Contents

1 Title

This standard is the New Zealand Food (Supplemented Food) Standard 2010.

2 Commencement

This standard comes into force on 31 March 2010.

3 Purpose

The purpose of this standard is to, —

(a) provide an interim regulatory arrangement for supplemented food until there are appropriate permissions in the Code; and

(b) regulate "food-type" dietary supplements that were formerly regulated under the Dietary Supplements Regulations 1985.

4 Application

(1) On the coming into force of this standard a person selling supplemented food must elect to comply with either, —

(a) Part 1; or

(b) Part 2.

(2) On and after 31 March 2012, a person selling supplemented food must comply with Part 1.

(3) By way of explanation, clause 17 provides that Part 2 expires at the end of 30 March 2012.

Part 1
Supplemented Food Requirements

5 Interpretation for Part 1

(1) In this standard, unless the context otherwise requires,—

Act means the Food Act 1981

Code means the Australia New Zealand Food Standards Code

warning statement has the same meaning as provided in the Code in addition to a statement to be expressed in the text as so prescribed in this standard, in —

(a) clause 14 Table 1; and

(b) clause 16(3) Table 4.

(2) Any words or expressions defined in the Act or the Code and used but not defined in this standard have the same meaning as in the Act or in the Code.

(3) References to adequate intake (AI) and recommended dietary intake (RDI) mean the age-appropriate figures published by the National Health and Medical Research Council of Australia and the New Zealand Ministry of Health "Nutrient Reference Values for Australia and New Zealand Including Recommended Dietary Intakes (2006)".

6 Meaning of supplemented food

(1) A supplemented food is a product that is represented as a food that has a substance or substances added to it or that has been modified in some way to perform a physiological role beyond the provision of a simple nutritive requirement.

(2) A product is not a supplemented food if it is—

(a) a dietary supplement (as defined in the Dietary Supplement Regulations 1985); or

(b) a medicine (as defined in the Medicines Act 1981); or

(c) a controlled drug or restricted substance (as defined in the Misuse of Drugs Act 1975); or

(d) a formulated meal replacement or a formulated supplementary food (as defined in standard 2.9.3 of the Code); or

(e) a formulated caffeinated beverage (as defined in standard 2.6.4 of the Code).

(3) For the avoidance of doubt subclause (2) does not contain an exhaustive list of products that are not supplemented food.

7 Certain aspects of the Code apply

The following standards in the Code apply, with all necessary modifications, to supplemented food manufactured, sold, or prepared for sale in New Zealand, or imported into New Zealand for sale:

Clauses 1(2), 6, 7, 8, 11 and columns 1 and 2 of the schedule of **Standard 1.1.1** Preliminary provisions – application, interpretation and general prohibitions

Standard 1.2.1 Application of labelling and other information requirements (excluding any references to Standard 1.2.2)

Standard 1.2.3 Mandatory warning and advisory statements and declarations

Standard 1.2.4 Labelling of ingredients (excluding clause 2(b), and clause 6(3))

Standard 1.2.5 Date marking of food

Standard 1.2.6 Directions for use and storage

Standard 1.2.8 Nutrition information requirements (excluding clause 3(b), (o), (p) and (q))

Standard 1.2.9 Legibility requirements

Standard 1.2.10 Characterising ingredients and components of food (excluding clause 2(4)(g), (i) and (j))

Standard 1.3.1 Food additives (excluding clauses 13.1, 13.2, 13.3, 14.2, 14.3 in Schedule 1 of that standard)

Standard 1.3.3 Processing aids

Standard 1.3.4 Identity and purity

Standard 1.4.1 Contaminants and natural toxicants

Standard 1.4.3 Articles and materials in contact with food

Standard 1.4.4 Prohibited and restricted plants and fungi (excluding references to Hypericum perforatum, St John's wort, or Hypericine)

