



THE FOOD REGULATIONS 1984, AMENDMENT NO. 13

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of June 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 42 of the Food Act 1981, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Food Regulations 1984, Amendment No. 13, and shall be read together with and deemed part of the Food Regulations 1984* (hereinafter referred to as the principal regulations).

(2) Except as provided in subclause (3) of these regulations, these regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

(3) Regulations 5 and 6 of these regulations shall come into force on the 1st day of October 1996.

2. Interpretation—Regulation 2 (1) of the principal regulations (as substituted by regulation 2 (1) of the Food Regulations 1984, Amendment No. 5) is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“ ‘Electrolyte drink’ means a food suitable for the replacement of fluid, carbohydrate, and electrolytes when used in relation to sustained strenuous exercise:

“ ‘Medical nutritional product’ means a complete meal replacement other than for weight reduction that is in the form of a powder or liquid, and that is suitable for administering via a feeding tube, or for administering orally, and that is capable of providing the sole source of nutrition.”

3. Statement of ingredients—Regulation 11 of the principal regulations is hereby amended by revoking subclause (14) (as substituted by regulation 3 of the Food Regulations 1984, Amendment No. 12), and substituting the following subclause:

“(14) Except in the case of cultures, modified starches, and flavouring (other than flavour enhancers), the appropriate class name of the food additive shall be directly followed by, in parenthesis, the code number of each food additive or the specific name of each food additive (in the case of vitamins and minerals, being the name of the compound specified in column 2 of the Thirteenth Schedule to these regulations or in the case of a vitamin or mineral added to a special purpose food, the name of the compound specified in column 3 of Schedule 13A to these regulations, as the case may be) of that class present in the food.”

4. Addition of vitamins and minerals—(1) Regulation 20A (1) of the principal regulations (as inserted by regulation 7 of the Food Regulations 1984, Amendment No. 12) is hereby amended by revoking paragraphs (a) and (b), and substituting the following paragraphs:

“(a) The vitamin or mineral is specifically permitted in any other provision of these regulations to be added in accordance with the provisions of this regulation; and

“(b) The vitamin or mineral—

*S.R. 1984/262

Amendment No. 1: S.R. 1985/800

Amendment No. 2: S.R. 1987/265

Amendment No. 3: S.R. 1989/375

Amendment No. 4: S.R. 1989/403

Amendment No. 5: S.R. 1991/262

Amendment No. 6: S.R. 1992/19

Amendment No. 7: S.R. 1992/333

Amendment No. 8: S.R. 1993/344

Amendment No. 9: S.R. 1994/226

Amendment No. 10: (Revoked by S.R. 1995/251)

Amendment No. 11: S.R. 1995/251

Amendment No. 12: S.R. 1995/805

“(i) Is in a permitted form as specified in the Thirteenth Schedule to these regulations; or

“(ii) In the case of a special purpose food specified in column 1 of Schedule 13A to these regulations, is in a permitted form as specified in column 3 of that Schedule in relation to that special purpose food.”

(2) Regulation 20A of the principal regulations (as so inserted) is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) A special purpose food specified in column 1 of Schedule 13A to these regulations may have added to it one or more of the vitamins or minerals specified in column 2 of that Schedule in relation to that special purpose food.”

(3) The First Table to regulation 20A of the principal regulations (as so inserted) is hereby amended by omitting the items relating to—

(a) Dried milk or milk powder, skim milk powder or dried non-fat milk solids (derived from cows' milk); and

(b) Skim milk or non-fat milk, reduced fat milk (derived from cows' milk); and

(c) Cheese and cheese products,—
and substituting the following items:

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|--|-----------------------------|---|--|--|
| Food | Reference Quantity | Vitamins and Minerals | Maximum claim per reference quantity (proportion RDI) | Maximum permitted level of vitamin or mineral per reference quantity |
| Milk powder or dried milk (regulation 109) Skim milk powder or dried non-fat milk solids (derived from cows' milk) (regulation 110) | 200 ml prepared as directed | vitamin A vitamin D riboflavin calcium | 110 mcg (15%) 2.5 mcg (25%) 0.4 mg (25%) 400 mg (50%) | 125 mcg 3.0 mcg |
| Skim milk or non-fat milk (regulation 98) Reduced-fat milk (derived from cows' milk (regulation 98A) | 200 ml | vitamin A vitamin D calcium* | 110 mcg (15%) 1.0 mcg (10%) 400 mg (50%) | 125 mcg 1.6 mcg |
| Yoghurt (regulation 119) | 150 g | vitamin A vitamin D calcium | 110 mcg (15%) 1.0 mcg (10%) 320 mg (40%) | 125 mcg 1.6 mcg |
| Table confections containing at least 5% milk solids (regulation 50) | 150 g | vitamin A vitamin D calcium | 110 mcg (15%) 1.0 mcg (10%) 320 mg (40%) | 125 mcg 1.6 mcg |

*The restriction on claims only applies where calcium salts have been added.

