals used in their production and based on good agricultural practice (GAP). It also proposes that some agvet chemical MRLs be removed or increased as a result of amendments to the APVMA MRL Standard[1]. There are also proposed changes to some residue definitions.

1.2 The current standard

Schedule 20 of the Code lists the MRLs for agvet chemicals which may occur in foods following their legitimate use in food production. MRLs prescribed in the Code constitute legal limits and apply to all foods sold in Australia, including imported foods. Some MRLs only apply to a specific food commodity while others apply to all foods except animal food products.

Food products containing detectable residues with no listed MRLs or that exceed relevant MRLs in the Code cannot be legally sold in Australia. This ensures that residues of agvet chemicals in food are kept as low as possible, are consistent with their approved use, and are at levels assessed to be safe for human consumption.

1.3 Reasons for preparing the Proposal

This Proposal was prepared to vary MRLs in Schedule 20 to align the Code with Codex and trading partner standards for food commodities to be imported and legally sold in Australia. It also aligns Schedule 20 with deletions, reductions or increases of MRLs and changes to chemical residue definitions, as proposed by the APVMA following amendments made to the APVMA MRL Standard.

The MRL changes requested in this Proposal were for 99 chemicals and 234 chemical-food commodity combinations and were submitted by 17 domestic and international stakeholders following a call for requests in April 2018. The stakeholders were:

1. Australian Food and Beverages Industry Association
2. Australian Food and Grocery Council
3. Australian Pesticides and Veterinary Medicines Authority
4. Arysta LifeScience Australia Pty Ltd
5. BASF Agricultural Solutions
6. California Fresh Fruit Association (USA)
7. California Table Grape Commission (USA)
8. California Cherry Industry (USA)
9. Cytec Industries Inc. (USA)
10. Northwest Horticultural Council (USA)

[1] The Agricultural and Veterinary Chemicals Code Instrument 4 (MRL Standard) lists MRLs for agvet chemicals in agricultural produce, particularly produce entering the food chain. https://www.legislation.gov.au/Series/F2012L02501

11. Syngenta Australia Pty Ltd
12. U.S Cranberry Industry (USA)
13. U.S Highbush Blueberry Council (USA)
14. U.S Hop Industry Plant Protection Committee (USA)
15. Valent (USA)
16. WA Raspberry Commission (USA)
17. Wild Blueberry Commission of Maine (USA).

Countries that establish MRLs routinely use Good Agricultural Practice (GAP) and Good Veterinary Practice (GVP) to ensure the safety and quality of food and other agricultural products. However, agvet chemicals are used differently in different countries around the world, as pests, diseases and environmental factors differ and consequently, use patterns may vary. This means that residues in imported foods may legitimately differ from those in domestically produced foods.

The proposed MRLs will permit the sale of foods containing established residues and protect public health and safety. Additionally, the establishment of these MRLs may minimise trade disruption and extend consumer choice for a range of commodities.

The proposed MRLs are listed in Supporting Document 1 (SD1) and this includes information on how the MRLs differ from current levels and compare with Codex limits. SD1 details the dietary exposure estimates undertaken for Australian consumers.

The appendix to SD1 provides summary information on the assessment of the requested chemicals for suitability to establish MRLs for *All other foods except animal food commodities*. It also lists the chemicals for which the MRLs proposed by FSANZ have been supported by the APVMA.

1.3.1 International Standards

FSANZ may consider varying MRLs for agvet chemicals in food commodities, where interested parties or stakeholders have demonstrated a need to include an MRL in Schedule 20 because of differences between the Schedule and relevant international standards, such as Codex or trading partner standards.

While the recognition of international standards and food trade issues are considered, the primary consideration in assessing a variation is the protection of public health and safety.

1.4 Procedure for assessment

The Proposal is being assessed under the General Procedure.

2 Summary of the assessment

2.1 Risk assessment

The presence of residues of registered and approved agvet chemicals in food commodities at low levels should not represent an unacceptable risk to public health and safety if the chemical has been used according to label instructions. However, to ensure that this is the case, an assessment of the estimated short term (acute) and/or chronic dietary exposure to the chemical residue is undertaken to confirm that the estimated exposures are unlikely to exceed the relevant health-based guidance values (HBGVs) for the agvet chemical[2]. To assess the public health and safety implications of chemical residues in food, FSANZ estimates the Australian population's dietary exposure to agvet chemical residues from potentially treated foods in the diet and compares the dietary exposure with the relevant HBGVs. These are the acceptable daily intake (ADI) and the acute reference dose (ARfD).

In Australia, the ADI and ARfD for agvet chemicals are currently[3] established by the APVMA following an assessment of the toxicity of each chemical. In cases where an Australian ADI or ARfD has not been established, the ADI or ARfD adopted by the Joint Food and Agriculture Organization / World Health Organization Meeting on Pesticide Residues (JMPR) may be used for risk assessment purposes. Where there is no APVMA or JMPR HBGV and the agvet chemical is or has been listed in Schedule 20, consideration will be given to using another authoritative source of HBGV for the dietary exposure assessment (DEA).

