



Australian Government
Department of Industry,
Science and Resources

Country of origin labelling for seafood in hospitality settings

Consultation Regulation Impact Statement

Department of Industry, Science and Resources

June 2023

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Consultation Process

A public consultation process is being undertaken to reach a range of stakeholders. It will be important to assess whether any changes to the law would improve outcomes in practice and the extent of any compliance obligations.

Once the consultation process has concluded, a Decision Regulation Impact Statement (Decision RIS) will be developed to outline the evidence gathered and the preferred policy option for the problem. Both this Consultation Regulation Impact Statement (Consultation RIS) and the subsequent Decision RIS will be published by the Office of Impact Analysis (OIA) on the Department of the Prime Minister and Cabinet website.

Request for submissions

The Department of Industry, Science and Resources (the department) welcomes formal written submissions on this Consultation RIS.

Views are sought on the problem identified, further data that can support more accurate modelling, and the robustness of assumptions made. Views are also sought on the costs and benefits of each policy option and any other options that could address the identified problem. In writing your submission, several focus questions have been included in this Consultation RIS as a guide. There is no obligation to answer any or all the questions. There is no limit to the length of submissions. For accessibility reasons, please upload submissions in a Word, RTF, or PDF format.

All submissions to the consultation process will be published, unless authors have indicated they would like all or part of their submission to remain confidential. Specifically, all information (including name and address details) contained in submissions will be made available to the public on the department's website, unless it is indicated that you would like all, or part of your submission to remain confidential. Automatically generated confidentiality statements in emails do not suffice for this purpose. Anyone who would like part of their submission to remain confidential should provide this information marked as such in a separate document.

A request made under the *Freedom of Information Act 1982* (Cth) for a submission marked 'confidential' to be made available will be determined in accordance with that Act.

This Consultation RIS has been developed with reference to submissions and feedback received in response to the department's [Country of origin labelling for seafood in hospitality settings: discussion paper](#). However, specific questions are likely to arise from this document which may not have been considered during that consultation process and the department may undertake further targeted consultation with key stakeholders if necessary.

Closing date for submissions

Closing date	Close of Business: XX
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Glossary of terms

ABARES Australian Bureau of Agricultural and Resource Economics and Sciences

ACCC Australian Competition and Consumer Commission

ACL Australian Consumer Law

ANAO Australian National Audit Office

CBA Cost benefit analysis

CoOL Country of origin labelling

Consultation RIS Consultation Regulation Impact Statement

Decision RIS Decision Regulation Impact Statement

FRDC Fisheries Research and Development Corporation

IGA Intergovernmental Agreement for the Australian Consumer Law

OIA Office of Impact Analysis

RIS Regulation Impact Statement

1. Introduction

Purpose

On 25 October 2022, the Minister for Industry and Science, the Hon Ed Husic MP, announced the Australian Government's intent to work with the seafood and hospitality sectors to develop mandatory country of origin labelling for seafood in hospitality (Seafood CoOL) that will help consumers know if the seafood they order is Australian, while minimising costs and compliance burden on businesses.¹

The department has prepared this Consultation RIS to seek stakeholder feedback on the policy options it canvasses and to determine the relative impact of those options including costs and benefits. This Consultation RIS provides an overview of the problem the Government is seeking to address, the impacts of the problem on consumers and businesses, and provides a preliminary analysis of the policy options being considered.

Consultation objectives

Consistent with the Government's announcement on 25 October 2022, the objective of this Consultation RIS is to help assess options for providing increased information to consumers about the origin of seafood, without resulting in disproportionate or undue costs to small and medium-sized enterprises (SMEs). The policy options considered in this Consultation RIS will need to complement existing regulatory frameworks, including the [Country of Origin Food Labelling Information Standard 2016](#) (CoOL Standard) and broader Australian Consumer Law (ACL), which prevents misleading or deceptive conduct when selling products such as food. Any Seafood CoOL policy option considered by government will be required to be consistent with Australia's international trading obligations.