Clause 3 of **Standard 1.5.1** Novel Foods

Standard 1.5.2 Food produced using gene technology

Standard 1.5.3 Irradiation of food

Standard 1.6.1 Microbiological limits for food

Standard 2.1.1 Cereals and cereal products

Standard 2.2.1 Meat and meat products

Standard 2.2.2 Egg and egg products

Standard 2.2.3 Fish and fish products

Standard 2.3.2 Jam

Standard 2.4.1 Edible oils

Standard 2.4.2 Edible oil spreads (excluding clause 2 (1) (g) and (h))
Standard 2.5.1 Milk (excluding clauses 5 and 6)
Standard 2.5.2 Cream
Standard 2.5.3 Fermented milk products (excluding clause 4)
Standard 2.5.4 Cheese
Standard 2.5.5 Butter
Standard 2.5.6 Ice cream
Standard 2.5.7 Dried milks, evaporated milks and condensed milks
Standard 2.6.1 Fruit juice and vegetable juice
Standard 2.6.2 Non-alcoholic beverages and brewed soft drinks
Standard 2.8.1 Sugars
Standard 2.8.2 Honey
Standard 2.10.1 Vinegar and related products
Standard 2.10.2 Salt and salt products

8 Prohibition on supplemented food for infants or young children under four years of age

Supplemented food must not be specifically formulated or marketed for the purpose of sale for consumption by infants or young children under the age of four years.

9 Identification requirements

(1) The words "supplemented food" must be placed in a prominent position on the label of a package of supplemented food.

(2) The words "supplemented food" must be placed in a prominent position on any material advertising supplemented food.

(3) The label on a package of supplemented food must include a name or a description of the food sufficient to indicate the true nature of the food.

(4) The label on a package of supplemented food must include its lot identification, unless the supplemented food is in small packages, and the bulk packages and the bulk container in which the supplemented food is stored or displayed for sale includes its lot identification.

(5) The label on a package of supplemented food must include the name and business address in New Zealand of the supplier of the supplemented food.

10 Restrictions on advertising and labelling supplemented food

(1) Subclauses (2) and (3) apply to any—

(a) advertisement for a supplemented food; and

(b) container or package in which a supplemented food is sold; and

(c) label on a package or container in which a supplemented food is sold.

(2) An item listed in subclause (1) must not claim or make a statement, express or implied, relating to any of the following matters:

(a) that the supplemented food treats or prevents disease:

(b) that the supplemented food diagnoses disease or ascertains the existence, degree, or extent of a physiological condition:

(c) that the supplemented food alters the shape, structure, size, or weight of the human body; or has slimming or intrinsic weight reducing properties:

(d) that the supplemented food prevents the normal operation of a physiological function (whether permanently, temporarily, or by way of terminating, reducing, postponing, increasing, or accelerating the operation of that function or in any other way).

(3) An item listed in subclause (1) must not—

(a) include on it or on its label the word "health" or any word or words of similar import as a part of or in conjunction with the name of the supplemented food; or

(b) contain or have a label that contains any word, statement, claim, express or implied, or design that directly or by implication could be interpreted as advice of a medical nature from any person.

11 Restrictions on content claims of vitamins and minerals

(1) A claim must not be made in relation to the presence of a vitamin or mineral in a supplemented food unless—

(a) the vitamin or mineral is listed in column 1 of the Schedule to Standard 1.1.1 of the Code; and

(b) a reference quantity of the food contains at least 10% of the RDI or AI for that vitamin or mineral.

(2) A claim must not be made in relation to a supplemented food being a good source of a vitamin or mineral unless–

(a) the vitamin or mineral is listed in column 1 of the Schedule to Standard 1.1.1 of the Code; and

(b) a reference quantity of the food contains at least 25% of the RDI or AI for that vitamin or mineral.

12 Restriction on including intoxicating substance

A supplemented food must not contain any substance that is intended to have an intoxicating effect on any person who consumes it.

13 Safe daily consumption statements

If there is a risk to a person in consuming more than an appropriate daily consumption of a supplemented food, the label on the package of a supplemented food must—

(a) specify an appropriate daily consumption; and

(b) include an advisory statement to the effect that exceeding that daily consumption may cause harm.

14 Substances that may be added to supplemented food subject to restrictions

The substances listed in column 1 of Table 1 may only be added to supplemented food if there is compliance with the applicable restriction specified in column 2.