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|--|--------------------|--|--|--|
| Food | Reference Quantity | Vitamins and Minerals | Maximum claim per reference quantity (proportion RDI) | Maximum permitted level of vitamin or mineral per reference quantity |
| Ice cream (regulation 121) Frozen confections containing at least 8% milk solids (regulation 122) | 75 g | calcium | 200 mg (25%) | |
| Light cream and light sour cream (regulation 101) Reduced cream, pouring cream, and sour cream (regulation 102) | 30 ml | vitamin A | 110 mcg (15%) | 125 mcg |
| Cheese and cheese products (regulations 113 to 118 inclusive) | 25 g | vitamin A vitamin D calcium phosphorous | 110 mcg (15%) 1.0 mcg (10%) 200 mg (25%) 150 mg (15%) | 125 mcg 1.6 mcg |

(4) The First Table to regulation 20A of the principal regulations (as inserted by regulation 7 of the Food Regulations 1984, Amendment No. 12) is hereby amended by—

- (a) Inserting in column 1 of the item relating to biscuits, after the word “sugar”, the expression “(regulation 45)”; and
- (b) Inserting in column 1 of the item relating to breakfast cereals, after the word “cereals”, the expression “(regulation 48)”; and
- (c) Inserting in column 1 of the item relating to flour, after the word “foregoing”, the expression “(regulations 22, 23, 27, 28, 29, and 33)”; and
- (d) Inserting in column 1 of the item relating to pasta, after the word “Pasta”, the expression “(regulation 49)”; and
- (e) Inserting in column 1 of the item relating to butter, after the words “reduced fat margarine”, the expression “(regulations 111, 88, and 88A)”; and
- (f) Inserting in column 1 of the item relating to fruit juice, after the words “concentrated fruit juice”, the expression “(regulations 183 and 184)”; and
- (g) Inserting in column 1 of the item relating to vegetable juice, after the words “concentrated tomato juice”, the expression “(regulation 174)”; and
- (h) Inserting in column 1 of the item relating to fruit nectar, after the words “portions of fruit”, the expression “(regulations 212 and 213)”; and

- (i) Inserting in column 1 of the item relating to fruit cordial, after the words “at least 25% juice”, the expression “(regulation 209)”; and
- (j) Omitting from column 1 of the item relating to food drinks and food drink bases the word “see”; and
- (k) Inserting in column 1 of the item relating to protein products, after the words “Protein products:”, the expression “(regulation 244)”; and
- (l) Inserting in column 1 of the item relating to extracts of meat, after the words “extracts of the above”, the expression “(regulation 244)”.

5. Bread—Regulation 35 (3) (l) of the principal regulations (as amended by regulation 7 of the Food Regulations 1984, Amendment No. 1) is hereby amended by revoking the item that relates to the flour treatment agent potassium bromate.

6. Flour confectionery—Regulation 45 (2) (g) of the principal regulations is hereby amended by revoking the item that relates to the flour treatment agent potassium bromate.

7. Table confections—Regulation 50 of the principal regulations is hereby amended by inserting, after subclause (3) (as substituted by regulation 19 (1) of the Food Regulations 1984, Amendment No. 12), the following subclause:

“(3A) Table confections that contain at least 5% milk solids may contain vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

8. Skim milk or non-fat milk—Regulation 98 of the principal regulations is hereby amended by inserting, after subclause (3A) (as inserted by regulation 35 of the Food Regulations 1984, Amendment No. 12), the following subclause:

“(3B) Skim milk or non-fat milk to which calcium salts have been added may contain carrageenan.”

9. Reduced-fat milk—Regulation 98A of the principal regulations (as inserted by regulation 11 of the Food Regulations 1984, Amendment No. 2) is hereby amended by inserting, after subclause (3A) (as inserted by regulation 36 of the Food Regulations 1984, Amendment No. 12), the following subclause:

“(3B) Reduced-fat milk to which calcium salts have been added may contain carrageenan.”

10. Light cream and light sour cream—Regulation 101 of the principal regulations (as substituted by regulation 38 (1) of the Food Regulations 1984, Amendment No. 12) is hereby amended by adding to subclause (5), after paragraph (f), the following paragraph:

“(g) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

11. Reduced cream, pouring cream, and sour cream—Regulation 102 of the principal regulations is hereby amended by adding to subclause (5), after paragraph (f) (as added by regulation 39 (2) of the Food Regulations 1984, Amendment No. 12), the following paragraph:

“(g) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

12. Yoghurt—Regulation 119 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclauses:

“(3) Yoghurt shall contain not less than 8.2% not-fat milk solids.