Where agvet chemicals have not previously been included in the Code or the residue definition for the requested agvet chemical differs from that in the Code or an amendment to the residue definition is proposed, a new or updated residue definition may be determined. This is based on a number of considerations including the nature of the residues determined in residue trials, the toxicological properties of residues and the practicality of analytical methods. Residue definitions established by JMPR and overseas regulatory bodies are taken into account.

FSANZ conducts and reviews DEAs using internationally recognised risk assessment methodologies. Variations to MRLs in the Code will not be supported where estimated dietary exposures to the residues of a chemical indicate a potential public health and safety risk for the Australian population or a population subgroup.

The steps undertaken in conducting a DEA are:

- Determine the residues of an agvet chemical in a treated food commodity
- Estimate dietary exposure to a chemical from relevant foods, using chemical residue data and food consumption data from Australian national nutrition surveys
- Complete a risk characterisation by comparing the estimated dietary exposures to the relevant HBGV(s).

The dietary exposure estimates for this Proposal indicate that the proposed MRLs pose negligible chronic and acute health and safety risks to Australian consumers.

[2] An explanation of how dietary exposure assessments are carried out can be found on the FSANZ website.
[3] Previously, HBGVs were recommended by the former Pesticides and Agricultural Chemicals Standing Committee (PACSC) of the National Health and Medical Research Council (NHMRC) until November 1992. The responsibility for establishing ADIs transferred to the Australian Department of Health on 12 March 1993. On 1 July 2016, the task of establishing ADIs was transferred to the Australian Pesticide and Veterinary Medicines Authority (APVMA).

2.1.1 Assessment for establishment of *All other foods except animal food commodities* MRLs

The risk assessment of the chemicals considered in Proposal M1016 included an additional assessment for suitability to establish *All other foods except animal food commodities* MRLs according to the principles agreed by FSANZ and the APVMA in Proposal P1027 (Managing low-level agvet chemicals without maximum residue limits). A list of the proposed *All other foods except animal commodities* MRLs for each chemical considered, together with the details of the assessment and other relevant information is provided in the appendix to SD1.

2.2 Risk management

FSANZ is committed to maintaining MRLs for residues of agvet chemicals that may legitimately occur in food commodities following their prescribed use in food production and to ensure that such food may be legally sold. The safety of the residues in the context of the Australian diet is a key consideration.

Harmonisation requests for agvet chemicals that refer to another chemical in Schedule 20 are included under that chemical. FSANZ received requests to harmonise with MRLs for alpha cypermethrin, metalaxyl-M, lambda-cyhalothrin and hydrogen-phosphide. These have been considered for inclusion in Schedule 20 under cypermethrin, metalaxyl, cyhalothrin and phosphine respectively. All requests to align with clethodim MRLs have been considered under sethoxydim.

As commodity descriptors and food commodity names vary across international databases, the requested commodity descriptors as listed in table 1 of SD1 may differ from those in the draft variation. This was to maintain consistency with existing commodity names and food groups in Schedules 20 and or 22 of the Code.

FSANZ will only approve variations to MRLs in the Code where the risk assessment concludes that the estimated dietary exposures are within the relevant HBGVs. FSANZ may consider including MRLs in Schedule 20 to harmonise with those established by Codex or a trading partner's government authority in circumstances where the risk assessment shows they do not present health and safety concerns to consumers.

As noted above, the dietary exposure estimates undertaken for each of the proposed MRLs indicate that they will pose negligible chronic and acute health and safety risks to Australian consumers. In these circumstances, and for the reasons outlined in this consultation paper, preparation of a draft variation to include the proposed MRLs in Schedule 20 is an appropriate risk management approach.

2.2.1 Impacts on imported foods due to MRL variations proposed by the APVMA

The APVMA's requests to delete or reduce MRLs may affect imported foods containing residues that currently comply with existing MRLs listed in Schedule 20. In cases where the MRL deletions are proposed by the APVMA, these MRLs are no longer required for domestically produced food. If all permitted domestic uses are deleted for an agvet chemical, this may result in the chemical being deleted from Schedule 20. If an *all other foods except animal food commodities* MRL had been established for the agvet chemical being removed, it too, may be deleted or amended accordingly.

FSANZ is committed to ensuring that the implications of MRL variations proposed by the APVMA are considered. Therefore, FSANZ will consider delaying the proposed MRL

deletions/variations that may impact on imported foods. Where appropriate, FSANZ will not delete or vary the identified MRLs for at least 12 months pending receipt of an MRL harmonisation request following the Call for Requests for the next M Proposal[4]. For requests to be considered, MRLs would need to be supported by adequate data or information demonstrating that the residues are legitimate and likely to occur and meet all other criteria outlined in the Guide to submitting requests for maximum residue limit (MRL) proposals[5]. If a valid harmonisation request is not received, FSANZ will proceed with the deletions/variations in the next M Proposal.

To help identify possible impacts on imported foods, the deletion and reduction of MRLs proposed by the APVMA which are not yet listed in the current version of Schedule 20 are included in SD1[6]. FSANZ requests comment on any possible ramifications for imported foods of the proposed variations with supporting evidence where applicable.