Table 1

Substance - Column 1	**Restrictions Column 2**
Hypericum perforatum (St John's Wort)	Only to be used in herbal infusions. The label on the package must contain the following warning statement: "If you take prescription medicines, consult your doctor before using this product. Do not take if pregnant."
Caffeine	If the supplemented food contains a greater level of caffeine than is required to achieve a technological function under conditions of Good Manufacturing Practice

	the label on the package of supplemented food must include: (a) an advisory statement to the effect that the food contains caffeine, and is not recommended for children, pregnant or lactating women, or individuals sensitive to caffeine; and (b) the following details in the nutrition information panel: (i) the average quantity of caffeine per serve; and (ii) the average quantity of caffeine per 100ml or 100gm.
Guarana	The label on the package of a supplemented food containing guarana must include an advisory statement to the effect that the supplemented food contains caffeine.

15 Substances prohibited in supplemented food

The substances listed in column 1 of Table 2 (with the common name in column 2) must not be added to supplemented food.

Table 2

Substance - Species name Column 1	**Substance - Common name Column 2**
Actaea/Cimicifuga racemosa	Black Cohosh
Piper methysticum	Kava

16 Restrictions on the addition of vitamins and minerals to supplemented food

(1) The vitamins and minerals listed in column 1 of Table 3 may be added to a supplemented food provided that the total of the naturally occurring and added quantity of that vitamin or mineral present in the supplemented food does not exceed the maximum per one day quantity specified in column 2 of Table 3.

(2) If a vitamin or mineral listed in column 1 of Table 3 is added to a supplemented food and as a result the total of the naturally occurring and added quantity of that vitamin or mineral present in the supplemented food

exceeds the quantity specified in column 3 of Table 3, the label on the package of the supplemented food must include an advisory statement to the effect that the product is intended for consumption only by persons of or over the age of 14 years.

Table 3

Vitamin or mineral ***Column 1***	**Maximum Per One Day Quantity** ***Column 2***	**Maximum Per One Day Quantity above which an advisory statement is required** ***Column 3***
Vitamins		
Choline	1750mg	500 mg
Folic acid	500 mcg	200 mcg
Nicotinic Acid	17.5 mg	7.5 mg
Nicotinamide	450 mg	125 mg
Retinol	1500 mcg	450 mcg
Pyridoxine	25 mg	10 mg
Vitamin C	500 mg	500 mg
Vitamin D	40 mcg	40 mcg
Vitamin E (as alpha-tocopherol equivalents)	150 mg	50 mg
Minerals		
Calcium	1250 mg	1250 mg
Copper	5 mg	1.5 mg
Fluoride	5 mg	1.1 mg
Iodine	300 mcg	150 mcg
Iron	22.5 mg	20 mg
Magnesium	175 mg	55 mg
Molybdenum	1000 mcg	300 mcg
Phosphorous	2000 mg	1500 mg
Selenium	150 mcg	75 mcg
Sodium	1150 mg	700 mg
Zinc	20 mg	6 mg

(3) The vitamins and minerals listed in column 1 of Table 4 may only be added to supplemented food if the label on the package contains the warning statement set out in column 2 of Table 4.

Table 4

Column 1	***Column 2***
Vitamin or mineral	**Warning statement**
Vitamin K	"Contains Vitamin K. People taking warfarin should seek medical advice before starting consumption"

Part 2
Temporary option for supplemented food

17 Expiry of Part 2

This Part expires at the end of 30 March 2012.

18 Interpretation for Part 2

(1) In this Part, unless the context otherwise requires,-

batch means a quantity of supplemented food produced under essentially the same conditions during a particular period, and usually from a particular "line" or other identifiable processing unit

common name, in relation to a supplemented food, means the name by which the supplemented food is generally known

container means any box, packet, or other receptacle in which 1 or more packages of supplemented food are, or are to be, enclosed

incidental constituent means any extraneous substance, toxic substance, or pesticide 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

ingredient means any substance including a food additive (other than an incidental constituent), that is—

(a) used in the manufacture or preparation of a supplemented food; and

(b) present, whether in a modified form or not, in the final product

principal display panel means the part of a label that is most likely to be displayed, presented, shown, or examined, under ordinary or customary conditions of display for retail sale; and, if such likelihood is equal in respect of 2 or more panels, means every such panel

printed includes written, typewritten, engraved, lithographed, or otherwise traced or copied.

supplemented food has the meaning given to it in Part 1.

