

## **STANDARD 1.2.3**

### **MANDATORY WARNING AND ADVISORY STATEMENTS AND DECLARATIONS**

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#### **Purpose**

This Standard sets out mandatory advisory statements and declarations which must be made in relation to certain foods or foods containing certain substances.

#### **Table of Provisions**

1	Interpretation
2	Mandatory advisory statements and declarations
3	Mandatory warning statements and declarations
4	Mandatory declaration of certain substances in food
5	Advisory statement in relation to foods containing polyols or polydextrose

#### **Clauses**

##### **1 Deleted**

##### **2 Mandatory advisory statements and declarations**

(1) The label on a package of food listed in column 1 of the Table to this clause must include the advisory statement listed in relation to that food in column 2 of the Table.

(2) Where a food listed in column 1 of the Table to this clause is not required to bear a label pursuant to clause 2 of Standard 1.2.1, the advisory statement listed in relation to that food in column 2 of the Table, must be –

- (a) displayed on or in connection with the display of the food; or
- (b) provided to the purchaser upon request.

#### **Editorial note:**

Paragraph 2(2)(b) allows the retailer of a food to provide the information specified in the Table to clause 2 verbally or in writing.

**Table to clause 2**

<b>Column 1</b>	<b>Column 2</b>
<b>Food</b>	<b>Advisory Statement</b>
Bee pollen	Statement to the effect that the product contains bee pollen which can cause severe allergic reactions
Evaporated milks, dried milks and equivalent products made from soy or rice, where these foods contain no more than 2.5% m/m fat as reconstituted according to directions for direct consumption	Statement to the effect that the product is not suitable as a complete milk food for children under the age of two years
Food containing aspartame	Statement to the effect that the product contains phenylalanine
Food containing quinine	Statement to the effect that the product contains quinine
Food containing guarana or extracts of guarana	Statement to the effect that the product contains caffeine
Food regulated in Standard 2.4.2 containing phytosterol esters	Statements to the effect that -  1. the product should be consumed in moderation as part of a diet low in saturated fats and high in fruit and vegetables;  2. the product is not recommended for infants, children and pregnant or lactating women unless under medical supervision; and  3. consumers on cholesterol-lowering medication should seek medical advice on the use of this product in conjunction with their medication.
Food regulated in Standard 2.4.2 containing tall oil phytosterols.	Statements to the effect that -  1. the product should be consumed in moderation as part of a diet low in saturated fats and high in fruit and vegetables;  2. the product is not recommended for infants, children and pregnant or lactating women unless under medical supervision; and  3. consumers on cholesterol-lowering medication should seek medical advice on the use of this product in conjunction with their medication.
Kola beverages containing added caffeine	Statement to the effect that the product contains caffeine
Milk, and beverages made from soy or rice, where these foods contain no more than 2.5% m/m fat	Statement to the effect that the product is not suitable as a complete milk food for children under the age of two years
Propolis	Statement to the effect that the product contains propolis which can cause severe allergic reactions
Unpasteurised egg products	Statement to the effect that the product is unpasteurised
Unpasteurised milk and unpasteurised liquid milk products	Statement to the effect that the product has not been pasteurised

**Editorial note:**

‘Milk’ is defined in Standard 2.5.1. - ‘dried milks’ and ‘evaporated milks’ are defined in Standard 2.5.7.

The term ‘reconstituted’ in the Table to clause 2 means, in relation to evaporated milks and dried milks, reconstituted to the original level of hydration.

**3 Mandatory warning statements and declarations**

(1) The label on a package of food listed in column 1 of the Table to this clause must include the warning statement listed in relation to that food in column 2 of the Table.

(2) Where a food listed in column 1 of the Table to this clause, is not required to bear a label pursuant to clause 2 of Standard 1.2.1, the warning statement listed in relation to that food in column 2 of the Table, must be displayed on or in connection with the display of the food.

**Table to clause 3**

<b>Column 1</b>	<b>Column 2</b>
<b>Food</b>	<b>Warning Statement</b>
Royal jelly when presented as a food; or Food containing royal jelly as an ingredient as defined in Standard 1.2.4	This product contains royal jelly which has been reported to cause severe allergic reactions and in rare cases, fatalities, especially in asthma and allergy sufferers

**4 Mandatory declaration of certain substances in food**

(1) The presence in a food of any of the substances listed in the Table to this clause, must be declared in accordance with subclause (2), when present as -

- (a) an ingredient; or
- (b) an ingredient of a compound ingredient; or
- (c) a food additive or component of a food additive; or
- (d) a processing aid or component of a processing aid.

(2) Any substances required to be declared by subclause (1) must be –

- (a) declared on the label on a package of the food; or
- (b) where the food is not required to bear a label pursuant to clause 2 of Standard 1.2.1 -
  - (i) displayed on or in connection with the display of the food; or
  - (ii) provided to the purchaser upon request.

**Editorial note:**

Paragraph 4(2)(b) allows the retailer of a food to provide the information specified in the Table to clause 2 verbally or in writing.

## Table to clause 4

Cereals containing gluten and their products, namely, wheat, rye, barley, oats and spelt and their hybridised strains other than where these substances are present in beer and spirits standardised in Standards 2.7.2 and 2.7.5 respectively
Crustacea and their products
Egg and egg products
Fish and fish products
Milk and milk products
Peanuts and soybeans, and their products
Added Sulphites in concentrations of 10 mg/kg or more
Tree nuts and sesame seeds and their products

### Editorial note:

1. Clause 4 can be complied with by listing those substances in the Table in the ingredient list.
2. Any exemptions in relation to ingredient listing do not override the requirement to declare the presence of the substances listed in the Table to clause 4.
3. Manufacturers occasionally substitute one ingredient for another within the same class of foods. Where this involves a substance listed in the Table to clause 4 there must be an indication on the label that the substance is in the food. Manufacturers may indicate in the ingredient list that the product contains one substance or another (e.g. brazil nuts or cashew nuts) in cases where substitutions occur regularly.
4. Expressions such as 'egg and egg product' or 'crustacea and their products' include all products derived from the substance listed in the Table to clause 4.
5. Sulphites should be declared in the same manner as other food additives.
6. Coconut is the fruit of the palm (*Cocos nucifera*) and is not generally considered to be a tree nut.

## 5 Advisory statement in relation to foods containing polyols or polydextrose

- (1) The label on a package of food must include an advisory statement to the effect that excess consumption of the food may have a laxative effect, where the food contains any of the substances –
  - (a) listed in Table 1 to this clause, either singularly or in combination at a level of or in excess of 10g/100g; or
  - (b) listed in Table 2 to this clause, either singularly or in combination at a level of or in excess of 25g/100g; or
  - (c) listed in Table 1 in combination with any of the substances listed in Table 2 at a level of or in excess of 10g/100g.
- (2) Where food containing any of the substances referred to in subclause (1) is not required to bear a label pursuant to clause 2 of Standard 1.2.1, an advisory statement to the effect that excess consumption of the food may have a laxative effect, must be –

- (a) displayed on or in connection with the display of the food; or
- (b) provided to the purchaser upon request.

**Editorial note:**

Paragraph 5(2)(b) allows the retailer of a food to provide the information specified in the Table to clause 2 verbally or in writing.

**Table 1 to clause 5**

Substance
Lactitol
Maltitol
Maltitol syrup
Mannitol
Xylitol

**Table 2 to clause 5**

Substance
Erythritol
Isomalt
Polydextrose
Sorbitol

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