

Australia and New Zealand Food Regulation Ministerial Council

Policy Guideline on the Regulation of Residues of Agricultural and Veterinary Chemicals in Food.

Standard 1.4.2 of the Food Standards Code (the Code) - *Maximum Residue Limits* (MRLs) regulates the residues that are permitted in food. MRLs are listed in the Schedules to the Standard for permitted chemicals along with the specific commodities or food products that may contain them.

Currently, under Australian State, Territory and Commonwealth Government food legislation (subject to some exceptions for food from New Zealand), there must be no detectable residue (zero tolerance) in a food commodity for which an MRL has not been established in Standard 1.4.2 of the Code.

The purpose of these draft Ministerial Policy Guidelines is to form a framework within which FSANZ is to consider alternative approaches to address the issues surrounding the current zero tolerance approach to the regulation of residues of agricultural and veterinary chemicals in food.

HIGH ORDER POLICY PRINCIPLES

High Order Policy Principles govern the general direction of, and apply to, development of all food regulation policy guidelines.

The FSANZ Act 1991 establishes a number of objectives for FSANZ in developing or reviewing food regulatory measures.

1. The objectives (in descending priority order) are:
 - a) the protection of public health and safety;
 - b) the provision of adequate information relating to food to enable consumers to make informed choices; and
 - c) the prevention of misleading or deceptive conduct.
2. In developing or reviewing food regulatory measures and variations of food regulatory measures the Authority must also have regard to the following:
 - a) the need for standards to be based on risk analysis using the best available scientific evidence;
 - b) the promotion of consistency between domestic and international food standards;
 - c) the desirability of an efficient and internationally competitive food industry;
 - d) the promotion of fair trading in food; and
 - e) any written policy guidelines formulated by the Council for the purposes of this paragraph and notified to the authority.

SPECIFIC POLICY PRINCIPLES

Specific Policy Principles are principles that support and must be read within the High Order Principles. These specific principles apply only to alternative approaches that FSANZ might consider for addressing the issues surrounding the current zero tolerance approach to the regulation of residues of agricultural and veterinary chemicals in food.

Any changes to the existing regulatory approach for the regulation of residues of agricultural and veterinary chemicals in food should;

1. recognise the need to respond to any unexpected presence of residues in an efficient and timely manner,
2. not reduce the capacity of governments to prohibit the presence of any residue of a particular chemical in food where it would present an unacceptable public health risk,
3. be consistent with the effective regulation of the registration, permission and use of agricultural and veterinary chemicals,
4. promote a consistent approach to MRLs for both domestic and imported foods where appropriate, and
5. be consistent with Australia's obligations under the World Trade Organisation (WTO) Sanitary and Phytosanitary Agreement (SPS Agreement).