



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

8-05

14 November 2005

**A Feasibility Study into Extending Country of Origin
Labelling to Selected Packaged Fruit or Vegetable
Whole Food Produce**

**DEADLINE FOR PUBLIC SUBMISSIONS ON MATTERS RELEVANT TO THE
SCOPE OF THE FEASIBILITY STUDY: 6 pm (Canberra time) 5 December 2005
SUBMISSIONS RECEIVED AFTER THIS DEADLINE**

WILL NOT BE CONSIDERED

(See 'Invitation for Public Submissions' for details)

Following discussion by the Australia and New Zealand Food Regulation Ministerial Council (Ministerial Council) and subsequent direction from the Australian Government Food Standards Australia New Zealand (FSANZ) is examining the feasibility and cost/benefits of extending country or origin labelling to each of the two (or less) principal whole fruit or vegetable produce packaged together, including where other incidental ingredients are part of such a product.

At the time of this notification New Zealand has yet to define its position on country of origin labelling.

The report on this matter will detail the regulatory impact, cost benefit analysis, an estimation of compliance costs to industry using the 'Costing Tool' recently developed by the Australian Government (Office of Small Business), and the outcome of consultation with stakeholders in regards to further extending mandatory country of origin labelling of packaged fruit and vegetables. Fruit and vegetable juices and soya milks will be within the scope of the report.

Scope of the study

It is proposed that the report address the following:

- If a packaged food contains two or less fruits and/or vegetables (and no other major ingredient), then the fruits and/or vegetables must be labelled with the actual country of origin.

This would include:

- some foods that contains two or less fruits and/or vegetables
- whole, shelled, peeled, chopped or diced fruits and/or vegetables, with or without any incidental ingredients¹. Incidental ingredients include preserving agents, ingredients used in small quantities for flavouring, salt, sugar, colourings and thickeners.
- preserved, dehydrated or frozen fruits or vegetables;
- packaged fresh fruits and vegetables;
- some fruit juices and soya milks (as requested by Ministers);
- where the fruit and/or vegetable is mixed with added water; and
- nuts, seeds, herbs and spices (as part of the definition of fruit and vegetable) unless they are used as an incidental ingredient in which case they would not require labelling.

This does not include:

- most foods (including juices) that contains more than two fruit and/or vegetables
- deconstructed fruits and or vegetables (e.g. pureed, ground or minced fruits or vegetables or vegetable oils) other than juice and soy milk;
- foods that contain other major ingredients (e.g. fruits and or vegetables mixed with meat, dairy foods, fish, cereals, eggs);
- non-alcoholic beverages (other than juice); or
- alcoholic beverages.

In terms of the labelling requirements, it is proposed that this option would require that:

¹Whether an ingredient is incidental is determined by its function in the food, rather than the ingredient *per se*.

- the actual country of origin must be labelled (that is, where the fruit or vegetable has actually been grown); and
- where there is one fruit or vegetable that has been sourced from a number of different countries then each of these countries need to be separately identified.

Examples of foods that would be included in the scope of the proposal are as follows:

Included

Apple and Pear Juice
 Canned apricot and peach
 Canned chickpeas
 Canned Corn in brine
 Canned Tomatoes with Basil (basil would be an incidental ingredient)
 Dried apricots
 Dried oregano
 Frozen peas and corn
 Orange Juice and concentrate, including frozen
 Packaged fresh mixed lettuce
 Soya milk
 Sun-dried tomatoes in oil
 Tinned chopped tomatoes
 Tomato juice

Examples of foods that would and would not be included in the scope of the proposal are as follows:

Not Included

Baked beans
 Creamed corn (deconstructed)
 Flavoured mineral water (deconstructed)
 Frozen mix of 4 vegetables (more than 2 vegetables)
 Fruit flavoured ice-cream (contains another major ingredient)
 Fruit sticks roll-ups (deconstructed)
 Fruit yoghurts (contains other major ingredient)
 Juice with more than two fruits and/or vegetables
 Meat and vegetable curry (contains another major ingredient)
 Packages with a surface area of less than 100 cm² (excluded)
 Pureed bottled baby food (deconstructed)
 Tomato sauce (deconstructed)
 Tomato soup (deconstructed)
 Vegetable Pies (mixed with another ingredient)

Issues for consideration

Some of the issues you may wish to consider in providing initial advice to FSANZ include the following:

- What are the possible benefits of further extending CoOL requirements to each of two (or less) principal whole fruit or vegetable produce packaged together?

- What are the possible disadvantages of further extending CoOL requirements to each of two (or less) principal whole fruit or vegetable produce packaged together?
- What are the likely costs associated with further extending CoOL of fruit and vegetables?
- What are the practical requirements and implications of implementing such a change?
- Please also provide any other comments that you consider may be relevant to FSANZ's work on this issue.

INVITATION FOR PUBLIC SUBMISSIONS ON MATTERS RELEVANT TO THE SCOPE OF THE FEASIBILITY STUDY

The processes of FSANZ are open to public scrutiny, and any submissions received will ordinarily be placed on the public register of FSANZ and made available for inspection. If you wish any information contained in a submission to remain confidential to FSANZ, you should clearly identify the sensitive information and provide justification for treating it as commercial-in-confidence. Section 39 of the FSANZ Act requires FSANZ to treat in-confidence trade secrets relating to food and any other information relating to food, the commercial value of which would be, or could reasonably be expected to be, destroyed or diminished by disclosure.

Submissions must be made in writing and should clearly be marked with the word 'Submission'. Submissions may be sent to one of the following addresses:

Food Standards Australia New Zealand
PO Box 7186
Canberra BC ACT 2610
AUSTRALIA
Tel (02) 6271 2222
www.foodstandards.gov.au

Food Standards Australia New Zealand
PO Box 10559
The Terrace WELLINGTON 6036
NEW ZEALAND
Tel (04) 473 9942
www.foodstandards.govt.nz

Submissions need to be received by FSANZ **by 6 pm (Canberra time) 5 December 2005.**

Submissions received after this date will not be considered, unless agreement for an extension has been given prior to this closing date. Agreement to an extension of time will only be given if extraordinary circumstances warrant an extension to the submission period. Any agreed extension will be notified on the FSANZ Website and will apply to all submitters.

While FSANZ accepts submissions in hard copy to our offices, it is more convenient and quicker to receive submissions electronically through the FSANZ website using the Standards Development tab and then through Documents for Public Comment.

Questions relating to making submissions can be directed to the above address or by emailing slo@foodstandards.gov.au.