



2 September 2022

(22-6554)

Page: 1/2

Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>AUSTRALIA</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> Food Standards Australia New Zealand (FSANZ)
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Kava food products sold in Australia (both imported and domestically produced)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> <b>All trading partners</b> <input type="checkbox"/> <b>Specific regions or countries:</b>
<b>5. Title of the notified document:</b> Final Consideration Report for Proposal P1057 – Review of the kava standard (urgent proposal). <b>Language(s):</b> English. <b>Number of pages:</b> 47 Documents are available from the Food Standards Australia New Zealand website via: <a href="https://www.foodstandards.gov.au/code/proposals/Pages/Proposal-P1057--Review-of-the-kava-standard.aspx">https://www.foodstandards.gov.au/code/proposals/Pages/Proposal-P1057--Review-of-the-kava-standard.aspx</a>
<b>6. Description of content:</b> To protect human safety and health Food Standards Australia New Zealand (FSANZ) has approved – as an interim emergency measure - an amendment to the Australia New Zealand Food Standards Code in response to the Australian Government's decision to allow the commercial importation of kava into Australia in December 2021.  The decision followed concern the consumption of kava outside historically safe practices had potential to adversely impact health and well-being, especially for consumers not familiar with its occasional and ceremonial use.  The interim amendments made to Standard 2.6.3 Kava in March 2022 limit preparation of kava beverages to historically safe (traditional) use by: – Prohibiting the use of food additives and processing aids – Requiring kava to be sourced from Noble varieties of the kava plant which have an established safety profile, consistent with the Codex Regional Standard for Kava.  This interim measure came into force in March 2022.  FSANZ will review this interim emergency measure and decide within 12 months whether to affirm, amend or repeal the measure, taking into account comments by WTO members received as a result of this notification.  All proposals 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.

7.	<b>Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	<p><b>Is there a relevant international standard? If so, identify the standard:</b></p> <p><input checked="" type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b> Codex Regional Standard for kava products for use as a beverage when mixed with water (CXS 336R-2020)</p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
9.	<p><b>Other relevant documents and language(s) in which these are available:</b> Australia New Zealand Food Standards Code (available in English)</p>
10.	<p><b>Proposed date of adoption (dd/mm/yy):</b> 23 March 2022. Note that FSANZ will review this interim emergency measure within 12 months.</p> <p><b>Proposed date of publication (dd/mm/yy):</b> 23 March 2022. Notification of the final measure incorporating any changes resulting from the review will follow.</p>
11.	<p><b>Proposed date of entry into force:</b> <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 23 March 2022</p> <p><input checked="" type="checkbox"/> <b>Trade facilitating measure</b></p>
12.	<p><b>Final date for comments:</b> <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 1 November 2022</p> <p><b>Agency or authority designated to handle comments:</b> <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. <b>Address, fax number and e-mail address (if available) of other body:</b></p> <p>Food Standards Australia New Zealand PO Box 5423 KINGSTON ACT 2604 Australia E-mail: <a href="mailto:standards.management@foodstandards.gov.au">standards.management@foodstandards.gov.au</a></p>
13.	<p><b>Text(s) available from:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. <b>Address, fax number and e-mail address (if available) of other body:</b></p> <p><a href="http://foodstandards.gov.au">Proposal P1057 - Review of the kava standard (foodstandards.gov.au)</a></p> <p>Copies are also available from: The Australian SPS Contact Point GPO Box 858 CANBERRA ACT 2601 AUSTRALIA Email: <a href="mailto:sps.contact@agriculture.gov.au">sps.contact@agriculture.gov.au</a></p>