“(3A) Yoghurt may contain—

“(a) Any carbohydrate sweetener specified in regulation 147 (1) of these regulations:

“(b) Any stabiliser specified in regulation 253 (2) (b) of these regulations:

“(c) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

13. Ice cream—Regulation 121 of the principal regulations (as substituted by regulation 41 of the Food Regulations 1984, Amendment No. 9 and amended by regulation 52 of the Food Regulations 1984, Amendment No. 12) is hereby amended by adding to subclause (2), after paragraph (g), the following paragraph:

“(h) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

14. Frozen confection—(1) Regulation 122 of the principal regulations (as substituted by regulation 42 of the Food Regulations 1984, Amendment No. 9) is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Frozen confection shall be a frozen product that, in all respects except for—

(a) The presence and the proportions of milk fat and milk solids and volume of air incorporated; and

(b) The addition of vitamins and minerals,—

complies with the standard for ice cream prescribed in subclauses (1) to (6) of regulation 121 of these regulations.”

(2) Regulation 122 of the principal regulations (as so substituted) is hereby amended by inserting, after subclause (3), the following subclause:

“(3A) Frozen confections that contain at least 8% milk solids may contain vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

15. Special purpose foods—(1) Regulation 237 (3) (b) of the principal regulations is hereby amended by adding to subparagraph (i) the words “and follow-on formula”.

(2) Regulation 237 (3) (c) of the principal regulations is hereby amended by revoking subparagraph (ii), and substituting the following subparagraph:

“(ii) Medical nutritional products.”

(3) Regulation 237 (3) of the principal regulations is hereby amended by adding, after paragraph (c) (as amended by subclause (2) of this regulation), the following paragraph:

“(d) Electrolyte drinks.”

(4) Regulation 237 of the principal regulations is hereby amended by revoking subclause (6), and substituting the following subclause:

“(6) Special purpose foods with modified composition, other than salt substitutes, shall comply with the compositional standard, including food

additives, set for the normal counterpart, except for the changes necessary to comply with the particular special purpose food standard.”

(5) Regulation 237 (7) of the principal regulations is hereby amended by revoking paragraph (g), and substituting the following paragraph:

“(g) Subject to subclause (7A) of this regulation, vitamins and minerals as permitted in the normal counterpart of the food in accordance with the provisions of regulation 20A of these regulations.”

(6) Regulation 237 of the principal regulations is hereby further amended by inserting, after subclause (7), the following subclause:

“(7A) Meal replacements and electrolyte drinks may contain vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

(7) Regulation 237 of the principal regulations is hereby further amended by inserting in subclause (8) (as substituted by regulation 91 (2) of the Food Regulations 1984, Amendment No. 5), after the words “infant formula,”, the words “follow-on formula,”.

(8) Regulation 91 (1) of the Food Regulations 1984, Amendment No. 5 is hereby consequentially revoked.

16. Gluten-free foods—(1) Regulation 239 of the principal regulations is hereby amended by revoking subclause (3A) (as substituted by regulation 107 (1) of the Food Regulations 1984, Amendment No. 12), and substituting the following subclause:

“(3A) Gluten-free breads and gluten-free breadmix may contain glucono delta-lactone, any stabiliser listed in regulation 253 (2) (b) of these regulations, vitamins and minerals permitted for bread in accordance with the provisions of regulation 20A of these regulations, and in addition, calcium carbonate and sodium bicarbonate.”

(2) Regulation 107 of the Food Regulations 1984, Amendment No. 12 is hereby consequentially revoked.

17. Amino acid modified foods—(1) Regulation 239A of the principal regulations (as inserted by regulation 95 of the Food Regulations 1984, Amendment No. 5) is hereby amended by revoking subclause (1A) (as inserted by regulation 104 of the Food Regulations 1984, Amendment No. 9), and substituting the following subclause:

“(1A) Amino acid modified food may contain vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

(2) Regulation 104 of the Food Regulations 1984, Amendment No. 9 is hereby consequentially revoked.

18. Infant formula and follow-on formula—(1) The principal regulations are hereby amended by revoking regulation 242, and substituting the following regulation:

“242. (1) Infant formula shall be a food in liquid or powdered form intended for use as a substitute for human milk as the sole source of nutrition for an infant.

“(2) Follow-on formula shall be a food in a liquid or powdered form intended for use as a substitute for human milk by infants and young children who are in good health and who are aged over 6 months, and constituting the principal liquid element in a progressively diversified diet.

“(3) Infant formula and follow-on formula shall be nutritionally adequate to promote normal growth and development when used in accordance with the directions for use on the label.