As the mandatory options set out in this Consultation RIS would be implemented through an amendment to the ACL, consumer affairs ministers will vote on Seafood CoOL in accordance with the [Intergovernmental Agreement for the Australian Consumer Law](#) (IGA). This consultation will also inform the regulatory, financial, business and community impacts of the policy options being canvassed in this Consultation RIS. This will assist the consumer affairs ministers to better assess the costs and benefits of the options before making a decision on whether mandatory Seafood CoOL is implemented.

The policy options identified in this Consultation RIS are not intended to indicate other characteristics of seafood, such as quality or safety, nor to extend mandatory country of origin labelling (CoOL) to other proteins or other settings. These areas are outside the scope of current considerations. The policy options have not received Australian Government approval and are not yet law. As a result, this Consultation RIS is merely a guide as to how the policy options might be implemented to address the problem.

¹ The Hon Ed Husic, '[Backing regional industry and delivering secure jobs for the future](#)', Budget Media Release, 25 October 2022, accessed 9 May 2023.

The Australian Consumer Law

The ACL is part of the *Competition and Consumer Act 2010*² and aims to protect Australian consumers and encourage fair trade and competition. The ACL is a national law administered jointly by Commonwealth, state and territory consumer protection agencies.

The ACL aims to:

- improve consumer wellbeing through empowerment and protection
- foster effective competition
- enable the confident participation of consumers in markets in which both consumers and suppliers trade fairly.

The ACL includes the CoOL Standard which requires origin labelling for most food sold in Australian retail settings, such as supermarkets and grocery stores. It does not currently apply to food service settings, such as restaurants, cafés and hotels.

Amending the ACL

As a law administered jointly by jurisdictions, certain processes must be followed to amend the ACL, set out in the IGA. Any jurisdiction may submit a proposal to amend the ACL. A proposal which describes the problem being addressed and the features of proposed amendments, discusses alternatives, and includes supporting material (which may include a regulation impact statement, RIS), triggers the commencement of a formal consultation led by the Commonwealth and, subsequently, voting by jurisdictions.

Summary of identified problem and policy options

Problem	Consumers lack consistent access to origin information for seafood sold in hospitality settings and are therefore unable to make informed purchasing decisions in line with their personal preferences
Options	1. Status quo 2. ACL information standard – Australian (A)/Imported (I)/Mixed (M) (AIM) model 3. ACL information standard – country model

1. Are there any alternative ways to address the problem?

² [Competition and Consumer Act 2010 \(Cth\) sch 2](#)

2. Key questions

1. Are there any alternative ways to address the problem?
2. What is the impact of this lack of consumer information on seafood origin information in hospitality settings?
3. How important is price point when you make decisions about buying seafood in hospitality settings?
4. Will seafood origin information in hospitality settings change your purchasing behaviour with buying seafood?
5. How much will it cost business to implement the AIM model? If possible, please provide estimates for immediate, short term, and long-term costs.
6. How will hospitality businesses benefit from the AIM model in the short and long-term?
7. How much will it cost business to implement the country model? If possible, please provide estimates for immediate, short term, and long-term costs.
8. How will hospitality businesses benefit from the country model in the short and long-term?
9. Which of the 3 policy options do you prefer, and why?
10. Do you agree with the costs and benefits set out for each option? If not, please identify which costs or benefits you disagree with and why.
11. Do you think there is any relevant information missing from the options? Please specify.

3. The problem

Consumers lack consistent access to origin information for seafood sold in hospitality settings

Consumer access to origin information for seafood in hospitality settings currently relies on businesses' willingness to voluntarily provide this information, either through signage or in response to customer queries. This lack of easily accessible and consistently displayed information means consumers may be unable to make educated or informed purchasing decisions for seafood in hospitality settings in line with their personal preferences.

Seafood country of origin information is provided through the supply chain to hospitality businesses as part of food standards and other CoOL requirements. If hospitality providers are not passing on origin information to consumers, and this information is desired by consumers to inform their purchasing decisions, then a situation of information asymmetry arises. This lack of information affecting purchasing decisions and power could lead to market distortion. In an effort to alleviate this problem for consumers, the department is investigating policy options on country of origin labelling for seafood in hospitality settings.