(2) In this Part, the symbols specified in the first column of the table have the meanings specified in relation to those symbols in the second column of the table (as follows):

TABLE TO SUBCLAUSE 2	
Symbol	*Meaning*
g	*grams*
mcg	*micrograms*
mg	*milligrams*
mm	*millimetres*
ppm	*parts per million*

(3) In this Part, unless the context otherwise requires, all references to proportions (whether as percentages, parts per million, or otherwise) are references to proportions by weight in a supplemented food as sold.

(4) Nothing in this Part prohibits the use of any symbol the style of which conforms with a specimen in the table to subclause (2), or with the conventional usage of metric measurements.

Subpart 1
General Requirements

19 Maximum daily doses

(1) A supplemented food described as or containing minerals or vitamins specified in the first column of the following table must be manufactured so that each daily dose (for an adult) does not contain more than the maximum specified in the second column of the following table:

Vitamin or mineral ***Column 1***	**Maximum Daily Dose** ***Column 2***
Minerals	
Copper	5 mg
Iron	24 mg
Selenium	150 mcg
Zinc	15 mg
Vitamins	
Vitamin A or retinol	3000 mcg

Niacin (and salts) or nicotinic acid (and salts)	100 mg
Vitamin B12 or cyanocobalamin or hydroxocobalamin	50 mcg
Vitamin D	25 mcg
Folic acid	300 mcg

(2) A supplemented food described as or containing any mineral, other than a mineral specified in subclause (1), must be manufactured so that each daily dose (for an adult) does not contain more than the maximum specified in the current edition of Recommended Dietary Allowances, published by the Food and Nutrition Board of the National Academy of Science and National Research Council, Washington DC, USA.

20 Supplemented food not to be sold unless properly labelled

No person may sell any package or container containing any supplemented food, or any supplemented food contained in a package or container,—

(a) does not bear a label containing all the particulars required by this Part; or

(b) bears a label containing anything that is prohibited by this Part; or

(c) bears a label containing any particulars that are not in the position, manner, and style required by this Part.

21 General requirements for labelling

(1) A package and container containing a supplemented food must, unless otherwise provided in this Part, bear a label that includes the following:

(a) the common name of the supplemented food, or a description (other than the brand name of the supplemented food) sufficient to indicate the true nature of the supplemented food, or a description of the supplemented food including the common names of its principal ingredients:

(b) a statement of the net weight or volume or number of the contents of the package or container, whichever measure is appropriate for retail sale of the supplemented food:

(c) the trading name and business address of the manufacturer or seller or packer of the supplemented food, or of the owner of the rights of manufacture, or of the principal or the agent of any of them:

(d) consumer information panel that complies with clause 25:

(e) the words "DIETARY SUPPLEMENT":

(f) a batch number:

(g) a date mark, being an expression in one of the following forms (that is a date no later than 5 years after the date of manufacture):

(i) use by (followed by a date); or

(ii) not to be consumed after (followed by a date); or

(iii) words of similar meaning (followed by a date):

(h) A statement of the recommended daily dosage (for an adult) both as to quantity and frequency, which must not exceed the maximum daily dose permitted by clause 19, and, if the supplemented food is suitable for children, the recommended daily dose for children:

(i) A warning in any case where a danger exists if an overdose is taken:

(j) the method of preparation before use (where necessary).

(2) Despite subclause (1)(f) and (g), no container containing a supplemented food need be labelled with the batch number or with a date mark.

(3) Despite subclause (1), if supplemented foods are packed in blister or strip packaging, the packaging must be labelled with—

(a) the common name; and

(b) a batch number.