“(4) Infant formula and follow-on formula may contain any of the following:

“(a) The following thickening agents:

Carrageenan:
Casein and its sodium, calcium, and potassium compounds:
Distarch phosphate:
Acetylated distarch phosphate:
Phosphated distarch phosphate:
Guar gum:
Hydroxypropyl starch:
Locust bean gum:

“(b) The following emulsifiers:

Lecithin:
Monoglycerides:
Diglycerides:

“(c) The following acidity regulators:

Sodium hydroxide:
Sodium bicarbonate:
Sodium carbonate:
Potassium bicarbonate:
Sodium citrate:
Potassium citrate:
Lactic acid:
Lactic acid producing cultures:
Potassium hydroxide:
Potassium carbonate:
Calcium hydroxide:
Citric acid:

“(d) The following antioxidants:

Mixed tocopherols:
L-ascorbyl palmitate,—

neither of which shall be present in a proportion exceeding 10ppm, calculated, in the case of an infant formula or follow-on formula that requires dilution or preparation before consumption, after such dilution or preparation:

“(e) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations, and choline:

“(f) The following amino acids:

L-methionine:
Taurine:

“(g) The amino acid carnitine, if the protein sources of the infant formula or follow-on formula do not contain carnitine.

“(5) No food additives except those specified in subclause (4) of this regulation shall be present in an infant formula or follow-on formula as a result of carry over from raw materials or other ingredients.

“(6) The name of the food shall be either “infant formula” or “follow-on formula”, as the case may be, or any appropriate designation indicating the true nature of the food.

“(7) The label on each package of an infant formula or follow-on formula shall bear a statement of—

“(a) The quantity of carbohydrate, protein, and fat in the food, expressed in g; and

“(b) The energy content of the food, expressed in kJ; and

“(c) The quantity of each vitamin and mineral in the food expressed in mg or mcg.

“(8) The particulars required by subclause (7) of this regulation shall be stated—

“(a) Per 100g or 100ml of infant formula or follow-on formula as sold; and

“(b) Per stated volume of infant formula or follow-on formula when prepared according to the directions on the label.

“(9) The label on each package of infant formula shall bear the words “An infant being fed this formula does not require additional vitamin or mineral supplements”, or words of similar meaning.

“(10) The label on each package of follow-on formula shall bear the words “An infant or young child being fed this formula does not require additional vitamin or mineral supplements”, or words of similar meaning.”

“(11) Each package of an infant formula or follow-on formula shall be labelled or embossed with a date mark, which shall be in the form “best before (*followed by a date*)”, or in the form “use by (*followed by a date*)”, in accordance with regulation 12 of these regulations.

“(12) In the case of an infant formula or follow-on formula that has a shelf life of more than 90 days, the date used in the date mark shall state at least the month in the year expressed as a numeral or an abbreviation of the month using a minimum of 3 letters, followed by the year expressed as a numeral using either 2 digits or 4 digits.

“(13) The label on each package of infant formula or follow-on formula shall bear a statement of the storage directions for the food before and after opening the package, and clear directions for the use of the food.

“(14) In the case of an infant formula or follow-on formula that is a powder to be reconstituted and is not packaged in a single-serving sachet bearing a statement of the weight of the contents, a scoop or measure shall be included in the product container.”

(2) The following regulations are hereby consequentially revoked:

(a) Regulation 32 of the Food Regulations 1984, Amendment No. 2:

(b) Regulation 98 of the Food Regulations 1984, Amendment No. 5:

(c) Regulation 108 of the Food Regulations 1984, Amendment No. 12.

19. Supplementary foods for infants and young children—

(1) Regulation 243 (2) of the principal regulations is hereby amended by revoking paragraph (g), and substituting the following paragraph:

“(g) Vitamins and minerals in accordance with the provisions of regulation 20A of these regulations.”

(2) Regulation 243 of the principal regulations is hereby amended by inserting, after subclause (3), the following subclause:

“(3A) For the purposes of these regulations,—

“‘Canned food for infants and young children’ means a supplementary food for infants and young children which is canned, other than fruit juice, fruit gel, fruit puree, and fruit syrup, and also excluding ready to eat cereal-based food:

“‘Canned fruit for infants and young children’ means a supplementary food for infants and young children presented as canned fruit juice, canned fruit gel, canned fruit puree, or canned fruit syrup:

“‘Cereal-based food for infants and young children’ means a supplementary food for infants and young children that is based on cereals.”

20. Incidental constituents—(1) Regulation 257 of the principal regulations is hereby amended by revoking subclause (1) (as substituted by regulation 114 of the Food Regulations 1984, Amendment No. 12), and substituting the following subclause:

“(1) In these regulations, ‘incidental constituent’ means any extraneous substance, toxic substance, pesticide, or animal remedy that is contained or present in or on any food; but does not include any preservative, antioxidant, colouring substance, artificial sweetener, flavouring

substance, food conditioner, anticaking agent, gaseous packing agent, propellant, or vitamin, or any mineral other than copper, zinc, selenium, and fluorine.”