Why is this a problem?

CoOL is often a key factor for consumers when they are considering what food to buy.³ Consumers consider a range of factors including personal values and perceptions on price, quality, and branding when making purchasing decisions.⁴

Seafood is the fourth most consumed 'protein' in Australia, after beef, pork, and poultry.⁵ About 356 kilotons of seafood was consumed in Australia in 2020-21 which equates to about 12.4 kg per person. Consumer demand for CoOL information for seafood has been identified as being higher than other food.⁶

In Australia most protein-based foods are sourced locally. Many consumers are unaware that most seafood consumed in Australia is imported and informing consumers about the country of origin of seafood is a unique problem. As a food product, seafood is twice as likely to be imported than other proteins⁷ thereby making it a unique problem space compared to other proteins.

The extension of the CoOL Standard to seafood in hospitality settings has been considered and the transformative costs would be too high, and another solution must be found.

What is the extent of the problem?

CoOL became mandatory on most foods and beverages for retail sale in 2018 under the CoOL Standard (see Appendix B). The CoOL Standard allows customers to make informed decisions about what they purchase to cook at home. However, hospitality venues and settings are not currently required to label the country of origin for food, including seafood, they serve.

³ Evaluation of Country of Origin Labelling reforms [Final Report](#), July 2021

⁴ As above

⁵ ABARES, [Seafood consumption in Australia](#), 2021

⁶ As above

⁷ As above

Some hospitality businesses provide seafood origin information by choice, especially in high-end businesses and on premium seafood. However, there has not been significant voluntary uptake of providing this information to consumers in the hospitality sector. Consumers can ask hospitality businesses for origin of seafood information at any time, however many consumers responding to the department's discussion paper commented that servers are often unable to provide this information.

The [2021 Evaluation of Country of Origin Labelling for Food](#) (CoOL Evaluation) attempted to estimate how many Australian food service businesses currently provide seafood origin information. Using the best available information, the evaluation conservatively estimated that only around 1% of businesses that offer seafood were providing origin information.⁸ These businesses consisted of certain large fast-food outlets such as McDonalds and Domino's Pizza, high-end restaurants, and businesses subject to the Northern Territory's (NT) seafood labelling requirements.⁹

What are the impacts of the problem?

Consumers want to have information on the origin of the seafood they are buying.¹⁰ The lack of Seafood CoOL means that Australian consumers are not able to make informed decisions or choices to purchase their most preferred seafood products. Consumers are not aware that seafood served in hospitality settings is more likely to be imported than sourced from Australian fisheries.¹¹ It is estimated that around 62% of seafood sold in Australia is imported¹², with around three quarters of imported seafood coming from six main trading countries.¹³

Australian seafood producers and representatives of the seafood industry believe consumers commonly assume that, like other protein, seafood is likely to be locally sourced. As a result, consumers may not think or know to question the origin of seafood, particularly when dining near the sea or areas known for seafood, and when the seafood has an Australian name (such as 'barramundi').¹⁴ In a 2015 survey, 50% of consumers indicated that they assume the seafood they purchase is Australian if there is no stated country of origin.¹⁵ Some businesses are concerned that voluntarily labelling their seafood as imported may disadvantage them if competitors, also selling imported seafood, do not label.

Case study – Coastal town

Jane owns a fish and chip shop in a coastal town. She uses both local and imported seafood depending on seasonal availability. Jane chooses to provide information on the origin of seafood to customers on menu boards. Martin owns a fish and chip shop down the road from Jane. He also uses a combination of local and imported seafood but does not provide any origin information. Bill is on holiday and wants to have fish and chips thinking that the fish will be fresh at the coast. Bill sees that

⁸ As above

⁹ As above

¹⁰ Department of Industry, Science and Resources ['Country of origin labelling for seafood in hospitality settings: Discussion paper'](#) 2022, feedback finding over 95% of consumers agreed with this statement.

