

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

**Supplementary Budget Estimates 2013-14, 20 November 2013**

**Question:** E13-194

**OUTCOME:** 1 - Population Health

**Topic:** Truth in labelling

**Type of Question:** Written Question on Notice

**Senator:** Rhiannon

**Question:**

- a) Is there any discussion or consideration to adopt national for truth-in-labelling laws to ensure uniform descriptions of production?
- b) Is there a requirement to label the use of antibiotics in food production?
  - i) If not, what issues and factors would be a barrier to this happening?

**Answer:**

- a) Current legislation covering this issue includes: fair trading laws, requirements for weights and measures declarations, legibility requirements and name or description of the foods.

**Fair trading laws**

Fair trading laws and food laws in Australia require that labels do not misinform through false, misleading or deceptive representations. In Australia, this legislation includes the Australian Consumer Law contained in the *Competition and Consumer Act 2010*, and state and territory Fair Trading Acts and Food Acts. The Australian Competition and Consumer Commission enforces the *Competition and Consumer Act 2010*.

**Weights and measures**

Suppliers must label food products with accurate weights and measures information. Weights and measures declarations are regulated by the Australian National Measurement Institute.

**Legibility requirements**

The Australia New Zealand Food Standards Code (the Code) requires that food labels must be legible, prominent, distinct from the background, and in English. The size of the type in warning statements must be at least 3mm high, except on small packages.

Name or description of the food

Foods must be labelled with an accurate name or description that indicates the true nature of the food, for example 'Strawberry Yoghurt' should contain strawberries. If it were to contain strawberry flavouring rather than real strawberries, the label should indicate that it is strawberry flavoured yoghurt.

- b) There is currently no requirement to label the use of antibiotics in food production. Any changes to food standards to label for antibiotic use would require changes to food regulatory laws in Australia and would need to be based on a robust risk analysis of the proposed requirement by Food Standards Australia New Zealand (FSANZ).

In developing or amending food standards, FSANZ uses a risk analysis framework to ensure food regulatory measures are based on the best available scientific evidence with the aim of protecting public health and safety. In addition to assessing the risk, FSANZ assessments must also consider regulatory guidance from the Office of Best Practice Regulation with any changes to food regulations requiring a Regulatory Impact Statement (RIS). Requirements of a RIS include a risk analysis, cost-benefit analysis, assessment of compliance costs and competition effects and consultation with stakeholders.