2.3 Risk communication

2.3.1 Consultation

Consultation is a key part of FSANZ's standards development process.

FSANZ's communication strategy for this Proposal focuses on alerting the community to the proposed changes. FSANZ has published details about the proposed changes, and will publish submissions received and subsequent reports on its website. All calls for submissions are notified via the FSANZ Notification Circular, media release and through FSANZ's social media tools and Food Standards News. Subscribers and interested parties are also notified about the availability of reports for public comment.

FSANZ is seeking public comment on the draft variation to Schedule 20 (Attachment A). FSANZ is particularly interested in comments on any impacts (costs/benefits) likely to result from the proposed variations, potential impacts on imported foods, and any public health and safety considerations associated with the proposed changes.

Individuals and organisations making submissions to this Proposal will be notified of the outcomes of the assessment.

2.3.2 World Trade Organization (WTO)

As a member of the World Trade Organization (WTO), Australia is obliged to notify WTO members where proposed mandatory regulatory measures are inconsistent with any existing or imminent international standards, and the proposed measures may have a significant effect on trade.

Amending MRLs in Schedule 20 may also have an effect on international trade. The MRLs constitute a mandatory requirement and apply to all food products of a particular class whether produced domestically or imported. Foods with agvet chemical residues not listed in Schedule 20 or that exceed the relevant MRLs listed in the Code cannot legally be sold in Australia. Therefore, a notification has been made to the WTO as required by Australia's obligations under the WTO Sanitary and Phytosanitary Agreement to enable other WTO

[4] Call for Requests for M Proposals are usually published in the first quarter of each calendar year.
[5] Guide to submitting requests for maximum residue limit proposals available via FSANZ website: http://www.foodstandards.gov.au/publications/Pages/Guide-for-Submitting-Requests-for-MRL-Proposals.aspx
[6] In SD1, all requests by the APVMA are identified under the column 'Origin of MRL requested' as 'APVMA'.

members to comment on the proposed amendments.

2.4 FSANZ Act assessment requirements

When assessing this Proposal and the subsequent development of a food regulatory measure, FSANZ had regard to the following matters in section 59 of the FSANZ Act:

2.4.1 Section 59

2.4.1.1 Consideration of costs and benefits

In 2010, the Office of Best Practice Regulation provided a standing exemption (ID 12065) from preparing a Regulation Impact Statement for MRL proposals and applications. However, a limited impact analysis on different stakeholders is provided below.

The direct and indirect benefits that would arise from a food regulatory measure developed or varied as a result of this proposal outweigh the costs to the community, industry and Government. The proposed MRL variations benefit growers and producers, state and territory agencies and the Australian Government in that they serve to further harmonise agricultural and food standards. Achieving consistency between agricultural and food legislation assists in the efficient enforcement of regulations and minimises compliance costs to primary producers.

Food importers may benefit from the additional or increased MRLs following approval of the proposed draft variations. Consumers may benefit because the proposed variations extend the options to source a wider variety of safe foods. Conversely, importers and consequently consumers may be disadvantaged where proposed additional or increased MRLs are not progressed as this may unnecessarily limit the variety of certain foods.

Any MRL deletions or reductions have the potential to restrict importation of foods and could potentially result in higher food prices and a reduced product range available to consumers. However, if a need is identified through consultation, there is scope under current processes to retain specific MRLs for imported foods where the residues do not present a health risk to consumers, and there is a legitimate Codex or trading partner MRL (See section 2.2.1).

2.4.1.2 Other measures

There are no other measures (whether available to FSANZ or not) that would be more cost-effective than a food regulatory measure developed or varied as a result of the Proposal.

2.4.1.3 Any relevant New Zealand standards

The *Agreement between the Governments of Australia and New Zealand concerning a Joint Food Standards System* (the Treaty) excludes MRLs for agvet chemicals in food from the system that sets joint food standards. Australia and New Zealand, therefore, independently and separately develop MRLs for agvet chemicals in food commodities. However, under the Trans-Tasman Mutual Recognition Arrangement (TTMRA), Australia and New Zealand accept food commodities that are legal for sale in each country, regardless of the sale-related regulatory requirements in the individual country.

All imported and domestically-produced food sold in New Zealand (except for food imported from Australia) must comply with the current Food Notice: Maximum Residue Levels for

Agricultural Compounds (July 2017)[7] and amendments. Agvet chemical residues in food must comply with the specific MRLs listed in the Food Notice including the 'default' MRL of 0.1 mg/kg where no specific MRL is listed. If a food is imported and no domestic MRL has been established, Codex MRLs can be recognised.

MRLs in the Code may differ from those in the New Zealand Food Notice for a number of legitimate reasons including different use patterns of the chemicals.

2.4.1.4 Any other relevant matters

Other relevant matters are considered below.

2.4.2. Subsection 18(1)

FSANZ has also considered the three objectives in subsection 18(1) of the FSANZ Act during the assessment.