¹¹ ABARES, [Seafood consumption in Australia](#), 2021

¹² As above

¹³ FRDC, [Australian seafood exports](#), 2020

¹⁴ Prof. M Lawley ['A Final Seafood Omnibus: Evaluating changes in Consumer attitudes and behaviours: Longitudinal Study'](#), Australian Seafood Cooperative Research Centre (Seafood CRC) (2015)

¹⁵ As above

Jane's fish of the day is not local. He assumes Martin's fish is local because it does not say otherwise so he chooses to order from Martin's shop.

Increased transparency in seafood origin information may help ensure 'equal playing field' or fair competition in the marketplace for the Australian seafood industry. However, without clear and consistent seafood origin information, businesses may charge consumers higher prices for imported seafood that does not cost them what it would to sell Australian produce. The assumption made by consumers is they are paying for a product and due to information asymmetry, they are not getting what they paid for.

In response to the department's discussion paper, many consumers reported that, when they ask hospitality venues for information on the origin of seafood, staff often do not have the information or do not know. This enquiry process takes extra time and effort for both consumers and staff, which could potentially be reduced significantly if labelling were clearly displayed in a standardised and accessible format.

Case study – Alice

Alice is having dinner with friends at a Japanese restaurant that does not label the origin of seafood. Alice asks her server where the fish in the sashimi dish is from. The server is unsure and goes to the kitchen to check with the chef. The chef is also unsure and needs to look for the shipping slip to confirm. Having to wait for the server and chef to confirm the origin means Alice and her friends are delayed ordering. While the server and chef are occupied with Alice's enquiry, other diners also must wait to order and receive their meals.

2. What is the impact of this lack of consumer information on seafood origin information in hospitality settings?

Is government action needed?

Consumers, consumer groups, the seafood industry, academics, and environmental advocacy groups have sought greater transparency in the origins of seafood information in the Australian market and hospitality settings through many legislative reviews and pathways for many years. These attempts at broadening consumer information through market forces and an extension of the CoOL Standard have not been actioned. Feedback in response to the department's discussion paper showed overwhelming consumer desire and support for more clarity around seafood origin information in hospitality settings to inform their purchasing decisions.

While there are alternatives to government action, they would not be viable or sufficient to address issue. Industry capacity to lead action on this issue may also be limited given the current economic climate, especially as many businesses and industries across Australia are still gradually recovering from COVID-19 and other disruptions such as natural disasters and global crises. Therefore, the market is unlikely to resolve the issue on its own.

Alternatives to government action

Other potential ways to improve the availability of origin information include:

- a voluntary or industry-led standard

- an education and awareness campaign

A voluntary or industry-led standard would require action from the hospitality industry, or cooperation between the hospitality industry, Australian seafood producers, and seafood importers. The hospitality industry is unlikely to take action on this issue on its own as it would be responsible for implementation costs and other business impacts. Whereas most of the benefits from increased origin information would be gained by consumers and seafood producers. The hospitality industry, Australian seafood producers and seafood producers have also historically had conflicting views on origin labelling and have different interests and priorities. It is unlikely that they would reach a consensus on an approach without intervention.

Voluntary and industry-led standards are not likely to be able to offer the same level of consistency and benefit to consumers as mandatory labelling. As businesses could choose whether or not they adopt the standard, origin information would still only be available at some venues or displayed/defined differently. As a result, consumers may not know to expect it or think to look for it. This is consistent with the CoOL Evaluation's findings which found that while voluntary labelling would not impose as much cost or regulatory burden, it also would not provide as much benefit overall because less information would be available to consumers compared to mandatory labelling across the industry.¹⁶

Businesses could choose to label seafood based on their own definitions and interpretations of 'origin'. For example, one business may label based on the country where fish was caught, whereas another may label based on where it was processed or packaged. Even with a well-defined industry standard, it would be difficult for consumers to know if businesses are adopting the standard or their own definitions, which could result in greater uncertainty and confusion.

Actions such as promoting voluntary uptake of labelling, educating consumers about seafood origin, and encouraging them to ask about seafood origin would likely face similar issues as the information being provided could be inconsistent or not available at all.

