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Monday 21 April 2008

Humane Society International submission to the Senate inquiry into meat marketing

Humane Society International (HSI), the world's largest conservation and animal welfare organisation, welcomes the opportunity to provide the following submission to this Senate inquiry on behalf of over 10 million supporters worldwide, and 40,000 Australian supporters.

As consumer understanding and sentiment continues to grow in regards to animal welfare and the suffering of animals, including more than 500 million animals raised in factory farm environments, many are wanting to make informed choices on the animal-derived food products they purchase and are increasingly looking to organic and free range produce, amongst others, only to be met with an endless variety of undefined terms or labels that are completely void of any information on the farm production method.

Terms currently frequenting the shelves include caged/battery eggs, barn laid eggs, free-range eggs, open-range or range eggs, grain fed, free-range, bred free-range, organic and biodynamic. With such suite of terms, most of which are not defined by legislation, and thus open to interpretation and misuse, it is easy to see how consumer uncertainty is escalating. Further, current laws dealing with animal welfare and animal cruelty are the responsibility of individual states and territories, which has led to an inconsistent array of laws and regulations.

A story on Channel 7's Today Tonight program¹ recently examined some of the issues that are relevant to the terms of reference for this Senate inquiry, including instances of meat substitution, where cheaper cuts of meat and cheaper imports were being falsely and misleadingly sold as a more premium and more expensive product. For example according to the program, lamb (4months-9months) could be sold for \$15-\$20 per kilo; where as mutton (2-3 years) could only be sold for \$5-\$10 per kilo.

¹ Today Tonight Product Labeling story aired on March 3rd 2008 and can be viewed at <http://www.australianpork.com.au/media/Today%20Tonight,%203%20March%2008-%20Labelling.wmv>

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Further, research by the Sydney Morning Herald recently revealed how customers buying organic products including meat products, paying premium prices in comparison to their non-organic counterparts, yet the labelling was often misleading or ambiguous. The article used an example of ‘500 grams of regular minced beef from Coles costing \$5.55, compared with \$7.33 for the organic rival’². However without adequate truth in labelling laws and regulations customers are susceptible to paying premium prices for products that may be labelled with false or misleading claims.

HSI has had direct experience with customers paying premium prices for what they believe to be top quality, organic and free-range products, which are falsely labelled. In December 2007 we were informed by a supporter that David Jones Market Street store Foodhall (Sydney) was selling what they claimed to be organic and free range Christmas hams. When questioned about the substantiality of these claims, HSI was informed that the company had been misinformed by the distributor for the product which had in turn led to the hams being mistakenly labelled as organic and free-range when this was not the case. When even one of the largest and most respected corporate brands is able to mislead the public, it highlights the urgent need to review all truth in labelling laws and regulations to give customers greater peace of mind and the ability to make truly informed choices.

In March 2008, the Australian Law Reform Commission (ALRC) launched its latest edition of the Australian Law Reform Journal, *Reform*, which has been devoted to Animal Law. The ALRC President was quoted as saying ‘*the treatment of animals is increasingly becoming a social and legal issue, as well as an important economic one*’³.

In May 2007, Voiceless released a report entitled ‘*From Label to Liable: Scams, Scandals and Secrecy. Lifting the veil on animal-derived food product labelling in Australia*’⁴. In this report, it is noted that while current legislation requires certain information about animal-derived food products to be disclosed on product labels, only Tasmania and the ACT currently require production systems to be specifically identified, and these are limited to egg production.

HSI believes there is urgent need for all states and territories to

² 23 March 2008 Frith, Maxine “Coming clean on organic logos” viewed online at <http://www.smh.com.au/news/environment/coming-clean-on-organic-logos/2008/03/22/1205602728858.html>

³ Australian Law Reform Commission Media Release 3rd March 2008 “ALRC: Will ‘animal rights’ become the next great social justice movement?” <http://www.alrc.gov.au/media/2008/mr0303.html>

⁴ This publication is available online at http://www.voiceless.org.au/images/stories/reports/Voiceless_Label_to_Liable_Report.pdf

⁵ Section 3 Objects of the Act, *Food Standards Australia New Zealand 1991* viewed online at www.comlaw.com.au

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reform legislation and regulations applying to food labelling, branding and marketing to ensure truth in animal-derived food production labelling. Among other things, such reform should ensure that terms should be limited and adequately defined and linked to consistent national standards, including national standards for animal welfare. Such reform will provide consumers with protection, confidence, and an increased ability to make suitably informed choices.

HSI is also advocating a National Animal Welfare Act that would enable a more consistent approach to animal welfare and animal cruelty legislation and thus afford companion, native and farm animals will greater protection in the future.

We note that the *Food Standards Australia New Zealand Act 1991* (FSANZ Act) which establishes the joint body known as Food Standards Australia New Zealand has among its goals⁵:

- a) *a high degree of consumer confidence in the quality and safety of food produced, processed, sold or exported;*
- c) *the provision of adequate information relating to food to enable consumers to make informed choices;*

We also note that under Section 18 of the FSANZ Act, *the objectives (in descending priority order) of the Authority in developing and reviewing food regulatory measures and variations of food regulatory measures are:*

- 1) *the protection of public health and safety; and*
- 2) *the provision of adequate information relating to food to enable consumers to make informed choices; and*
- 3) *the prevention of misleading or deceptive conduct.*

Whilst HSI contends that inadequate labelling of animal-derived food products such as free range or organic are instances where there is a lack of adequate information available to allow consumers to make informed choices, and in some cases may be regarded as instances of misleading or deceptive conduct, it is our understanding that the FSANZ can only regulate where public health and safety is of prime concern. In addition, there is currently no means by which ethical or environmental concerns can be addressed via the FSANZ.

HSI would strongly recommend the Senate Committee look into means by which the FSANZ Act could potentially be amended to take into account environmental and ethical concerns in addition to the protection of public health and safety.

We thank you for your attention to this matter and hope our submission has provided further information on another aspect of the meat marketing process which we believe needs to be urgently addressed. We look forward

to hearing the results of this Senate inquiry and learning of its recommendations.

Yours sincerely,

A handwritten signature in black ink that reads "Verna Simpson". The signature is written in a cursive, flowing style.

Verna Simpson
Director