(4) For the purposes of subclause (1)(c)—

(a) postal address, not being a telegraphic or code address or an address at a Post Office, must be given:

(b) the name and address of a person who is not ordinarily resident in New Zealand must not be sufficient unless the supplemented food is wholly manufactured and packed outside New Zealand:

(c) the case where the trading name is of a body corporate (whether registered inside or outside New Zealand), either the name of the town in which the body corporate has its registered office or the full postal address of the premises where the supplemented food is actually manufactured or packed by the body corporate must be given as the address.

(5) Where a package or container of a supplemented food is enclosed or wrapped in a transparent covering and the particulars with which that package or container is required to be labelled are clearly visible through that covering, that covering must be exempt from the labelling requirements under this Part.

(6) No person who has in that person's possession any package or container of a supplemented food intended for sale by retail may—

(a) remove any label required by this Part to be on the package or container; or

(b) alter, erase, obliterate, or obscure any word or statement borne on such a label in accordance with any of the requirements of this Part.

22 Form and manner of labelling

(1) A word or statement that is required by this Part to be borne on a label must—

(a) be conspicuously printed and, for each statement separately required, be in uniform colour contrasting strongly with a uniform background; and

(b) be clearly, legibly, and durably marked either on the material of the package or container or on material firmly and securely attached to the package or container; and

(c) be presented with continuity.

(2) The lettering of every word or statement required by this Part must be clear, distinct, and legible with no decoration, embellishment, or distortion that could interfere with the legibility of the words.

23 Size of letters

(1) The lettering of every word or statement required by this Part to appear on labels must be—

(a) capital letters; or

(b) lower case letters; or

(c) lower case letters with an initial capital letter.

(2) In every case to which subclause (1)(a) or (b) applies, the height of the lettering must be uniform in every word or statement that is separately required.

(3) In every case to which subclause (1)(c) applies, the height of the lower case lettering must be uniform in every word or statement that is separately required.

(4) Except as otherwise provided in this Part, the lettering of any word or statement required by this Part to appear on labels must be not less than 1.5mm in height, except where the package or container to be labelled is so small as to prevent the use of letters of that height, in which case letters of not less than 0.75mm in height may be used.

(5) The height of the lettering for the common name or description that is required by this Part to appear in the principal display panel of a label must be not less than one-third of the height of the largest lettering appearing in that panel, and—

(a) Not less than one-twentieth of the height of the label, in the case of a label that is no longer than twice the width of the label; and

(b) Not less than one-thirtieth of the height of the label, in any other case.

(6) For the purposes of subclause (5), the height of a label is the distance between the top and bottom of all printed or pictorial information on the label.

24 Principal display panel

(1) The particulars that are required by clause 21 to appear on a label must appear in the principal display panel.

(2) Every word or statement that is required by this Part to appear in the principal display panel of a label must be in lines that are generally parallel to the base on which the package or container rests as it is designed to be displayed.

(3) In the case of a cylindrical package or container, the width of the principal display panel on the cylindrical surface must not exceed one-third of the circumference of the package or container.

25 Consumer information panel

(1) The following information, when required by this Part to be on the label, must be grouped together in one portion of the label (that portion being called the consumer information panel):

(a) the statement of ingredients, which must show—

(i) the quantities or proportions of the claimed active ingredients in the package or container or in each dosage unit, or, where the supplemented food is divided into a number of units, the quantity or proportion of the claimed active ingredients in each unit; and

(ii) the inactive ingredients in the package or container, which must be described either by their specific names or by their class names, being any of the following permitted class names:

- Antioxidants:
- Artificial sweeteners:
- Colouring or colour:
- Flavouring or flavour:
- Minerals:
- Preservatives:
- Vitamins:

(b) the storage instructions (where appropriate).

(2) The consumer information panel may be any part of the label, but must—

(a) be conspicuously placed in relation to other information included on the label; and

(b) be clearly differentiated from all other promotional material or illustrations.

26 Misleading statements

(1) No printed, pictorial, or other descriptive matter appearing on or attached to or supplied or displayed with any supplemented food must include any comment on, reference to, or explanation of any word, statement, or label required by this Part to be borne on any supplemented food if that comment, reference, or explanation either directly or by implication contradicts, qualifies, or modifies that word or statement or the contents of that label.