3. Is there a market-based solution with the capacity to solve the lack of consumer information around the origins of seafood without government intervention?

Do consumers desire action?

Of the consumers that provided submissions in response to the department's discussion paper, over 95% indicated support for seafood origin information. Consumers agreed that having access to standardised information on seafood origins would assist them to make purchasing decisions in these hospitality settings.

Consumer support for domestic seafood produce has increased since the beginning of the COVID-19 pandemic. IBISWorld forecast that consumers will become increasingly conscious of how their fish and other seafood products are sourced over the coming years.¹⁷ Additionally, the CoOL Evaluation investigated consumer desire for seafood origin labelling, with 62% of consumers expressing support for extending CoOL to food service settings.

¹⁶ Evaluation of Country of Origin Labelling reforms [Final Report](#), July 2021.

¹⁷ IBISWorld (2020) Seafood Retailing in Australia: Fish out of water: The outbreak of COVID-19 has reduced industry demand and revenue, November 2020

Colmar Brunton research (2015)¹⁸ which informed the introduction of CoOL on food in retail settings found that “the majority of participants expressed a desire to buy Australian made and a conscious effort to check CoOL. Few stated that they simply did not care. For others and particularly those on low incomes, price point considerations over-rode CoOL, even if the desire to buy Australian made was strong.”

A survey conducted by consumer group, CHOICE, found that over 98.6% of consumers believe knowing where the food and drink they buy comes from is important, and that over 90% of consumers use CoOL to make decisions when buying food at the supermarket.¹⁹ CHOICE previously noted that food origin labelling is only second in importance to the actual ingredients contained in food.²⁰

4. How important is price point when you make decisions about buying seafood in hospitality settings?
5. Will seafood origin information in hospitality settings change your purchasing behaviour with buying seafood?

What is governments’ ability to intervene?

This Consultation RIS seeks a greater understanding of the role for governments in intervening to effectively address the problem. The problem exists similarly nation-wide with the exception of the NT.

Governments have previously demonstrated the ability to address matters like lack seafood origin information in the past. Previous government action to address information asymmetry matters with CoOL in retail settings was highly successful. The CoOL Evaluation found that the scheme for retail was well implemented, effective and met its objective of improving consumer understanding about the origins of their food.²¹ The CoOL Evaluation also found that many consumers use these labels as a part of their decision-making process.

In administering the CoOL Standard, the Australian Government has shared administrative and regulatory responsibilities with state and territory governments. If government did decide to address seafood origin information, their role would be to provide leadership and coordination to develop and agree a national approach to solving this unique problem.

¹⁸ Colmar Brunton (2015) Country of Origin Food Labelling Research, Report to the Australian Government Department of Industry and Science

¹⁹ CHOICE [submission to CoOL evaluation](#), 2020

²⁰ House of Representatives Standing Committee on Agriculture and Industry, [A clearer message for consumers: Report on the inquiry into country of origin labelling for food](#), October 2014

²¹ Evaluation of Country of Origin Labelling reforms, [Cost Benefit Analysis](#), July 2021

4. Policy options

Option 1 – status quo

Under the status quo, hospitality businesses would continue to be able to provide seafood origin information at their convenience and in line with their own categorisation of origin (i.e., where the seafood was caught vs processed). Consumers would be on their own recognisance to either know or to make enquiries about seafood origin information of the seafood they are purchasing in a hospitality setting. This information asymmetry about knowing where seafood originates when purchased at a retail setting and not knowing when you are in a hospitality setting would persist.

Impact analysis

There would be no change to the current situation, and no increase or impact on regulatory costs or savings to governments. Consumers would not have greater access to seafood origin information and would continue to purchase seafood with limited or no origin information available. This would impact on their ability to make educated or informed choices in line with their preferences.

Currently, seafood origin information supplied to consumers is based on luck or businesses who choose to voluntarily disclose the information. Seafood origin information would be displayed differently across venues (as it is now). As a result, consumers may not know to expect it, think to look for it or request that information.