(2) The Second Table to regulation 257 of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following items:

| Compound | Food | Permissible Proportions (Parts per million) |
|------------|-------------------------|---|
| Cephapirin | Cattle meat | 0.1 |
| | Cattle fat | 0.1 |
| | Cattle, edible offal of | 0.1 |
| | Cattle milk | 0.01 |
| Dodine | Pome fruit | 2.0 |

(3) The Second Table to regulation 257 of the principal regulations is hereby further amended by omitting the item relating to moxidectin (as inserted by regulation 114 (3) of the Food Regulations 1984, Amendment No. 12), and substituting the following item:

| Compound | Food | Permissible Proportions (Parts per million) |
|------------|----------------------|---|
| Moxidectin | Meat other than fat | 0.02 |
| | Milk fat | 1.0 |
| | Sheep fat | 0.4 |
| | Fat of other mammals | 0.2 |

21. Twelfth Schedule—(1) Part A of the Twelfth Schedule to the principal regulations (as added by regulation 112 of the Food Regulations 1984, Amendment No. 5) is hereby amended by omitting the item “924 Potassium bromate”.

(2) Part B of the Twelfth Schedule to the principal regulations (as so added) is hereby amended by omitting the item “924 Potassium bromate”.

(3) Part A of the Twelfth Schedule to the principal regulations (as so added) is hereby further amended by inserting, in their appropriate alphabetical order, the following items:

- “345 magnesium citrate
- “528 magnesium hydroxide
- “955 Sucralose”.

(4) Part B of the Twelfth Schedule to the principal regulations (as so added) is hereby further amended by inserting, in their appropriate numerical order, the following items:

- “345 magnesium citrate
- “528 magnesium hydroxide
- “955 Sucralose”.

22. New Schedule 13A substituted—(1) The principal regulations are hereby amended by revoking Schedule 13A (as inserted by regulation 117 of the Food Regulations 1984, Amendment No. 12), and substituting the Schedule 13A set out in the Schedule to these regulations.

(2) Regulation 117 of, and the Second Schedule to, the Food Regulations 1984, Amendment No. 12 are hereby consequentially revoked.

Transitional Provisions

23. Transitional provision relating to addition of vitamins and minerals—Notwithstanding anything in these regulations, with respect to the addition of vitamins and minerals to—

- (a) Any of the foods specified in the items substituted into the Second Table to regulation 20A of the principal regulations by regulation 4 (3) of these regulations; or
 - (b) Special purpose foods,—
- until the 14th day of June 1997, food may comply with either—
- (c) The provisions of the principal regulations dealing with the addition of vitamins and minerals to food (as they were immediately before these regulations came into force); or
 - (d) The provisions of the principal regulations dealing with the addition of vitamins and minerals to food (as amended by these regulations).

24. Transitional provision relating to claims and labelling with respect to vitamins and minerals—Notwithstanding anything in these regulations, and notwithstanding whichever of the provisions of regulation 23 of these regulations a food described in paragraph (a) or (b) of that regulation complies with, with respect to claims and labelling in respect of the presence of vitamins and minerals in the food, until the 14th day of June 1997, the labelling on the food may comply with either—

- (a) The provisions of the principal regulations dealing with claims and labelling in respect of the presence of vitamins and minerals (as they were immediately before the Food Regulations 1984, Amendment No. 12 came into force); or
- (b) The provisions of the principal regulations dealing with claims and labelling in respect of the presence of vitamins and minerals (as amended by the Food Regulations 1984, Amendment No. 12).

25. Transitional provision relating to labelling of follow-on formula—Notwithstanding regulation 18 of these regulations, until the 1st day of July 1997, it shall not be necessary for the label on a package of follow-on formula to comply with subclause (7), (8), (10), (11), (12), (13), or (14) of regulation 242 of the principal regulations (as substituted by that regulation 18).

