

Country of Origin Labelling Requirements

Introduction

A new standard for the labelling of food with its country of origin commenced on 8 December 2005.

Country of Origin Labelling provides consumers with information on the country or countries where their food is grown, manufactured or packaged.

The Country of Origin Labelling (Standard 1.2.11 of the Food Standards Code) is applicable only in Australia. It applies to foods for retail sale and also food sold to catering establishments in catering packs. It does not apply to food sold to the public by restaurants, canteens, schools, caterers or self-catering institutions, where the food sold is for immediate consumption.

When does the new standard come into effect?

The new standard became law on 8 December 2005.

Businesses will have a transitional period to comply with the new requirements of Standard 1.2.11. During the transitional period businesses may continue to use the provisions of the existing Country of Origin Labelling Transitional Standard 1.1A.3 of the Food Standards Code.

The new labelling requirements come into force on:

- **8 June 2006** – For unpackaged fresh food, unpackaged processed food and fresh food in packages that do not obscure the nature or quality of the produce
- **8 December 2006** – For unpackaged fresh pork and pork products
- **8 December 2007** – For packaged food, and once the standard comes into force a further 12 months grace period for compliance of old manufactured stock.

Labelling requirements for packaged foods

A statement on the package must clearly identify where the food was made or produced, or identified as packaged for retail sale. In the case of the product packaged for retail sale, the

statement must identify whether the constituents were imported or are a mixture of local and imported produce.

Labelling requirements for unpackaged foods

The following foods displayed for retail sale require a label on or in connection with the display of the food to:

- identify the country or countries of origin of the food (including Australia); or
- indicate that the foods are a mix of local and/or imported foods, as the case may be.

The above labelling requirement applies to the following foods:

- **Fresh fish**, either singly or mixed with one or more other foods;
- **Fish that has undergone any other processing**, including cooking, drying or coating with another food;
- **Fresh pork and pork preserved** by any process, except where the pork is mixed with food other than those used in preserving the pork and fresh or preserved fruit/vegetables or fresh or processed fish;
- **Whole or cut fruit and vegetables**, fresh or preserved, pickled, cooked, frozen or dehydrated, except where the preserved fruit and vegetables has been mixed with foods other than those used in preserving the vegetables and fresh or preserved pork or fresh or processed fish;
- **Whole or cut fruit and vegetables** displayed in a package that does not obscure their nature or quality. **For the purpose of the Food Standards Code, nuts, legumes, herbs, spices and mushrooms are classified as vegetables.**



Requirement for consistency with Trade Practices Law

The provisions of the new standard follow the principles of the *Trade Practices Act 1974 (Commonwealth)* in respect of the prohibition of false and misleading representations concerning the place of origin of goods.

The Trade Practices Act specifies the circumstances under which statements such as 'product of' 'made in'. Thus:

- **'Product of', 'Produce of' and 'produced in'** are premium claims and the country claimed must be the origin of each significant ingredient of the food and virtually all the process of manufacture of the food must have happened in that country;
- **'Made in' and 'Manufactured in'** can be used only if the food has been substantially transformed in the country claimed and 50% or more of the cost of production must have been incurred in that country. *'Substantial transformation'* is defined as "a fundamental change, such that the food after the change is new and different from before its transformation". As an example, the frying of peanuts in oil is not considered to be a substantial transformation, while curing meat is.
- Qualified claims such as **'Made in Australia from imported ingredients'** or **'Packaged in Australia from local and imported ingredients'** can be used where uncertainty exists around the *'substantial transformation'*, the 50% or more production costs or variability due to seasonal changes of the produce.

Size and legibility of CoOL statements

Labels must be in **English**, **legible** to the average consumer and **distinct** from the background. The signs adjacent to **unpackaged goods** must be in type size of at least **9 mm**.

Where to find more information

The Food Standard Code can be downloaded at the Food Standards Australia New Zealand (FSANZ) website: www.foodstandards.gov.au

FSANZ has produced a user guide on the new requirements. It can be downloaded at the following website:

http://www.foodstandards.gov.au/_srcfiles/CoOL_1st%20Edn-PRINT_with_cover.pdf

Contacts

For further information:

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