NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** AUSTRALIA  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Food Standards Australia New Zealand (FSANZ)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Australian TBT Enquiry Point  Department of Foreign Affairs and Trade  Ph +61 2 6261 1111  [tbt.enquiry@dfat.gov.au](mailto:tbt.enquiry@dfat.gov.au)  [www.dfat.gov.au](http://www.dfat.gov.au) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Bivalve molluscs sold in Australia (both imported and domestically produced) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Assessment for Application A1243– harmonisation of marine biotoxin standards for bivalve shellfish; (19 page(s), in English) |
| **6.** | **Description of content:** To align with international standards and to protect public health and safety, FSANZ has drafted an amendment to the Australia New Zealand Food Standards Code to amend the maximum levels (MLs) for **diarrhetic shellfish toxins** (DST) and **paralytic shellfish toxins** (PST) with the equivalent MLs set by the Codex Alimentarius Commission (Codex) and with those set in New Zealand.  MLs for marine biotoxins are necessary in order to protect public health and safety, as marine biotoxins cause serious and sometimes long term toxicity in humans.  The proposed changes are:  · Lower the ML for DST, expressed as okadaic acid equivalent, from 0.20 to 0.16 mg/kg in bivalve molluscs  · Define PST in mg saxitoxin dihydrochloride equivalents/kg rather than mg saxitoxin equivalents/kg. The net effect of this change to a more specific reporting unit is to lower the ML for PST from 0.8 to approximately 0.6 mg/kg. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** All applications to change the Australia New Zealand Food Standards Code, must be assessed in the context of the following objectives: (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. FSANZ must also have regard to the promotion of consistency between domestic an international foods standards.  The objective and rationale is to align the standards for two marine biotoxins (DST and PST) with those set by Codex.; Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of human health or safety; Harmonization |
| **8.** | **Relevant documents:**  *Australia New Zealand Food Standards Code* (English)  Available at <https://www.foodstandards.gov.au/code/Pages/default.aspx> |
| **9.** | **Proposed date of adoption:** Notification to Australian and New Zealand Government anticipated early November 2023 with adoption (gazettal) to follow by mid January 2023, pending Government consideration.  **Proposed date of entry into force:** Approximately mid January 2025, after a one year transition period. |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  The assessment summary (call for submission report) and supporting documents are available from the Food Standards Australia New Zealand website.  <https://www.foodstandards.gov.au/code/applications/Pages/A1243Harmonisation-of-marine-biotoxin-standards-for-bivalve-shellfish-.aspx> |