Estimated costs and benefits

Benefits	Costs
<ul style="list-style-type: none">No additional costs	<ul style="list-style-type: none">Consumers lack consistent access to origin information on which to make purchasing decisionsBusinesses continue to label based on own interpretations of 'origin', potentially causing confusion or misinterpretationInformation asymmetry problem continues

Option 2 – ACL information standard – AIM model

The AIM model is set out in the department's [discussion paper](#) and would require businesses to label on menus, display boards or anywhere fish for sale is advertised, whether seafood is:

- Australian (A)
- Imported (I), or
- Mixed origin (M) (if a dish contains both Australian and imported seafood).

The model would be implemented through a new information standard under the ACL. The government would run an education and awareness campaign to introduce any regulatory change.

6. How much will it cost business to implement the AIM model? If possible, please provide estimates for immediate, short term, and long-term costs.
7. How will hospitality businesses benefit from the AIM model in the short and long-term?

Impact analysis

The AIM model would result in increased regulatory requirements for impacted hospitality businesses and increased compliance and enforcement responsibilities for government.

Consumers would benefit from increased information to inform their purchasing decisions, both through labelling and the accompanying education and awareness campaign run by government to introduce the regulatory changes.

Sources of seafood can change for a variety of reasons, including seasonal availability and supply chain disruptions or shortages. Requiring businesses to differentiate between Australian seafood, imported seafood, or dishes that contain a mix of both, rather than more specific country or region information should reduce the frequency of menu and information updates.

To help indicate the potential implementation expenses for businesses, the costs to implement seafood labelling requirements in the Northern Territory (NT) were relatively modest.²² On average, NT venues advised they spent \$630 implementing requirements. With inflation applied, the costs may average around \$1000 in 2023. Costs to venues were higher initially as large expenditure items, such as menu and display boards were updated. These costs subsequently decreased over time. However, it should be noted that the NT is a small food sector market and may not be reflective in nationwide costs to hospitality businesses.

Expected costs and benefits

Benefits	Costs
<ul style="list-style-type: none"> • Consumers have access to consistent origin information across all venues on which to base their purchasing decisions • Consumers are better educated about seafood origin and the information businesses must provide • Hospitality businesses will benefit from greater consumer confidence in business • Simple labelling model lower cost on business • The problem of asymmetry would no longer exist 	<ul style="list-style-type: none"> • Hospitality businesses will incur costs updating menus, displays etc. as well as ongoing administration costs • Government will incur education and awareness campaign costs, as well as ongoing compliance and enforcement costs • Consumers may face higher costs if businesses pass their costs on

²² FRDC (2011) Tracking the impacts on seafood consumption at dining venues arising from the North Territory's seafood labelling laws, By Calogeras C, Morgan S, Sarneckis K, Cooper L and Lee TY, June 2011. 69

Option 3 – ACL information standard – country model

Like the AIM model, the country model would require hospitality business to label on menus, display boards or anywhere fish for sale is advertised. Under this model the seafood would need to be labelled with the country of origin. For example:

Barramundi (Thailand)

The model would be implemented through a new information standard under the ACL. The government would run an education and awareness campaign to introduce any regulatory change.

8. How much will it cost business to implement the country model? If possible, please provide estimates for immediate, short term, and long-term costs.
9. How will hospitality businesses benefit from the country model in the short and long-term?

Impact analysis

The country model would result in increased regulatory requirements for impacted hospitality businesses and increased compliance and enforcement responsibilities for government.

Because sources of seafood can change for a variety of reasons, including seasonal availability and supply chain disruptions or shortages, requiring businesses to identify the specific country of origin would increase the frequency of menu and information updates.

Consumers would benefit from increased information to support their purchasing decisions, both through labelling and the accompanying education and awareness campaign run by the government to introduce the regulatory changes. This model would require a carefully constructed education campaign, which addresses any consumer food safety concerns about seafood imports from certain countries or regions.

