



01 May 2014

Committee Secretary  
House of Representatives Standing Committee on Agriculture and Industry  
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**FRDC submission to the country of origin food labelling enquiry**

***Recommendation: The FSANZ Food Standards Code 2.2.3 should mandate the use of the Australian Fish Names Standard***

The Fisheries Research and Development Corporation (FRDC) is a co-funded partnership between the Australian Government and the fishing industry. It was formed as a statutory corporation on 2 July 1991, under the provisions of the Primary Industries Research and Development Act 1989 (PIRD Act) and is responsible to the Minister for Agriculture.

The FRDC undertakes research, development, extension and marketing activities along the whole supply chain – from producer to consumer. The FRDC has also been recently accredited by the Accreditation Board of Standards Development Organisations (ABSDO) to develop Australian Standards in the fields of terminology, sustainability, and operational practices in the fishing industry. A key standard which the FRDC oversees is the Australian Fish Names Standard (AFNS).

The purpose of the Australian Fish Names Standard is to achieve outcomes that are consistent with the aims of industry and government. The key areas the Standard is concerned with are:

1. Improved monitoring and stock assessment enhances the sustainability of fisheries resources

The Australian Fish Names Standard has been added to Fisheries Management Legislation to ensure that all fisheries management agencies are referring to the same species when providing data on capture; thereby making the stock status report possible, and facilitating critical knowledge as to the sustainability of Australian wild caught species.

2. Increased efficiency in seafood marketing improves consumer confidence and industry profitability

The seafood industry, through its approved Standard Development Organisation, helped responsibly develop the standard, which is used by reputable suppliers of seafood. The process is open, transparent and rigorous. It is the only such Standard of its kind in the world.

The Standard provides consumers with some confidence and consistency of what they are buying when purchasing seafood in Australia. However, while the Food Standards Code does refer to the Standard it treats it as a voluntary standard and it is not mandated under the Food Standards Code.

3. Improved accuracy in trade descriptions enables consumers to make more informed choices when purchasing seafood, enhances marketability and reduces the potential for misleading and deceptive conduct.

The Australian Competition & Consumer Commission (ACCC) has primary responsibility to ensure that individuals and businesses comply with Australian competition, fair trading, and consumer protection laws - in particular the Competition and Consumer Act 2010 and have within their power to take action for misleading and deceptive conduct when mislabelling of seafood is concerned.

Fair trading laws and food laws in Australia and New Zealand require that labels do not misinform through false, misleading or deceptive representations. In Australia, this legislation includes the Australian Consumer Law (ACL) contained in the Competition and Consumer Act 2010, and State and Territory Fair Trading Acts and Food Acts. In New Zealand, this legislation includes the Food Act 1981 and Fair Trading Act 1986.

The fish name standard affects the marketability of seafood through the application of consumer-friendly naming and the removal of areas of duplication. For example, the Australian Fish Names Committee just announced, 30 April 2014, the addition of the new group name Flake. This now means that only two shark species, Gummy Shark (*Mustelus antarcticus*) and Rig (*Mustelus lenticulatus*) – a predominant New Zealand species - can be sold or marketed in Australia as Flake.

4. More efficient management of seafood related public health incidents and food safety through improved labelling and species identification reduces public health risk and facilitates efficient product recall arrangements

The mandatory use of fish names is integral to an efficient traceability and food recall system. Accurately knowing what fish has been purchased is the first part of implementing a food recall. The second part which is just as important is knowing where the product is from.

In effect, an effective seafood recall is facilitated by:

- Absolutely no confusion as to the species that is subject to a recall
- As much information as possible as to the source or Country of Origin of the product

Therefore having some form of origin or source labelling is an integral component of a seafood traceability and recall system. The AFNS does not provide this level of detail at present, but could easily be amended to address the situation.

To activate and enforce seafood labelling the Australia New Zealand Food Standards Code - Standard 2.2.3 - Fish and Fish Products would need to be amended to formally recognise the AFNS.

## Conclusion

The obvious flaw in the current seafood labelling system is that the Australia New Zealand Food Standards Code - Standard 2.2.3 - Fish and Fish Products has not mandated the use of the AFNS. This means there is no 'stick' or legislative requirement for compliance.

The FRDC believes the FSANZ Food Standards Code 2.2.3 should be amended, and mandate the use of the Australian Fish Names Standard.

Should you have any questions please call me on 6285 0410.

Yours sincerely



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