(2) No printed, pictorial, or other descriptive matter supplied or displayed with any supplemented food must include any false or misleading statement, word, brand, picture, or mark purporting to indicate the nature, suitability, quantity, quality, strength, purity, composition, weight, origin, age, effects, or proportion of the supplemented food or of any ingredients of the supplemented food.

27 Therapeutic claims

Except as permitted by the Medicines Act 1981 and any regulations made under that Act, no supplemented food or package or container containing a supplemented food may be advertised or labelled with a statement relating to any of the following matters:

(a) treating or preventing disease:

(b) diagnosing disease or ascertaining the existence, degree, or extent of a physiological condition:

(c) altering the shape, structure, size, or weight of the human body:

(d) otherwise preventing or interfering with the normal operation of a physiological function, whether permanently or temporarily, and whether by way of terminating or reducing or postponing, or increasing or accelerating, the operation of that function, or in any other way.

Subpart 2
Specific requirements

28 Preservatives

(1) In this clause preservative means any substance that, when added to a supplemented food, has the property of arresting or impeding fermentation, putrefaction, or decomposition.

(2) Supplemented food may contain any of the following preservatives and no others:

- Benzoic acid or sodium benzoate:
- Parahydroxybenzoic acid and its esters:
- Sorbic acid, or its sodium, calcium, or potassium salts:
- Sulphur dioxide, or sulphites calculated as sulphur dioxide.

29 Antioxidants

(1) In this clause, antioxidant means any substance that, when added to a supplemented food, has the property of arresting or retarding oxidative rancidity.

(2) Supplemented food may contain any of the following antioxidants and no others:

(a) Propyl gallate, dodecyl gallate, octyl gallate, butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), and tertiary butylhydroquinone (TBHQ), where the proportion of those antioxidants, singly or in combination, does not exceed 100ppm:

(b) Ascorbyl palmitate, and ascorbyl stearate, where the proportion of those antioxidants, singly or in combination, does not exceed 500ppm:

(c) Natural tocopherols, synthetic tocopherols, citric acid, and sodium citrate:

(d) Isopropyl citrate mixture, monoglyceride citrate, and phosphoric acid, where the proportion of those antioxidants, whether singly or in combination, does not exceed 100ppm.

30 Colouring substances

(1) In this clause colouring substance means any substance that, when added or applied to a supplemented food, is capable of imparting colour to that supplemented food.

(2) Supplemented food may contain any of the colouring substances (and, where appropriate, their aluminium lakes) specified in the table to this subclause and no others.

TABLE TO SUBCLAUSE (2)		
Common Name	*Index Name*	*Index Number*
Allura Red AC	CI Food Red 17	*16035*
Aluminium		*77000*
Amaranth	CI Food Red 9	*16185*
Annatto extracts (bixin, norbixin)	CI Natural Orange 4	*75120*
Anthocyanins Beet red (betanin) B-carotene	CI Food Orange 5	*40800*
B-apo-8'-carotenol	CI Food Orange 6	*40820*
B-apo-8'-carotenoic acid, and its ethyl and methyl esters	CI Food Black 6 CI Food Orange 7	*40825*
Brilliant Black PN	CI Food Black 1	*28440*
Brilliant Blue FCF	CI Food Blue 2	*42090*
Brown HT	CI Food Brown 3	*20285*
Canthaxanthin	CI Food Orange 8	*40850*
Caramel		*14720*
Carmoisine (azorubine)	CI Food Red 3	