2.4.2.1 Protection of public health and safety

FSANZ has reviewed the DEAs submitted by the APVMA for its requests and also conducted additional DEAs to assess the suitability of MRLs requested by other parties. Using the best available scientific data and internationally recognised risk assessment methodologies, FSANZ concluded that the proposed MRLs will pose negligible public health and safety risks to consumers.

2.4.2.2 The provision of adequate information relating to food to enable consumers to make informed choices

This objective is not relevant to matters under consideration in this Proposal

2.4.2.3 The prevention of misleading or deceptive conduct

This objective is not relevant to matters under consideration in this Proposal

2.4.3 Subsection 18(2) considerations

FSANZ has also had regard to:

- **the need for standards to be based on risk analysis using the best available scientific evidence**

The proposed amendments to Schedule 20 are based on risk analysis that used the best available scientific evidence and internationally recognised risk assessment methodologies. FSANZ conducted a risk assessment which concluded that the estimated dietary exposures, for each proposed MRL, using Australian food consumption data do not exceed HBGVs.

- **the promotion of consistency between domestic and international food standards**

The proposed changes would remove inconsistencies between agricultural and food standards and further align the Code with trading partner standards and Codex.

[7] MRLs for Agricultural Compounds in New Zealand: https://www.foodsafety.govt.nz/elibrary/industry/register-list-mrl-agricultural-compounds.htm

- **the desirability of an efficient and internationally competitive food industry**

The proposed changes will minimise potential costs to primary producers, rural and regional communities and importers in terms of permitting the sale of food containing legitimate levels of agvet residues.

- **the promotion of fair trading in food**

This is addressed in section 2.4.1.1

- **any written policy guidelines formulated by the Forum on Food Regulation**

FSANZ has had regard to the Forum's Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food[8]. It forms a framework for the consideration of alternative approaches to address issues surrounding the regulation of residues of agricultural and veterinary chemicals in food.

3 Draft variation

The draft variation to the Code is at Attachment A. MRLs in the tables of the draft variation are expressed as mg per kg. An asterisk (*) indicates that the maximum residue limit is set at the limit of determination and the symbol 'T' indicates that the MRL is a temporary MRL.

A draft explanatory statement is at Attachment B. An explanatory statement is required to accompany an instrument if it is lodged on the Federal Register of Legislation.

Attachments

A. Draft variation to the *Australia New Zealand Food Standards Code*
B. Draft Explanatory Statement

[8] The policy guideline is available on the Food Regulation Secretariat website at this link. http://foodregulation.gov.au/internet/fr/publishing.nsf/Content/publication-Policy-Guideline-on-the-Regulation-of-Residues-of-Agricultural-and-Veterinary-Chemicals-in-Food

Attachment A – Draft variation to the *Australia New Zealand Food Standards Code*

FOOD STANDARDS Australia New Zealand
Te Mana Kounga Kai – Ahitereiria me Aotearoa

Food Standards (Proposal M1016 – Maximum Residue Limits (2018)) Variation

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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 variation commences on the date specified in clause 3 of this variation.

Dated [To be completed by Delegate]

Dr Scott Crerar, General Manager Science and Risk Assessment Branch
Delegate of the Board of Food Standards Australia New Zealand

Note:

This variation will be published in the Commonwealth of Australia Gazette No. FSC XX on XX Month 20XX. This means that this date is the gazettal date for the purposes of clause 3 of the variation.

1 Name

This instrument is the *Food Standards (Proposal M1016– Maximum Residue Limits (2018)*) Variation.

2 Variation to a standard in the *Australia New Zealand Food Standards Code*

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

3 Commencement

The variation commences on the date of gazettal.

Schedule

[1] Schedule 20 is varied by

[1.1] omitting all entries for the following chemicals

Agvet chemical: Aldoxycarb
Permitted residue: Sum of aldoxycarb and its sulfone, expressed as aldoxycarb
Agvet chemical: Azaconazole
Permitted residue: Azaconazole
Agvet chemical: Chinomethionat
Permitted residue: see Oxythioquinox
Agvet chemical: Dimethipin
Permitted residue: Dimethipin
Agvet chemical: Dimethirimol
Permitted residue: Dimethirimol
Agvet chemical: Flucythrinate
Permitted residue: Flucythrinate
Agvet chemical: Flusilazole
Permitted residue: Flusilazole
Agvet chemical: Oxydemeton-methyl
Permitted residue: Sum of oxydemeton-methyl and demeton-S-methyl sulphone, expressed as oxydemeton-methyl
Agvet chemical: Oxythioquinox
Permitted residue: Oxythioquinox
Agvet chemical: Sulprofos
Permitted residue: Sulprofos
Agvet chemical: Tetrachlorvinphos
Permitted residue: Tetrachlorvinphos
Agvet chemical: Tetradifon
Permitted residue: Tetradifon
Agvet chemical: Thiometon
Permitted residue: Sum of thiometon, its sulfoxide and sulfone, expressed as thiometon
Agvet chemical: Tolylfluanid
Permitted residue: Tolylfluanid
Agvet chemical: Trichloroethylene
Permitted residue: Trichloroethylene

[1.2] omitting the chemical residue definition and substituting the following

Agvet chemical: Clothianidin (see also thiamethoxam)
Permitted residue: Clothianidin

