



COUNTRY OF ORIGIN FOOD LABELLING

RESPONSE TO: COMPETITION AND CONSUMER AMENDMENT (COUNTRY OF ORIGIN) BILL 2016 [PROVISIONS]

The Food & Beverage Importers Association is an industry association that has been supporting the imported food and beverage sector for 26 years. The FBIA represents a broad range of members ranging from large multi-national companies to small specialist importers. Imported product includes retail ready products and ingredients for further processing. Importer products includes a wide range of commodities (eg vegetables, fruit, nuts, dairy, seafood, confectionery, oils); in a range of formats (frozen, fresh, roasted, prepared, and canned). Further information on activities and management may be found at the Association's website: www.fbiam.org.au

As noted in the Call for Submissions, the Senate Economics Legislation Committee is seeking industry feedback regarding the amendment to the Competition and Consumer Act 2010 to clarify the country of origin labelling requirements by amending the definition of substantial transformation as it applies to the safety harbour provisions, and removing the 50 per cent production cost test.

The FBIA believe this amendment is the last part in the regulatory framework providing a clear reference and definition for substantial transformation; and a safe harbour against potential charges relating to misleading country of origin claims.

Competition and Consumer Amendment (Country of Origin) Bill 2016 simplifies the 'made in' claim and provides clear rules for the reference 'made in' and amends the definition of substantial transformation.

As far as we can see, the benefit of the Bill is that it simplifies the 'made in' claim by specifying one condition - substantial transformation; and removing the 50% production cost test. There are no additional obligations on importers.

The FBIA supports the Competition and Consumer Amendment (Country of Origin) Bill, as amended. We understand that the version of the Bill which will be introduced into Parliament will incorporate the above amendments.

We would be happy to provide any further information that you may require.