SCHEDULE

Reg. 22

SCHEDULE 13A SUBSTITUTED

"SCHEDULE 13A

Reg. 20A

PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL PURPOSE FOODS

| Column 1 | Column 2 | Column 3 |
|--------------------------|--------------------------------------|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Meal replacements | Vitamin A | <i>Retinol Forms</i> vitamin A (retinol) vitamin A acetate (retinyl acetate) vitamin A palmitate (retinyl palmitate) vitamin A propionate (retinyl propionate) <i>Carotenoid Forms</i> beta-apo-8'-carotenal beta-carotene beta-apo-8'-carotenoic acid ethyl ester |
| | Thiamin (Vitamin B ₁) | thiamin hydrochloride thiamin mononitrate thiamin monophosphate |
| | Riboflavin (Vitamin B ₂) | riboflavin riboflavin 5'-phosphate sodium |
| | Niacin | niacinamide (nicotinamide) nicotinic acid |
| | Folate Vitamin B ₆ | folic acid pyridoxine hydrochloride pyridoxine-5'-phosphate |
| | Vitamin B ₁₂ | cyanocobalamin hydroxocobalamin |
| | Vitamin C | L-ascorbic acid ascorbyl palmitate calcium ascorbate potassium ascorbate sodium ascorbate |
| | Vitamin D | vitamin D ₂ (ergocalciferol) vitamin D ₃ (cholecalciferol) |
| | Vitamin E | dl-alpha-tocopherol d-alpha-tocopherol concentrate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|------------------|---|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Meal replacements — <i>continued</i> | | |
| | | tocopherols concentrate, mixed d-alpha-tocopheryl acetate dl-alpha-tocopheryl acetate d-alpha-tocopheryl acid succinate |
| | Biotin | d-biotin |
| | Pantothenic acid | d-calcium pantothenate dexpantenol d-sodium pantothenate |
| | Vitamin K | vitamin K ₁ (phylloquinone/phytomenadione) |
| | Calcium | calcium carbonate calcium chloride calcium citrate calcium gluconate calcium glycerophosphate calcium hydroxide calcium lactate calcium oxide calcium phosphate, dibasic calcium phosphate, monobasic calcium phosphate, tribasic calcium sulphate calcium sodium lactate |
| | Chromium | chromic chloride high chromium yeast |
| | Copper | copper gluconate copper-lysine complex cupric carbonate cupric citrate cupric sulphate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|-----------------|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Meal replacements — <i>continued</i> | Iron | ferric ammonium citrate - brown ferric ammonium citrate - green ferric ammonium phosphate ferric citrate ferric hydroxide ferric phosphate ferric pyrophosphate ferric sulphate (iron III sulphate) ferrous carbonate ferrous citrate ferrous fumarate ferrous gluconate ferrous lactate ferrous succinate ferrous sulphate (dried and iron II sulphate) |
| | Iodine | iron, reduced potassium iodate potassium iodide sodium iodate sodium iodide |
| | Magnesium | magnesium carbonate magnesium chloride magnesium citrate magnesium gluconate magnesium hydroxide magnesium oxide magnesium phosphate, dibasic magnesium phosphate, monobasic magnesium phosphate, tribasic |
| | Manganese | magnesium sulphate manganese carbonate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|-----------------|---|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Meal replacements — <i>continued</i> | | |
| | Selenium | potassium citrate potassium gluconate potassium glycerophosphate potassium hydroxide potassium iodide potassium lactate solution potassium phosphate, dibasic potassium phosphate, monobasic potassium phosphate, tribasic |
| | Sodium | high selenium yeast selenomethionine sodium selenate sodium selenite sodium bicarbonate sodium carbonate sodium chloride sodium citrate sodium gluconate sodium hydroxide sodium iodide sodium lactate sodium phosphate, dibasic sodium phosphate, monobasic sodium phosphate, tribasic sodium sulphate sodium tartrate |
| | Zinc | zinc acetate zinc chloride zinc citrate zinc gluconate zinc lactate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|---|---|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Meal replacements — <i>continued</i> | | zinc oxide zinc sulphate |
| Amino acid modified foods | Vitamins and minerals as for meal replacements | Permitted forms of vitamin or mineral as for meal replacements |
| Electrolyte drinks | Calcium Magnesium Potassium Sodium | calcium chloride magnesium sulphate potassium chloride sodium chloride |
| Infant formula and follow-on formula | Vitamin A | <i>Retinol forms</i> vitamin A (retinol) vitamin A acetate (retinyl acetate) vitamin A palmitate (retinyl palmitate) vitamin A propionate (retinyl propionate) <i>Carotenoid forms</i> beta-carotene |
| | Thiamin (Vitamin B ₁) Riboflavin (Vitamin B ₂) | thiamin hydrochloride thiamin mononitrate riboflavin riboflavin 5'-phosphate sodium |
| | Niacin | niacinamide (nicotinamide) nicotinic acid |
| | Folate Vitamin B ₆ | folic acid pyridoxine hydrochloride |
| | Vitamin B ₁₂ | pyridoxine-5'-phosphate cyanocobalamin hydroxocobalamin |
| | Vitamin C | L-ascorbic acid ascorbyl palmitate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|---|------------------|---|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Infant formula and follow-on formula — <i>continued</i> | Vitamin D | calcium ascorbate potassium ascorbate sodium ascorbate vitamin D ₂ (ergocalciferol) vitamin D ₃ (cholecalciferol) |
| | Vitamin E | dl-alpha-tocopherol d-alpha-tocopherol concentrate tocopherols concentrate, mixed d-alpha-tocopheryl acetate dl-alpha-tocopheryl acetate d-alpha-tocopheryl acid succinate |
| | Biotin | d-biotin |
| | Pantothenic Acid | d-calcium pantothenate dextranthenol d-sodium pantothenate |
| | Vitamin K | vitamin K ₁ (phyloquinone/phytomenadion) |
| | Calcium | calcium carbonate calcium chloride calcium citrate calcium gluconate calcium glycerophosphate calcium hydroxide calcium lactate calcium oxide calcium phosphate, dibasic calcium phosphate, monobasic |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|---|-----------------|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Infant formula and follow-on formula — <i>continued</i> | Copper | calcium phosphate, tribasic calcium sulphate copper gluconate copper-lysine complex cupric carbonate cupric citrate cupric sulphate |
| | Iron | ferric ammonium citrate - brown ferric ammonium citrate - green ferric citrate ferric pyrophosphate ferrous carbonate ferrous citrate ferrous fumarate ferrous gluconate ferrous lactate ferrous succinate ferrous sulphate (dried and iron II sulphate) |
| | Iodine | potassium iodate potassium iodide sodium iodide |
| | Magnesium | magnesium carbonate magnesium chloride magnesium citrate magnesium gluconate magnesium hydroxide magnesium oxide magnesium phosphate, dibasic magnesium phosphate, monobasic magnesium phosphate, tribasic magnesium sulphate |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|---|-----------------|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Infant formula and follow-on formula — <i>continued</i> | Manganese | manganese carbonate manganese chloride manganese citrate manganese sulphate manganese gluconate |
| | Phosphorus | calcium glycerophosphate calcium phosphate, dibasic calcium phosphate, monobasic calcium phosphate, tribasic magnesium phosphate, dibasic magnesium phosphate, monobasic magnesium phosphate, tribasic phosphoric acid potassium glycerophosphate potassium phosphate, dibasic potassium phosphate, monobasic potassium phosphate, tribasic sodium phosphate, dibasic sodium phosphate, monobasic sodium phosphate, tribasic |
| | Potassium | potassium bicarbonate potassium carbonate potassium chloride potassium citrate |

