



Australian Capital Territory

Food (Nutritional Information) Amendment Regulation 2012 (No 1)

Subordinate Law SL2012-36

The Australian Capital Territory Executive makes the following regulation under the *Food Act 2001*.

Dated 13 August 2012.

KATY GALLAGHER
Minister

ANDREW BARR
Minister



Australian Capital Territory

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J2012-449

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1 Name of regulation

This regulation is the *Food (Nutritional Information) Amendment Regulation 2012 (No 1)*.

2 Commencement

This regulation commences immediately after the commencement of the *Food (Nutritional Information) Amendment Act 2011*, section 7.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This regulation amends the *Food Regulation 2002*.

4 New section 13A

in part 4, insert

13A Definitions—pt 4

In this part:

nutrition information panel means a nutrition information panel that complies with the food standards code.

supermarket means a large shop selling food and other household items where the selection of goods is organised on a self-serve basis and the goods on offer include all of the following:

- (a) bread;
- (b) breakfast cereal;
- (c) butter;
- (d) eggs;
- (e) flour;

- (f) fresh fruit and vegetables;
- (g) fresh milk;
- (h) meat;
- (i) rice;
- (j) sugar;
- (k) other packaged food.

5 Section 14

substitute

14 Prescribed nutritional information for standard food outlets—Act, s 110 (3) (a)

- (1) The following nutritional information is prescribed for a standard food item for sale at a standard food outlet other than a supermarket:
 - (a) the average energy content of the food item, expressed in kilojoules for the whole of the food item;
 - (b) the following statement:

‘The average adult daily energy intake is 8,700kJ’.
- (2) The following nutritional information is prescribed for a standard food item for sale at a standard food outlet that is a supermarket:
 - (a) either—
 - (i) the average energy content of the food item expressed in kilojoules per 100g; or
 - (ii) the average energy content of the food item expressed in kilojoules for the whole of the food item; or

- (iii) if the food item is packaged or prepared on the supermarket premises—a nutrition information panel; and
- (b) the following statement:
‘The average adult daily energy intake is 8,700kJ’.

**6 Prescribed nutritional information for other standard food outlets—Act, s 111 (2)
Section 15 (2)**

omit

section 14 (2) and (3)

substitute

section 15A

7 New section 15A

insert

15A Prescribed requirements for working out nutritional information—Act, s 110 (3) (b) and s 111 (2) (a)

- (1) The average energy content of a standard food item must be worked out in accordance with the food standards code, standard 1.2.8 making any necessary adjustment to ensure that the calculation is done in relation to the whole of the food item, rather than per 100g.
- (2) The number of kilojoules worked out may be rounded to the nearest 10kJ.

8 Section 16 heading

substitute

16 Prescribed places for display of nutritional information for standard food outlets other than supermarkets—Act, s 110 (3) (c) and s 111 (2) (b)

9 New section 16 (1A)

before section 16 (1), insert

(1A) This section applies to a standard food outlet other than a supermarket.

10 Section 16 (1)

omit

section 14 (1)

substitute

section 14 (1) (a)

11 Section 16 (2)

omit

The places where nutritional information mentioned in subsection (1)

substitute

The places mentioned in subsection (1) where nutritional information

12 New section 16A*insert***16A Prescribed places for display of nutritional information for standard food outlets that are supermarkets—Act, s 110 (3) (c) and s 111 (2) (b)**

- (1) This section applies to a standard food outlet that is a supermarket.
- (2) The places where the nutritional information mentioned in section 14 (2) (a) and section 15 (1) must be displayed in relation to a standard food item are—
 - (a) a place mentioned in section 16 (1); or
 - (b) if the nutritional information is in a nutrition information panel—on the container or wrapping enclosing the standard food item so that the nutrition information panel is—
 - (i) conspicuous to a person looking at the item; and
 - (ii) able to be seen by the person before the point of purchase without assistance from a person working at the standard food outlet.
- (3) The places mentioned in subsection (2) (a) where nutritional information is displayed in relation to a standard food item are to be consistent with the places where that nutritional information is displayed for all of the other standard food items that are displayed with that standard food item.
- (4) The statement mentioned in section 14 (2) (b) must be displayed at a place mentioned in section 16 (3).

13 Section 17 heading

substitute

17 Way of displaying nutritional information for standard food outlets other than supermarkets—Act, s 110 (3) (c) and s 111 (2) (b)

14 New section 17 (1A)

before section 17 (1), insert

- (1A) This section applies to a standard food outlet other than a supermarket.

15 Section 17 (1)

omit

section 14 (1)

substitute

section 14 (1) (a)

16 New section 18

insert

18 Way of displaying nutritional information for standard food outlets that are supermarkets—Act, s 110 (3) (c) and s 111 (2) (b)

- (1) This section applies to a standard food outlet that is a supermarket.
- (2) The nutritional information mentioned in section 14 (2) (a) and section 15 (1) must—
- (a) be clearly legible; and

- (b) display the number of kilojoules in numerals and use the abbreviation 'kJ'; and
 - (c) be in the same font, and at least the same font size, as the largest shelf ticket price for the standard food item.
- (3) The statement mentioned in section 14 (2) (b) must—
- (a) be clearly legible; and
 - (b) be in the same font, and at least the same font size, as the largest shelf ticket price for the standard food item.

17 Dictionary, new definitions

insert

nutrition information panel, for part 4 (Display of nutritional information for food)—see section 13A.

supermarket, for part 4 (Display of nutritional information for food)—see section 13A.

Endnotes

1 Notification

Notified under the Legislation Act on 20 August 2012.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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