

Here are some examples of the country of origin labelling of Australian beans sold in Australia:

PRODUCT	LABEL
1 Fresh beans grown in Australia, sold loose.	A label or a sign on or in connection with the display of the food stating 'Product of Australia'.
2 Fresh beans grown in Australia wrapped in clear plastic and on a polystyrene tray.	A label stating 'Product of Australia'.
3 A three-bean salad consisting of beans grown, cooked and canned in Australia, using only Australian Ingredients.	A label stating 'Product of Australia'.
4 A three-bean salad consisting of Australian grown and imported beans that were substantially transformed in Australia by cooking and canning, and more than 50% of its production costs were incurred in Australia.	A label stating 'Made in Australia'.
5 A three-bean salad consisting of Australian grown and imported beans canned in Australia, and the product is unable to meet the 'Made in' criteria.	May carry a qualified claim such as 'Made in Australia from local and imported ingredients'. The qualified claim should reflect the percentage of ingredients, that is, if a greater proportion of the ingredients were imported the claim should state 'Made in Australia from imported and local ingredients', or vice versa where the greater proportion is local.
6 Beans grown in Australia mixed into a salad with other Australian vegetables and displayed unpackaged in a delicatessen.	A label or a sign on or in connection with the display of 'Product of Australia'.
7 Beans grown in Australia mixed into a salad with other ingredients not subject to country of origin labelling requirements (for example, cheese cubes, croutons) and not added for the purpose of preservation (for example, vinegar, salt, oil) and sold unpackaged.	Would not need to be labelled with country of origin under the Code. Any business that chooses to make a voluntary claim must ensure that it complies with fair trading requirements.
8 Beans sold for immediate consumption, such as in a takeaway shop, cafe or restaurant.	Would not need to be labelled with country of origin under the Code. Any business that chooses to make a voluntary claim must ensure that it complies with fair trading requirements.

Does food sold in restaurants, cafes or takeaway shops have to be labelled?

Country of origin labelling required by the Code, like many food labelling provisions, does not apply to food sold for immediate consumption in restaurants, cafes or takeaway shops. However, catering packs provided to these outlets must meet the requirements of the Code, that is, they must declare the country of origin of the food in or on the catering pack.



Who can I contact if I have a complaint?

In the first instance, you may wish to raise the issue directly with the retailer or manufacturer of the food in question.

Consumers can contact their local, state, or territory health authority if they think there is a problem with a specific food or a complaint about a breach of a food standard or a food safety issue. For further information and advice, please contact FSANZ on +61 2 6271 2241 or email info@foodstandards.gov.au.

FSANZ website: www.foodstandards.gov.au

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ADVICE FOR CONSUMERS



FOOD STANDARDS
Australia New Zealand
Te Mana Kounga Kai - Ahitereiria me Aotearoa

Country of Origin Food Labelling



What is country of origin labelling?

Country of origin labelling is about providing consumers with information on the country or countries where their food is grown, produced, manufactured or packaged. With the new labelling requirements set out in the Australia New Zealand Food Standards Code, consumers will now have additional information regarding country of origin when making their food choices.

What is the Australia New Zealand Food Standards Code?

The Code is a collection of individual food standards that are intended to protect the health and safety of people in Australia and New Zealand by maintaining a safe food supply. It also is intended to ensure that appropriate information is available to the consumer to enable informed consumer choice and prevent misleading and deceptive conduct. Food standards have the force of law and are given legal effect by State, Territory and New Zealand laws.

How have the labelling rules changed?

Packaged food must now carry a separate statement identifying the country where the food was produced, made or packaged. It will no longer be sufficient just to list the country in the manufacturer's address on the label. The new standard includes a broadening of the scope of mandatory country of origin labelling to include unpackaged fresh and preserved pork products and unpackaged fresh and processed seafood, vegetables, nuts and fruit.

When will the new standard come into effect?

The new standard became law (was gazetted) in Australia 8 December 2005. The labelling requirements for unpackaged fresh food, unpackaged processed food and fresh fruit and vegetables in packages that do not obscure the nature or quality of the produce came into force on 8 June 2006.

This gave retailers time to install information systems about their fresh fruit, vegetables, nuts, and seafood, and to train their staff in the new requirements.



The labelling requirements for unpackaged fresh pork and pork products such as ham and bacon take effect on 8 December 2006.

The new country of origin labelling standard for packaged food will be phased in over a two-year period from 8 December 2005. This gives food manufacturers time to make labelling changes when they need to reprint labels, rather than print new labels straight away. This also gives consumers time to understand the new labels. In addition, there will be a further period of twelve months for old manufactured stock (stock-in-trade) to be used up. For example, some canned products labelled under the old requirements may have a shelf life of up to two years.

What are the new country of origin labelling rules for unpackaged food?

Unpackaged fresh and processed fruit and vegetables, nuts, seafood, fresh pork and pork products such as bacon and ham must carry a declaration on a label or a sign near the food that states the country of origin.

This labelling would include, for example:

- both fresh tomatoes and unpackaged sun-dried tomatoes
- unpackaged processed ham and bacon
- unpackaged fresh and smoked fish fillets, and frozen unpackaged crumbed fish fillets
- fresh apples and dried apples.

These unpackaged foods will need to include country of origin information, for example, Australia if produced or made locally, or the name of the relevant overseas country as the case may be.

Does other unpackaged food need to be labelled?

Country of origin labelling applies to unpackaged fresh and processed fruit, vegetables, nuts, seafood, fresh pork and preserved pork products such as bacon and ham. However, where these foods (other than seafood) are mixed with other foods (for example, as in pork sausages including other meats) country of origin labelling is not required.

It does not apply to other unpackaged products such as fresh lamb, beef, chicken, eggs, dairy products, grains and vegetable oils.

Labelling is required on food containing fish, even when mixed with other food.

What are the new country of origin labelling rules for packaged food?

Packaged food has had country of origin labelling for some time. Packaged food must carry a separate statement identifying the country where the food was produced, made or packaged. It will no longer be sufficient just to list the country in the manufacturer's address on the label.

What about labels that are misleading?

The new labels must not mislead consumers. The country of origin information must be accurate. If a consumer is led to believe that a product has a particular origin when this is not the case, there may be a risk of breaching the *Trade Practices Act 1974*.

Some labels say 'made in' or 'product of'. What do they mean?

In Australia, the *Trade Practices Act 1974* sets out defences or safe harbours for 'product of' and 'made in' claims. These defences apply not only to food, but also to other manufactured products such as cars and clothing.

For a food to qualify for the 'product of' claim for a particular country, all of the significant ingredients/components must come from that country, and virtually all of the production and manufacturing must be carried out in that country.



For a food to qualify for a 'made in' claim for a particular country, it must be substantially transformed in that country for which the claim is made, and more than 50% of the cost of production or manufacture must be incurred in that country.



Will the text on the labels have to be a certain size?

Labels on both packaged and unpackaged food must be in English, legible to the average person and distinct from the background. They must be clear and unambiguous. The sign adjacent to unpackaged goods must be legible and in size of type of at least 9 mm, for example:

**PRODUCT OF
AUSTRALIA**

What are some examples of complying labels?

The following tables give some examples of what a country of origin label should look like. It is important to note that there may be alternative wording that complies with the requirements of the Code. The requirements of the *Trade Practices Act 1974* must be carefully considered when labelling food.