SCHEDULE—*continued*

SCHEDULE 13A SUBSTITUTED—*continued*

“SCHEDULE 13A—*continued*”

PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|---|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Infant formula and follow-on formula <i>—continued</i> | <p>Selenium</p> <p>Sodium</p> <p>Zinc</p> | <p>potassium gluconate</p> <p>potassium glycerophosphate</p> <p>potassium hydroxide</p> <p>potassium iodide</p> <p>potassium lactate solution</p> <p>potassium phosphate, dibasic</p> <p>potassium phosphate, monobasic</p> <p>potassium phosphate, tribasic</p> <p>selenomethionine</p> <p>sodium selenate</p> <p>sodium selenite</p> <p>sodium bicarbonate</p> <p>sodium carbonate</p> <p>sodium chloride</p> <p>sodium citrate</p> <p>sodium gluconate</p> <p>sodium hydroxide</p> <p>sodium iodide</p> <p>sodium lactate</p> <p>sodium phosphate, dibasic</p> <p>sodium phosphate, monobasic</p> <p>sodium phosphate, tribasic</p> <p>sodium sulphate</p> <p>sodium tartrate</p> <p>zinc acetate</p> <p>zinc chloride</p> <p>zinc citrate</p> <p>zinc gluconate</p> <p>zinc oxide</p> <p>zinc sulphate</p> |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|--|---|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Supplementary foods for infants and young children: | | |
| Canned food for infants and young children | Thiamin (Vitamin B ₁) Riboflavin (Vitamin B ₂) Niacin Folate Vitamin B ₁₂ Vitamin C | thiamin hydrochloride thiamin mononitrate riboflavin riboflavin 5'-phosphate sodium niacinamide (nicotinamide) nicotinic acid folic acid cyanocobalamin hydroxocobalamin L-ascorbic acid ascorbyl palmitate calcium ascorbate potassium ascorbate sodium ascorbate |
| Cereal-based food for infants and young children | Thiamin (Vitamin B ₁) Riboflavin (Vitamin B ₂) Niacin Folate Vitamin B ₆ Calcium Iron | thiamin hydrochloride thiamin mononitrate riboflavin riboflavin 5'-phosphate sodium niacinamide (nicotinamide) nicotinic acid folic acid pyridoxine hydrochloride pyridoxine-5'-phosphate calcium carbonate calcium phosphate, dibasic ferrous fumarate ferrous gluconate ferrous succinate ferrous sulphate (dried and iron II sulphate) iron, reduced |

SCHEDULE—*continued*SCHEDULE 13A SUBSTITUTED—*continued*“SCHEDULE 13A—*continued*”PERMITTED FORMS OF VITAMINS AND MINERALS FOR SPECIAL
PURPOSE FOODS—*continued*

| Column 1 | Column 2 | Column 3 |
|--|-----------------|--|
| Special purpose food | Vitamin/mineral | Permitted forms of vitamin or mineral in special purpose food |
| Canned fruit for infants and young children | Vitamin C | L-ascorbic acid ascorbyl palmitate calcium ascorbate potassium ascorbate sodium ascorbate” |

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which, except in the case of *regulations 5 and 6*, come into force on the 28th day after the date of their notification in the *Gazette*, amend the Food Regulations 1984.

Regulation 2 inserts definitions of the terms “electrolyte drink” and “medical nutritional product” into the principal regulations.