Expected costs and benefits

Benefits	Costs
<ul style="list-style-type: none"> • Consumers have access to consistent origin information across all venues on which to base their purchasing decisions • Consumers are better educated about seafood origin and the information businesses must provide • Hospitality businesses will benefit from greater consumer confidence in business • The problem of asymmetry would no longer exist 	<ul style="list-style-type: none"> • Hospitality businesses will incur costs updating menus, displays etc. as well as ongoing administration costs • Government will incur education and awareness campaign costs, as well as ongoing compliance and enforcement costs • Consumers may face higher costs if businesses pass their costs on

Further impact analysis

The department is commissioning a CBA. It will gather further insights and data around any gaps in information on the policy options. The CBA will test and confirm impacts to relevant stakeholder groups. It will be key to informing what policy options are viable for the Decision RIS.

The CBA will consider questions and data around consumer behaviours and preferences, and what seafood origin information they need to make informed choices when purchasing seafood in hospitality settings. The CBA will test the assumptions on the impacts to hospitality businesses, including how practical it will be for them to implement, how it may impact sales, how costly or burdensome. Finally, the CBA will examine costs and benefits to other stakeholders, including government and seafood businesses.

10. Which of the 3 policy options do you prefer, and why?
11. Do you agree with the costs and benefits set out for each option? If not, please identify which costs or benefits you disagree with and why.
12. Do you think there is any relevant information missing from the options? Please specify.

Previous reviews

This issue has been examined numerous times in the past by varying levels of government, by industry, and consumer groups, including:

- Labelling Logic: Review of Food Labelling Law and Policy, an independent review of national food labelling law and policy, conducted by Dr Neil Blewett in 2011 (Blewett Review)
- Senate Rural and Regional Affairs and Transport References Committee inquiry into the requirements for labelling of seafood and seafood products in 2014
- House of Representatives Standing Committee on Agriculture and inquiry into CoOL for food in 2014
- Senate Rural and Regional Affairs and Transport Legislation Committee inquiry into the Food Standards Amendment (Fish Labelling) Bill 2015, a private Senator's bill, in 2015
- Joint Select Committee on Northern Australia inquiry into opportunities for expanding aquaculture in Northern Australia in 2016
- Productivity Commission inquiry into Regulation of Australian Marine Fisheries and Aquaculture Sectors in 2016
- Seafood Origin Working Group (Industry-led), chaired by the Hon Craig Laundy MP, former Assistant Minister for Industry, Innovation and Science, in 2017.
- The Australia and New Zealand Ministerial Forum on Food Regulation and the former Legislative and Governance Forum on Consumer Affairs consideration of extending origin labelling to seafood in food service in 2018
- Department of Industry, Science and Resources 'Evaluation of Country of Origin Labelling for Food 2020-2021'
- Queensland Parliament 'Food (Labelling of Seafood) Amendment Bill 2021'
- The House of Representatives Standing Committee on Agriculture and Water Resources inquiry into Australian aquaculture sector 2022.

The most recent investigation on the issue undertaken by the department was the [CoOL Evaluation](#). The matter of increasing information for consumers on the purchasing of seafood in hospitality settings was not fully assessed in this report.

The CoOL Evaluation found that the benefits of seafood labelling in hospitality would probably not outweigh the costs, but no investigation of this matter was undertaken. The selling of seafood in hospitality settings was not the primary focus of the evaluation and there was no cost benefit analysis undertaken. The findings of this report were indicative only and that it stated that a more in-depth assessment was required.

What the report did find was that mandatory labelling was found to be more beneficial than voluntary labelling or information giving to consumers. It was the mandatory labelling information that was driving the increased benefits to consumers.

The Northern Territory (NT) is currently the only Australian jurisdiction with a form of mandatory origin labelling. Under legislation introduced in 2008, fish retailers (such as restaurants, food vans, supermarkets) are required to label seafood as imported if it was not harvested in Australia. Imported seafood must be labelled with an 'i' or an 'I' on packaging, menus, display boards, pamphlets, and other advertising materials. Dishes containing seafood of mixed origins need to be labelled as 'contains imported seafood products.'

