

Information about the National Code of Kava Management

To sell kava in the Northern Territory, a licence must be obtained from the Racing, Gaming and Licensing Division of the Northern Territory Treasury. The Department is responsible for making sure kava in the Northern Territory is only sold within the Kava Management Act and Regulations. The legislation aims to discourage the excessive or irresponsible consumption and supply of kava in the Territory.

In the Northern Territory, wholesale and retail kava sales must be in accordance with the National Code of Kava Management.

NATIONAL CODE OF KAVA MANAGEMENT

Commonwealth, State and Territory Governments are concerned about the potential health impacts and social consequences of kava abuse in Australia. In recognition of these concerns, the Australian, New Zealand Food Standards Council, which is a Council comprising Commonwealth, State and Territory Health Ministers, has endorsed the use of the National Code of Kava Management as part of a national strategy to promote the responsible sale and distribution of kava in Australia.

The Code of Management applies to all those involved in the supply of kava as a food including importers, wholesalers, distributors and retailers. Kava imported into Australia and presented as a therapeutic good (i.e. in a pharmaceutical dosage form with a stated dose and specified therapeutic use) is not subject to this Code of Management.

While Commonwealth, State and Territory Governments recognise the cultural importance of kava to the Australian South Pacific community, the National Code of Kava Management seeks to minimise the negative consequences of kava abuse in Australia. It has been developed in co-operation with governments, communities and industry. It provides a national framework, which all stakeholders can participate in, and take responsibility for, minimising the detrimental effects associated with the abuse of kava.

REQUIREMENT TO SIGN THE CODE

It should be noted that persons or companies who intend to apply for a Kava Wholesale or Retail Licence in the Northern Territory are required to sign clause 8 of the National Code of Kava Management. A copy of the required Signatory Declaration is attached. This form should be returned with licence applications.

The National Code of Kava Management has been prepared by the Commonwealth Department of Health and Family Services and the Australia New Zealand Food Authority. It sets out the conditions under which kava can be sold and advertised. It demonstrates the:

Commitment of the Commonwealth, State and Territory Governments to work with industry and community groups to minimise the detrimental health and social effects associated with the abuse of kava in Australia; and
commitment of stakeholders to take responsibility and act responsibly in accordance with its terms.

REGULATORY FRAMEWORK

The National Code of Kava Management should also be read in conjunction with the provisions of food law including the Food Standards Code O10 which is attached to the document. The National Code of Kava Management is intended to supplement the provisions of food regulation and is not taken as overriding or derogating from those provisions.

The Commonwealth Department of Health and Family Services, the Australian Customs Service and Racing Gaming and Licensing Division of Northern Territory Treasury expect signatories to comply with all requirements of the Code of Management. Compliance with the National Code of Kava Management will be monitored by the Code Management Group and the Racing, Gaming and Licensing Division. This Committee will also take action in relation to any failure to comply with the Code.

If compliance with the National Code of Kava Management is not achieved through self-regulation, The Licensing Division of Racing, Gaming and Licensing will enforce and/or consider incorporating further mandatory provisions to those already contained in the Kava Management Act and Regulations.

FURTHER INFORMATION

For further information, please contact:
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Licensing Inspector, Racing Gaming and Licensing.

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Email: gregory.lye@nt.gov.au
Web site: www.nt.gov.au/nt/licensing/kava
Location: First Floor, Enterprise House, cnr Woods and Knuckey Streets, Darwin
Post: Racing Gaming and Licensing, GPO Box 1154, DARWIN, NT, 0801

National Code of Management

Signatory Declaration

'I agree that I have read and understood the National Code of Management on the Restriction of the Sale and Advertising of Kava and will abide by its terms and conditions.

I am aware of the potential detrimental health effects of kava abuse in Australia and will act in a responsible manner which does not contribute to or promote kava abuse in Australia.

I understand that I may forfeit my right to participate in the sale and distribution of kava in Australia should I not abide by this document.

I agree that my name and address may be passed to appropriate regulatory agencies and/or licence holders.'

Name of signatory Signature Date

Address of signatory Suburb and State Postcode

Phone number of signatory Fax number of signatory

Name of witness Signature Date

Please return this signed declaration with your Kava Licence application.

Standard O10

Kava

Purpose

This Standard, in conjunction with the "National Code of Management on the Restriction of the Sale and Advertising of Kava" (the National Code of Kava Management), regulates the sale and distribution of kava in Australia. While Commonwealth, State and Territory Governments recognise the cultural importance of kava to the Australian South Pacific community, this Standard and the National Code of Kava Management seek to minimise the detrimental effects associated with kava abuse.

Table of Provisions

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Interpretation

1. In this Standard 'kava' means the plant, or a derivative of the plant, *Piper methysticum*. whether or not mixed with water.

Prohibition

2. Kava must not be used as an ingredient in another food.

Labelling

3. (1) There shall be written in the label on or attached to a package containing kava, in type of 3 mm, the following statements:

(a) 'USE IN MODERATION'

(b) 'MAY CAUSE DROWSINESS'; and

(c) 'THE SALE AND DISTRIBUTION OF KAVA IN AUSTRALIA IS SUBJECT TO THE NATIONAL CODE OF KAVA MANAGEMENT'

(2) Where kava is offered for sale other than in a package, there must be displayed in connection with the food, in type of not less than 9 mm, the statements that would, if the kava were packaged, be required by subclause (1) to be included in the label on or attached to the package.