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Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

12/11/2009

Dear Sir

The Australian Barramundi Farmers' Association wishes to make a late submission to the review of food labelling law and policy. Perhaps it is our fault for not reading Hansard, but we have written to numerous ministers, and members of Parliament on the issues contained in this submission and have only just been made aware of the Senate Inquiry.

We do have substantive issues with current labelling laws as they impact on our industry.

This industry is confident it can survive and prosper in a complex market with competing fish species and especially much cheaper imported fish provided consumers have accurate information with which to make properly informed choices. Consumers do pay more for Australian product provided they know it is Australian.

The problem is that in the absence of country of origin information, appearance and price often become the determinates of purchase. Worse, the name *Barramundi* implies Australia. Consumers assume Barramundi is from Australia. Only if country of origin is displayed are consumers made aware that the very much cheaper product competing with Australian farmed barramundi is in fact not from Australia with all this implies for quality and environmental standards.

This submission addresses four key issues relating to country of origin labelling. It presents evidence that present country of labelling laws for seafood do not always ensure consumers are able to make confident, informed choices. The submission makes recommendations which if implemented that will assist consumers make purchases that reflect their preferences.

1. Country of Origin Labelling at Point of Sale

Barramundi is an iconic Australian fish species. Especially in the tropical tourist destinations for overseas travel, Barramundi on a menu is virtually "Aussie for fish".

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Until a decade ago, ordering barramundi in fact delivered what was expected – a high quality Australian product.

However, large amounts of Vietnamese and Indonesian fish then entered the market and achieved considerable retail space. In the absence of country of origin identification, because of the expectations exerted by the name “*Barramundi*” consumers often purchased imported product instead of Australian product, presumably in the belief that in fact it was locally produced.

After all, consumers ordering Barramundi believed they were getting an iconic Australian product. They had nothing to tell them otherwise. It would be a bit like ordering *Kangaroo* only to have it farmed in China and not being told.

Europe has addressed this problem by regulating specific food names to regions. Roquefort cheese comes from a very specific region and is made in a very specific way. Champagne is bottle fermented Chardonnay, Pinot noir or Meunier grown and made in a specific region of France. Port, Parmigiana and Burgundy are some other examples.

We understand that Australia will not support a system to reserve the use of the name *Barramundi* for Australian produce. Instead, country of origin labelling for certain fresh produce was a solution that was legislated.

In the absence of exclusivity in the use of the name, we believe country of origin labelling is required to avoid confusion and avoid consumers erroneously believing they are purchasing Australian produce when it is in fact imported. The legislation enhances consumer knowledge and consumer protection. An informed market with good information is clearly better and more efficient than one where a consumer believes they are getting Australian product, but in fact that is not what they end up with.

The Australian Barramundi Farmers Association strongly urges that the Country of Origin labelling requirements for fish for retail sale remain in place.

2. Packaging Labels on Seafood

Packaged frozen Barramundi in cook ready form has recently become available in supermarket cabinets.

The ABFA is very concerned to find this labelled as “Made in Australia from imported and local ingredients ...” meaning it is likely that the fish is entirely imported. If that is the case, probably the only ingredients that are Australian is a coating of desiccated bread.

Whilst in most cases “Made in Australia” and “Product of Australia” labelling is understood and generally has served consumers well, use of “Made in Australia” labelling if the fish is imported, although no doubt legal, is clearly going to mislead and confuse consumers.

Again, the iconic Australianness of “*Barramundi*” on the front label would lead to a presumption of Australian product. Further, a close examination of the fine print back label stating “Made in Australia” would appear to confirm this status. In actual fact, the product being purchased is imported Vietnamese fish, nowhere is this stated!

If an imported fish fillet can be put in a box in Australia and then sold as “Made in Australia” it is misleading. What would make this practice presumably legal is that the “value” of the product is embedded in packaging formed in this country.

For fish, the law needs to provide more protection for consumers.

The Australian Barramundi Association strongly recommends that full Country of Origin disclosure be required on packaged seafood where fish constitutes the principal ingredient and forms the basis of the product being sold.

3. Imported fish labelled as “Made in Australia”

Members of the ABFA have advised that they have been told of that there have been cases of whole fresh fish being flown into Australia, de-headed, filleted and then sold as “made in Australia”. We have not confirmed this, but it may well be legal for the product to be labelled as “Barramundi – Made in Australia”. But, the intention would be to deceive the consumer about the true origins of the food they are eating.

Recommendation

The Australian Barramundi Farmers Association strongly recommends that “Made in Australia” labelling for seafood and seafood products also specify the country of origin of the fish be required to be specified.

4. Seafood Country of Origin Identification for Prepared Meals

Barramundi on a menu raises the legitimate expectation that an iconic Australian fish will be served. The name ***Barramundi*** alone strongly suggests Australian origins. This is especially the case in tropical tourist Australia. Walk along the waterfront of Townsville, Airlie Beach and Shute Harbour, Cairns, Palm Cove and the Gold Coast and Sunshine Coast and just about every restaurant will be selling barramundi. Nearly every fish and chip shop will be selling barramundi.

If barramundi is sold from a fish and chip shop as an uncooked fillet it must have the country of origin displayed. But, if it is coated in bread crumbs, or sold on a plate with chips and salad, country of origin is not required to be displayed. The consumer in such cases is frequently receiving the culinary equivalent of a boomerang made in China, or “authentic” desert paintings done in Indonesia. The problem arises because of the very iconic “Australianness” embodied in the name causes confusion. Consumers deserve better than this.

Last year the Northern Territory legislated to require all food outlets to provide written information on menus and other point of sale material of the country of origin of fish species used in the preparation of food.

The advice of our Northern Territory members is that it has been successful and there is a high compliance by restaurants.

We believe that country of origin labelling should be extended to cover prepared fish items produced and served at food outlets. This call is being strongly supported by the wild caught sector. It is will be popular with the public as consumers. But, we are finding that this call is also being supported by the restaurant industry. This may not be surprising as already quality restaurants take great pride in specifying the origins and production practices of key menu ingredients.

Recommendation

Country of origin labelling for seafood be extended to the restaurant and prepared food items.

Yours faithfully

**ABFA
Contact EO Graham Dalton**