The FRDC reviewed the NT scheme in 2011.²³ It found there was support from the food services sector and consumers, compliance was relatively high, and business costs appeared to be relatively modest. However, it also found that some consumers mistakenly assumed that unlabelled seafood was imported, instead of seafood with Australian origin not requiring labelling.

Other Australian state and territory governments have also considered mandatory origin labelling for seafood in past years. Most recently with Queensland Government's 'Food (Labelling of Seafood) Amendment Bill 2021' referring the issue to the Commonwealth in 2022 as it was a consumer information, rather than a food safety, matter.

There have also been various similar industry and government initiatives and resources on seafood origin, including encouraging consumers to ask about it when dining out, and helping them find Australian seafood if it aligns with their preferences. For example, while not directly related to origin labelling, the seafood industry has taken action to help educate consumers about seafood origin.

In 2020, Seafood Industry Australia launched the Great Australian Seafood brand, website, and marketing campaign, which was funded by the Australian Government under the \$1 billion COVID-19 Relief and Recovery fund. The primary aim of the industry-led initiative is to promote all sectors of the Australian seafood industry, from fishers to foodservices.

The Great Australian Seafood website includes a Fish Finder tool to help consumers search for suppliers and fish and chip businesses that sell Australian seafood near them.

Other initiatives include:

- the New South Wales Government's [Eat More Seafood](#) program, which provides grants for projects to increase community awareness of the benefits of buying seafood locally
- the Tasmanian Seafood Industry Council's (TSIC) [Eat More Tassie Seafood](#) grant for projects that promote Tasmanian seafood, and TSIC's [Seafood Trail](#) which promotes seafood tourism
- [FoodWise](#) guidance on buying sustainable fish
- [Safe Food Queensland](#) information on Australian seafood.

²³ FRDC (2011) Tracking the impacts on seafood consumption at dining venues arising from the North Territory's seafood labelling laws, By Calogeras C, Morgan S, Sarneckis K, Cooper L and Lee TY, June 2011. 69

Country of Origin for Food Labelling Information Standard 2016

The *Country of Origin Food Labelling Information Standard 2016* (the CoOL Standard) requires that most food products sold in retail settings in Australia be labelled with information about the country where the product was grown, produced, made, or packed.

It has been a mandatory requirement under the ACL since 2018 and its use is enforced by the ACCC, in partnership with state and territory consumer protection agencies.

Labelling requirements differ depending on whether the food was grown, produced, made, or packaged in Australia or in another country. In general, the CoOL Standard requires a statement of origin and/or a standard mark (a green and gold kangaroo logo and a graphic showing the proportion of Australian ingredients) to be present on packaging or a label for the food product.

All food sold in foodservice, such as restaurants, cafes, canteens, and catering, has been historically exempt. Any country of origin information provided by businesses in these settings is entirely voluntary but, under ACL protections, the information must not be false, misleading, or deceptive.

Overview of relevant industries

Fisheries and aquaculture

The gross value of fisheries and aquaculture production in Australia in 2019-2020 was \$3.15 billion.²⁴ The seafood industry in Australia provides employment for almost 17,000 of people in fisheries and aquaculture, associated seafood processing and indirectly through flow-in business activity in other sectors.

Hospitality

Accommodation and Food Services is a large employing industry. It employs 967,000 people has a gross value of \$40.6 billion to the Australian economy.²⁵ The hospitality sector across cafes, restaurants and takeaway food services was quantified with an annual revenue of \$45.78 billion in 2021.²⁶ Cafes, Restaurants and Takeaway Food Services is the largest sector in the Accommodation and Food Services industry, employing 72.3% of workers.²⁷

²⁴ SafeFood Queensland, [‘Spotlight on...Australia’s Seafood Industry’](#) (2021)

²⁵ As above and [SavvySME](#)

²⁶ Statista, [Annual revenue of cafes, restaurants and takeaway food services in Australia from 2004 to 2022](#), January 2023

²⁷ Jobs and Skills Australia, [Labour Market Insights: Accommodation and Food Services](#), 2023