Agvet chemical: Olaquindox
Permitted residue: Sum of olaquindox and all metabolites which reduce to 2-(N-2-hydroxyethylcarbamoyl0-3-methyl quinoxaline, expressed as olaquindox

Agvet chemical: Thiamethoxam
Permitted residue: Commodities of plant origin: Thiamethoxam
Commodities of animal origin: Sum of thiamethoxam and N(2-chlorothiazol-5-ylmethyl0-N'-methyl-N'nitro-guanidine, expressed as Thiamethoxam
(Note: the metabolite clothianidin has separate MRLs)

[1.3] inserting in alphabetical order

Agvet chemical: Fenazaquin	
Permitted residue: Fenazaquin	
Cherries	2

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

Agvet chemical: Boscalid	
Permitted residue—commodities of plant origin: Boscalid	
Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents	
Boysenberry	T10
Dewberries (including boysenberry and loganberry and youngberry) [except boysenberry]	T10
Stone fruits	3.5

Agvet chemical: Carbaryl	
Permitted residue: Carbaryl	
Cassava	T0.1

Agvet chemical: Chlorpropham	
Permitted residue: Chlorpropham	
Garlic	*0.05
Onions, bulb	*0.05

Agvet chemical: Clodinafop acid	
Permitted residue: (R)-2-[4-(5-chloro-3-fluoro-2-pyridinyloxy) phenoxy] propanoic acid	
Barley	T*0.02

Agvet chemical: Clodinafop-propargyl	
Permitted residue: Clodinafop-propargyl	
Barley	T*0.02

Agvet chemical: Clofentezine	
Permitted residue: Clofentezine	
Stone fruits	0.1

Agvet chemical: Cyhalothrin	
Permitted residue: Cyhalothrin, sum of isomers	
Berries and other small fruit	0.2

Agvet chemical: Cypermethrin	
Permitted residue: Cypermethrin, sum of isomers:	
Stone fruits	1

Agvet chemical: Diafenthiuron	
Permitted residue: Sum of diafenthiuron; N-[2,6-bis(1-methylethyl)- 4-phenoxyphenyl]-N'-(1,1-dimethylethyl)urea; and N-[2,6-bis(1-methylethyl)-4-phenoxyphenyl]- N'-(1,1-dimethylethyl)carbodiimide, expressed as diafenthiuron	
Peanut	T0.1

Agvet chemical: Diuron	
Permitted residue: Sum of diuron and 3,4-dichloroaniline, expressed as diuron	
Fruit	0.5

Agvet chemical: Fenvalerate

Permitted residue: Fenvalerate, sum of isomers

Peanut	T0.1

Agvet chemical: Flamprop-methyl

Permitted residue: Flamprop-methyl

Safflower seed	*0.05

Agvet chemical: Fluxapyroxad

Permitted residue: Fluxapyroxad

Blackberries	5
Blueberries	7
Raspberries, red, black	5
Strawberry	4

Agvet chemical: Olaquindox

Permitted residue: Sum of olaquindox and all metabolites which reduce to 2-(N-2-hydroxyethylcarbamoyl)-3-methyl quinoxalone, expressed as olaquindox

Poultry, edible offal of	0.3
Poultry meat	0.3

Agvet chemical: Permethrin

Permethrin, sum of isomers

Coriander (leaves, roots, stems)	30
Herbs	30
Kaffir lime leaves	30
Lemon balm	30
Lemon grass	30

Agvet chemical: Phosmet

Permitted residue: Sum of phosmet and its oxygen analogue, expressed as phosmet

Kiwifruit	15
Pome fruits	1
Stone fruits	1

Agvet chemical: Propargite

Permitted residue: Propargite

Currant, black	T3
Mangosteen	T3
Rambutan	T3

Agvet chemical: Pyridate

Permitted residue: sum of pyridate and metabolites containing 6 chloro-4-hydroxyl-3-phenyl pyridazine, expressed as pyridate

Chick pea (dry)	*0.1
Peanut	*0.1

Agvet chemical: Pyrimethanil

Permitted residue: Pyrimethanil

Berries and other small fruits [except blueberries; grapes; strawberry]	T5

Agvet chemical: Sulfoxaflor

Permitted residue: Sulfoxaflor

Dried grapes (currants, raisins and sultanas)	T10
Grapes [except wine grapes]	T3
Wine grapes	*0.01

Agvet chemical: Tebufenozide

Permitted residue: Tebufenozide

Blueberries	T2
Coffee beans	T0.05
Nectarine	T1
Peach	T1
Rambutan	T3

Agvet chemical: Triflumizole

Permitted residue: Sum of triflumizole and (E)-4-chloro-a,a,a-trifluoro- N-(1-amino-2-propoxyethylidene)-o-toluidine, expressed as triflumizole

Pome fruits	0.5

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

Agvet chemical: 2,4-D	
Permitted residue: 2,4-D	
Cherries	0.05

Agvet chemical: Abamectin	
Permitted residue: Avermectin B1a	
Cranberry	0.05

Agvet chemical: Acetamiprid	
Permitted residue—commodities of plant origin: Acetamiprid	
Permitted residue—commodities of animal origin: Sum of acetamiprid and N-demethyl acetamiprid ((E)-N^1-[(6-chloro-3-pyridyl)methyl]-N^2-cyanoacetamidine), expressed as acetamiprid	
Raspberries, red, black	2