Chlorophyll	CI Natural Green 3	*75810*
Chlorophyll copper complex		*75470*
Chlorophyllin copper complex, potassium and sodium salts		
Cochineal (carminic acid)	CI Natural Red 4	
Erythrosine	CI Food Red 14	*45430*
Fast Green FCF	CI Food Green 3	*42053*
Gold		*77480*
Grape skin extracts		*44090*
Green S	CI Food Green 4	
Indigotine (indigo carmine)	CI Food Blue 1	*73015*
	CI Pigment Red 101 & 102	*77491*
Iron oxides and hydrated iron oxides	CI Pigment Yellow 42 & 43	*77492*
	CI Pigment Black 11	*77499*
Paprika (paprika oleoresin) (capsanthin and capsorubin)		*16255*
Ponceau 4R	CI Food Red 7	
Riboflavin (lactoflavin)		*75100*
Riboflavin-5-phosphate		
Saffron (crocin, crocetin)	CI Natural Yellow 6 & 19	
Silver		*77820*
Sunset Yellow FCF	CI Food Yellow 3	*15985*
Tartrazine	CI Food Yellow 4	*19140*
Titanium dioxide		*77891*
Turmeric (curcumin)	CI Natural Yellow 3	*75300*
Xanthophylls	*CI Natural Yellow 27*	*75135*

NOTE: The index numbers specified in the third column of this table are the numbers allotted in the current edition of the Colour Index published jointly by the Society of Dyers and Colourists of the United Kingdom and the Association of Textile Chemists and Colorists of the United States of America.

31 Artificial sweeteners

(1) In this clause artificial sweetener means any substance that when added to a supplemented food, is capable of imparting sweetness to that supplemented food, and that is not a saccharide, polyhydric alcohol, or honey.

(2) Supplemented food may contain any of the following artificial sweeteners and no others:

- Aspartame:
- Saccharin and its sodium, and calcium and ammonium compounds:
- Sodium cyclamate and calcium cyclamate.

32 Flavouring substances

(1) In this clause flavouring substance means any wholesome substance that, when added or applied to a supplemented food, is capable of imparting flavours to, or enhancing flavours in, that supplemented food.

(2) Supplemented food may contain any flavouring substance, except the following:

- Cade oil:
- Coumarin:
- Nitrobenzene:
- Pyroligneous acid:
- Safrole and isosafrole:
- Sassafras oil.

33 Vitamins

(1) The vitamins specified in the first column of the table to this subclause, or any compound of those vitamins, and no others, may be described as vitamins in supplemented food, and the quantity of vitamins in supplemented food must be calculated in accordance with the second column of that table.

TABLE TO SUBCLAUSE (1)	
Vitamin	**Calculated as**
Vitamin A or retinol	retinol in mcg
Vitamin B1, or thiamine	thiamine in mg
Vitamin B2 or riboflavin	riboflavine in mg
Niacin or nicotinic acid	niacin equivalents in mg
Pantothenic acid	pantothenic acid in mg
Vitamin B6, or pyridoxine	pyridoxine in mg
Vitamin B12, or cyanocobalamin, or hydroxycobalamin	vitamin B12 in mcg
Vitamin C or ascorbic acid	ascorbic acid in mg
Vitamin D2 or calciferol	calciferol in mcg
Vitamin D3 or cholecalciferol	cholecalciferol in mcg
Vitamin E	vitamin E in mg
Biotin	biotin in mcg
Vitamin K	vitamin K in mcg
Vitamin K1, or phytomenadione	vitamin K1 in mcg
Vitamin K3, or menaphthone	vitamin K3 in mcg
Folic acid	folic acid in mcg

(2) If the quantity of vitamins in a supplemented food is declared on a label, it must be stated to an accuracy of not greater than 3 significant figures.

(3) There may be marked on any package or container containing a supplemented food, described as or containing a vitamin, a statement indicating—

(a) the presence of vitamins; and

(b) the quantity, calculated in accordance with the table to subclause (1), of that vitamin in that package or container or in each dosage unit, or, where the supplemented food is divided into a number of units, the quantity of that vitamin in each unit.

34 Minerals

(1) The following substances may be described as minerals in supplemented foods:

- Calcium:
- Chlorine:
- Chromium:
- Copper:
- Fluorine:
- Iodine:
- Iron:
- Magnesium:
- Manganese:
- Molybdenum:
- Phosphorus:
- Potassium:
- Selenium:
- Sodium:
- Zinc.

(2) If the quantity of minerals in a supplemented food is declared on a label, it must be stated in milligrams or micrograms to an accuracy of not greater than 3 significant figures.