Regulation 3 amends regulation 11 of the principal regulations to provide that the statement of ingredients on a special purpose food to which a vitamin or mineral has been added must state the permitted form of the vitamin or mineral added to the food.

Regulation 4 amends regulation 20A of the principal regulations, which relates to the addition of vitamins and minerals to food.

Subclauses (1) and (2) amend regulation 20A in relation to the addition of vitamins and minerals to special purpose foods. A vitamin or mineral may be added to a special purpose food specified in column 1 of Schedule 13A to the principal regulations if the vitamin or mineral is specifically permitted in the principal regulations to be added in accordance with the provisions of regulation 20A and the vitamin or mineral is specified in Schedule 13A in relation to that special purpose food and is in a permitted form as specified in that Schedule.

Subclause (3) amends the First Table to regulation 20A to insert items relating to dairy products.

Subclause (4) inserts regulation references into the First Table to regulation 20A.

Regulations 5 and 6 amend regulations 35 and 45 of the principal regulations to remove the permission to use potassium bromate as an additive in bread or flour confectionery. These amendments come into force on 1 October 1996.

Regulation 7 amends regulation 50 of the principal regulations to provide that table confections that contain at least 5% milk solids may contain vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations.

Regulation 8 amends regulation 98 of the principal regulations to permit the addition of carrageenan to skim milk and non-fat milk where calcium salts have been added.

Regulation 9 amends regulation 98A of the principal regulations to permit the addition of carrageenan to reduced-fat milk to which calcium salts have been added.

Regulations 10 to 13 amend the principal regulations to permit the addition of vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations to light cream and light sour cream, reduced cream, pouring cream, and sour cream, yoghurt, and ice cream.

Regulation 14 amends regulation 122 of the principal regulations to provide that frozen confections that contain at least 8% milk solids may contain vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations.

Regulation 15 amends regulation 237 of the principal regulations, which relates to special purpose foods.

Subclauses (1), (2), and (3) provide that follow-on formula, medical nutritional products, and electrolyte drinks are categories of special purpose foods.

Subclause (4) revokes subclause (6) of regulation 237, and substitutes a *new subclause (6)*. This provides that special purpose foods with modified composition, other than salt substitutes, shall comply with the compositional standard, including food additives, set for the normal counterpart, except for the changes necessary to comply with the particular special purpose foods standard.

Subclause (5) amends regulation 237 (7) to provide that, except as provided in *new subclause (7A)*, special purpose foods for which no standard is prescribed may contain vitamins and minerals as permitted in the normal counterpart of the food in accordance with the provisions of regulation 20A of the principal regulations.

Subclause (6) inserts a *new subclause (7A)* which provides that meal replacements and electrolyte drinks may contain vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations.

Regulation 16 amends regulation 239 of the principal regulations to provide that gluten-free breads and gluten-free breadmix may contain the vitamins and minerals permitted for bread in accordance with the provisions of regulation 20A of the principal regulations. The amended provision also allows the addition of calcium carbonate to gluten-free bread and gluten-free bread mix.

Regulation 17 amends regulation 239A of the principal regulations to provide that amino acid modified food may contain vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations.

Regulation 18 revokes regulation 242 of the principal regulations, which relates to infant formula, and substitutes a *new regulation 242* which deals with both infant formula and follow-on formula. Follow-on formula must conform to the requirements set out for infant formula in this regulation. Infant formula and follow-on formula are permitted to contain vitamins and minerals in accordance with the provisions of regulation 20A of the principal regulations, and choline.

Regulation 19 amends regulation 243 of the principal regulations, which relates to supplementary foods for infants and young children. These foods will now be permitted to contain vitamins and minerals in accordance with provisions of regulation 20A of the principal regulations.

Subclause (2) inserts *new subclause (3A)* into regulation 243 which defines the terms "canned food for infants and young children", "canned fruit for infants and young children", and "cereal-based food for infants and young children".

Regulation 20 amends regulation 257 of the principal regulations, which relates to incidental constituents.

Subclause (1) amends regulation 257 (1) to provide that animal remedies are included in the definition of "incidental constituents".

Subclause (2) amends the Second Table to regulation 257 to prescribe permissible proportions for the incidental constituents cephalixin and docrine.

Subclause (3) substitutes an amended item relating to the incidental constituent moxidecin.

Regulation 21 makes amendments to the Twelfth Schedule to the principal regulations consequential on other amendments made to the principal regulations.

Regulation 22 substitutes a *new Schedule 13A* into the principal regulations. This schedule sets out the vitamins and minerals and their permitted forms that may be added to the various categories of special purpose foods set out in that Schedule.

Regulations 23, 24, and 25 are transitional provisions designed to provide a reasonable time for persons in the food industry to meet the new requirements.

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Date of notification in *Gazette*: 27 June 1996.

These regulations are administered in the Ministry of Health.