Agvet chemical: Benzovindiflupyr	
Permitted residue: Benzovindiflupyr	
Potato	0.02

Agvet chemical: Boscalid	
Permitted residue—commodities of plant origin: Boscalid	
Permitted residue—commodities of animal origin: Sum of boscalid, 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide and the glucuronide conjugate of 2-chloro-N-(4'-chloro-5-hydroxybiphenyl-2-yl) nicotinamide, expressed as boscalid equivalents	
Dewberries (including boysenberry and loganberry and youngberry)	T10
Cherries	4
Stone fruits [except cherries]	3.5

Agvet chemical: Bupirimate	
Permitted residue: Bupirimate	
All other foods except animal food commodities	0.02
Currants, black, red, white	5

Agvet chemical: Carbaryl	
Permitted residue: Carbaryl	
All other foods except animal food commodities	0.02

Agvet chemical: Chlorpyrifos-methyl	
Permitted residue: Chlorpyrifos-methyl	
Oilseed [except cotton seed]	0.15
Pulses [except lupin (dry)]	0.15

Agvet chemical: Clofentezine	
Permitted residue: Clofentezine	
Cherries	1
Stone fruits [except cherries]	0.1
Tea, green, black	*0.05

Agvet chemical: Clothianidin	
Permitted residue: Clothianidin	
Brassica (cole or cabbage) vegetables, Head cabbage, Flowerhead brassicas	0.5
Cereal grains [except maize, popcorn and sorghum]	*0.02
Leafy vegetables	0.7

Agvet chemical: Cyflufenamid	
Permitted residue: Cyflufenamid	
Hops, dry	5

Agvet chemical: Cyhalothrin	
Permitted residue: Cyhalothrin, sum of isomers	
Berries and other small fruits [except Strawberry]	0.2
Strawberry	0.5
Pecan	0.05

Agvet chemical: Cyprodinil	
Permitted residue: Cyprodinil	
Pomegranate	10

Agvet chemical: Cypermethrin	
Permitted residue: Cypermethrin, sum of isomers	
Cherries	2
Stone fruits [except cherries]	1

Agvet chemical: Difenoconazole	
Permitted residue: Difenoconazole	
Cranberry	0.6
Grapefruit	0.6
Lemon	0.6
Orange	0.6
Pecan	0.03
Tea, green, black	*0.05

Agvet chemical: Diflubenzuron	
Permitted residue: Diflubenzuron	
Citrus fruits	3

Agvet chemical: Diflufenican	
Permitted residue: Diflufenican	
Tea, green, black	*0.05

Agvet chemical: Diuron	
Permitted residue: Sum of diuron and 3,4-dichloroaniline, expressed as diuron	
Banana	0.5
Date	T0.5
Pineapple	0.5

Agvet chemical: Emamectin	
Permitted residue: Sum of emamectin B1a and emamectin B1b	
Pecan	0.02
Tea, green, black	*0.02

Agvet chemical: Famoxadone	
Permitted residue: Famoxadone	
Raspberries, red, black	10

Agvet chemical: Fenbuconazole	
Permitted residue: Fenbuconazole	
Tea, green, black	*0.05

Agvet chemical: Fenpyrazamine	
Permitted residue: Fenpyrazamine	
Blueberries	5

Agvet chemical: Fluazifop-p-butyl	
Permitted residue: Sum of fluazifop-butyl, fluazifop and their conjugates, expressed as fluazifop	
All other foods except animal food commodities	0.02
Pecan	0.05

Agvet chemical: Fluazinam	
Permitted residue: Fluazinam	
Al other foods except animal food commodities	0.01
Blueberries	7

Agvet chemical: Fluopyram	
Permitted residue—commodities of plant origin: Fluopyram	
Permitted residue—commodities of animal origin: Sum of fluopyram and 2-(trifluoromethyl)-benzamide, expressed as fluopyram	
Blueberries	7

Agvet chemical: Flupyradifurone	
Permitted residue: Flupyradifurone	
Stone fruits	1.5

Agvet chemical: Fluxapyroxad	
Permitted residue: Fluxapyroxad	
Berries and other small fruit (except grapes)	7
Brussels sprouts; Head Cabbages	4

Agvet chemical: Folpet	
Permitted residue: Folpet	
Currants, black, red, white	0.03

Agvet chemical: Halosulfuron-methyl	
Permitted residue: Halosulfuron-methyl	
Raspberries, red, black	0.05

Agvet chemical: Mandestrobin	
Permitted residue: Mandestrobin	
All other foods except animal food commodities	0.05
Dried grapes (raisins)	7
Grapes	5
Rape seed (canola)	0.5
Strawberry	3