(3) There may be marked on any package or container containing a supplemented food as or containing a mineral, a statement indicating—

(a) The presence of minerals; and

(b) The quantity of that mineral in that package or container or in each dosage unit, or, where the supplemented food is divided into a number of units the quantity of that mineral in each unit.

35 Enzymes

The following enzymes may be added to supplemented food:

- Amylase and protease derived from Aspergillus flavus oryzae or Aspergillus niger:
- Bromelin:
- Ficin:
- Invertase:
- Papain:
- Pectinase:
- Pepsin:

- Rennet and protein—coagulating enzymes:
- Lactase:
- Lipase.

Issued under section 11C of the Food Act 1981.

Date of notification in Gazette: [ ]

This standard is administered by the New Zealand Food Safety Authority.

Explanatory Note

This note is not part of the standard and has been included to explain its general effect.

The Dietary Supplements Regulations 1985 previously regulated 'therapeutic-type' dietary supplements and 'food-type dietary' supplements. 'Food-type' dietary supplements have now been excluded from the ambit of the Dietary Supplements Regulations 1985 and are now regulated by this standard. 'Food-type' dietary supplements fall within the definition of 'supplemented food' in this standard.

It is intended that 'supplemented food' will eventually be provided for under the Code, and accordingly this standard is intended to be an interim arrangement.

Food standards subject to Regulations (Disallowance) Act 1989

Food standards are subject to the Regulations (Disallowance) Act 1989. Any person has the right to make a complaint about a food standard to the Regulations Review Committee.

Availability of food law

An outline of New Zealand food law, and further advisory information on this amendment, can be viewed on the New Zealand Food Safety Authority (NZFSA) web site: http://www.nzfsa.govt.nz/ or can be obtained from the NZFSA, Policy Group, PO Box 2835, Wellington.

Copies of all New Zealand food law, including food standards, can be viewed free of charge at NZFSA, 86 Jervois Quay, Wellington, or purchased from:

- Bennetts, Massey University Albany Campus, New Teaching Block, Gate 1, Albany, Auckland, Ph: (09) 443 9707, Fax: (09) 443 9708, Email: aku@bennetts.co.nz

- Bennetts, Auckland University of Technology Akoranga Campus, Gate 1 Akoranga Drive, Northcote, Ph: (09) 9845432, Fax: (09) 985 7522, Email: aau@bennetts.co.nz

- Bennetts, Auckland University of Technology, Student Plaza Gate 2, Wellesley Street, Auckland City, Ph: (09) 921 9801, Fax: (09) 921 9986, Email: wau@bennetts.co.nz

- Bennetts, Manukau Institute of Technology, Gate 11, NP Block, Otara Road, Manukau, Ph: (09) 274 8627, Fax: (09) 274 8830, Email: mkp@bennetts.co.nz

- Bennetts, The University of Waikato, Gate 5, Hillcrest Road, Hamilton, Ph: (07) 856 6813, Fax: (07) 856 2255, Email: wku@bennetts.co.nz

- Bennetts, Waikato Institute of Technology, Gate 5, Tristram Street, Hamilton, Ph: (07) 839 0003, Fax: (07) 834 1291, Email: wkp@bennetts.co.nz

- Bennetts, Massey University - Turitea Campus, Student Centre, Palmerston North, Ph: (06) 354 6020, Fax: (06) 354 6716, Email: massey@bennetts.co.nz

- Bennetts, Massey University Wellington, Gate E Tasman Street, Wellington, Ph: (04) 384 1407, Fax: (04) 384 5827, Email: wgp@bennetts.co.nz

- Bennetts, Corner Lambton Quay & Bowen Street, Wellington, Ph: (04) 499 3433, Fax: (04) 499 3375, Email: gbs@bennetts.co.nz

- Bennetts, Whitcoulls, Bush Inn Shopping Centre, Riccarton Road, Christchurch, Ph: (03) 343 0304, Fax: (03) 343 0316, Email: bun@whitcoulls.co.nz

- Bennetts, Christchurch Polytechnic Institute of Technology, Madras Street, Christchurch, Ph: (03) 365 1394, Fax: (03) 365 7314, Email: chp@bennetts.co.nz