Agvet chemical: Mesotrione	
Permitted residue: Mesotrione	
Asparagus	0.01
Blueberries	0.01
Cherries	0.01
Grapefruit	0.01
Lemon	0.01
Oranges, sweet, sour	0.01
Peach	0.01
Pecan	0.01
Plums (including prunes)	0.01

Agvet chemical: Metaflumizone	
Permitted residue: Sum of metaflumizone, its E and Z isomers and its metabolite 4-{2-oxo-2-[3-(trifluoromethyl) phenyl]ethyl}-benzonitrile expressed as metaflumizone	
Coffee beans	0.1
Maize	0.02
Soybean	0.2
Sugar cane	0.02

Agvet chemical: Metalaxyl	
Permitted residue: Metalaxyl	
Grapefruit	1
Lemon	1
Oranges, sweet, sour	1

Agvet chemical: Methamidophos
Permitted residue: Methamidophos
see also Acephate

Raspberry, black, red	*0.01

Agvet chemical: Methidathion

Permitted residue: Methidathion

Tea, green, black	0.1

Agvet chemical: Penthiopyrad

Permitted residue—commodities of plant origin: Penthiopyrad

Permitted residue—commodities of animal origin: Sum of penthiopyrad and 1-methyl-3-(trifluoromethyl)-1H-pyrazol-4-ylcarboxamide, expressed as penthiopyrad

Blueberries	3

Agvet chemical: Phenmedipham

Permitted residue—commodities of plant origin: Phenmedipham

Permitted residue—commodities of animal origin: 3-methyl-N-(3-hydroxyphenyl)carbamate

All other foods except animal food commodities	0.02
Strawberry	0.3

Agvet chemical: Phosmet

Permitted residue: Sum of phosmet and its oxygen analogue, expressed as phosmet

All other foods except animal food commodities	0.05
Oranges	3

Agvet chemical: Phosphine

Permitted residue: All phosphides, expressed as hydrogen phosphide (phosphine)

All other foods except animal food commodities	*0.01

Agvet chemical: Pirimicarb

Permitted residue: Sum of pirimicarb, demethyl-pirimicarb and the N-formyl-(methylamino) analogue (demethylformamido-pirimicarb), expressed as pirimicarb

Cherries	5
Currants, black, red, white	1
Raspberries, red, black	4

Agvet chemical: Prochloraz

Permitted residue: Sum of prochloraz and its metabolites containing the 2,4,6-trichlorophenol moiety, expressed as prochloraz

Cherries	*0.05

Agvet chemical: Profenofos

Permitted residue: Profenofos

Tea, green, black	*0.05

Agvet chemical: Propaquizafop

Permitted residue: Propaquizafop and acid and oxophenoxy metabolites, measured as 6-chloro-2-methoxyquinoxaline, expressed as propaquizafop

Currants, black, red, white	*0.05
Raspberries, red, black	*0.05
Strawberry	*0.05

Agvet chemical: Pyraclostrobin

Permitted residue—commodities of plant origin: Pyraclostrobin

Permitted residue—commodities of animal origin: Sum of pyraclostrobin and metabolites hydrolysed to 1-(4-chloro-phenyl)-1H-pyrazol-3-ol, expressed as pyraclostrobin

Oranges	2

Agvet chemical: Quinoxyfen

Permitted residue: Quinoxyfen

Tea, green, black	*0.05

Agvet chemical: Quizalofop-ethyl

Permitted residue: Sum of quizalofop-ethyl and quizalofop acid and other esters, expressed as quizalofop-ethyl

All other foods except animal food commodities	0.01
Currants, black, red, white	*0.05

Agvet chemical: Quizalofop-p-tefuryl

Permitted residue: Sum of quizalofop-p-tefuryl and quizalofop acid, expressed as quizalofop-p-tefuryl

All other foods except animal food commodities	0.01
Currants, black, red, white	*0.05

Agvet chemical: Rimsulfuron

Permitted residue: Rimsulfuron

Blueberries	0.02

Agvet chemical: Saflufenacil

Permitted residue—commodities of plant origin: Sum of saflufenacil, N'-{2-chloro-4-fluoro-5-[1,2,3,6-tetrahydro-2,6-dioxo-4-(trifluoromethyl)pyrimidin-1-yl]benzoyl-N-isopropyl sulfamide and N-[4-chloro-2-fluoro-5-({[(isopropylamino)sulfonyl]amino} carbonyl)phenyl]urea, expressed as saflufenacil equivalents

Permitted residue—commodities of animal origin: Saflufenacil

Cotton seed	0.2
Rape seed	0.6
Sunflower seed	0.7
Sugar cane molasses	1

Agvet chemical: Sethoxydim	
Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim	
All other foods except animal food commodities	0.1

Agvet chemical: Sulfoxaflor	
Permitted residue: Sulfoxaflor	
Grapes	*0.01

Agvet chemical: Tebufenozide	
Permitted residue: Tebufenozide	
All other foods except animal food commodities	0.05

Agvet chemical: Tebufenpyrad	
Permitted residue: Tebufenpyrad	
All other foods except animal food commodities	0.02
Strawberry	1

Agvet chemical: Teflubenzuron	
Permitted residue: Teflubenzuron	
Citrus fruits	0.5
Maize	0.1
Soya bean (dry)	0.05
Sugar cane	0.01

Agvet chemical: Terbacil	
Permitted residue: Terbacil	
Blueberries	0.2

Agvet chemical: Thiophanate-methyl	
Permitted residue: Sum of thiophanate-methyl and 2-aminobenzimidazole,expressed as thiophanate-methyl	
Mango	2

Agvet chemical: Trifluralin	
Permitted residue: Trifluralin	
Tea, green, black	*0.05

[1.6] omitting for each of the following chemicals, the maximum residue limit for the food and substituting

Agvet chemical: Chlorantraniliprole	
Permitted residue: plant commodities and animal commodities other than milk: Chlorantraniliprole,	
Permitted residue—milk: Sum of chlorantraniliprole, 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, and 3-bromo-N-[4-chloro-2-(hydroxymethyl)-6-[[((hydroxymethyl)amino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide, expressed as chlorantraniliprole	
Cherries	2.5

Agvet chemical: Deltamethrin	
Permitted residue: Deltamethrin	
Currants, black, red, white	0.6

Agvet chemical: Fluxapyroxad	
Permitted residue: Fluxapyroxad	
Grapes [except dried grapes]	3

Agvet chemical: Metaflumizone	
Permitted residue: Sum of metaflumizone, its E and Z isomers and its metabolite 4-{2-oxo-2-[3-(trifluoromethyl) phenyl]ethyl}-benzonitrile expressed as metaflumizone	
Citrus fruits	2

Agvet chemical: Pyrimethanil	
Permitted residue: Pyrimethanil	
Berries and other small fruits [except blueberries, grapes, strawberry]	15

Agvet chemical: Sethoxydim	
Permitted residue: Sum of sethoxydim and metabolites containing the 5-(2-ethylthiopropyl)cyclohexene-3-one and 5-(2-ethylthiopropyl)-5-hydroxycyclohexene-3-one moieties and their sulfoxides and sulfones, expressed as sethoxydim	
Blueberries	4

Attachment B – Draft Explanatory Statement

1. Authority

Section 13 of the *Food Standards Australia New Zealand Act 1991* (the FSANZ Act) provides that the functions of Food Standards Australia New Zealand (the Authority) include the development of standards and variations of standards for inclusion in the *Australia New Zealand Food Standards Code* (the Code).

Division 2 of Part 3 of the FSANZ Act specifies that the Authority may prepare a proposal for the development or variation of food regulatory measures, including standards. This Division also stipulates the procedure for considering a proposal for the development or variation of food regulatory measures.

FSANZ prepared Proposal M1016 to consider amending certain maximum residue limits (MRLs) in the Code for residues of agricultural and veterinary chemicals that may occur in food. The Authority considered the Proposal in accordance with Division 2 of Part 3 and has prepared a draft Standard.

2. Purpose

The purpose of the proposed variation to section S20—3 in Schedule 20 is to vary maximum residue limits (MRLs) for residues of agricultural and veterinary chemicals in food commodities. Section S20—3 lists the MRLs for agricultural and veterinary chemical residues which may occur in foods. If an MRL is not listed for a particular agricultural or veterinary chemical/food combination, there must be no detectable residues of that chemical in that food. This general prohibition means that, in the absence of the relevant MRL in the Code, food may not be sold where there are detectable residues.

MRL variations may be required to permit the sale of foods containing legitimate residues. These are technical amendments following changes in use patterns of agricultural and veterinary chemicals available to chemical product users. These changes include both the development of new products and crop uses, and the withdrawal of older products following review. In regard to Australia's WTO obligations, MRLs may be harmonised with international or trading partner standards. Internationally, farmers face different pest and disease pressures, agricultural and veterinary chemical use patterns and the legitimate residues in food associated with these uses may vary accordingly.

A dietary exposure assessment is conducted before MRLs are varied to ensure that proposed limits pose negligible public health and safety concerns to consumers.

3. Documents incorporated by reference

The variations to food regulatory measures do not incorporate any documents by reference.

4. Consultation

In accordance with the procedure in Division 2 of Part 3 of the FSANZ Act, the Authority's consideration of Proposal M1016 will include one round of public consultation following an assessment and the preparation of a draft Standard and associated assessment summary.

A Regulation Impact Statement was not required because the proposed variations to S20—3 are likely to have a minor impact on business and individuals.

5. Statement of compatibility with human rights

This instrument is exempt from the requirements for a statement of compatibility with human rights as it is a non-disallowable instrument under section 94 of the FSANZ Act.

6. Variation

Item [1] varies Schedule 20

Item [1.1] omits all the entries for multiple listed chemicals

Item [1.2] omits the current chemical residue definition and substitutes a new residue definition.

Item [1.3] inserts chemicals not currently listed in alphabetical order including chemical name, residue definition, food commodity and new associated MRLs.

Item [1.4] omits the food commodities and associated MRLs for the chemicals listed.

Item [1.5] inserts the food commodities and associated MRLs for the chemicals listed.

Item [1.6] omits the food commodities and associated MRLs for the chemicals listed, substituting them with new limits.