



COVERSHEET

Minister	Hon Kris Faafoi	Portfolio	Commerce and Consumer Affairs
Title of Cabinet paper	Policy Approvals for a Consumer Information Standard: Country of Origin of Regulated Foods	Date to be published	9 December 2019

List of documents that have been proactively released

Date	Title	Author
24 September 2019	<i>Policy Approvals for a Consumer Information Standard: Country of Origin of Regulated Foods</i>	<i>Office of the Minister of Commerce and Consumer Affairs</i>
24 September 2019	<i>Country of Origin of Regulated Foods: Proposed Consumer Information Standard DEV-19-MIN-0252</i>	<i>Cabinet Office</i>
24 September 2019	<i>Impact Summary: Consumer Information Standard for Country of Origin Labelling</i>	<i>MBIE</i>

Information redacted

YES / NO (please select)

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Some information has been withheld for the reason of Confidential advice to Government.



Cabinet Economic Development Committee

Minute of Decision

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Country of Origin of Regulated Foods: Proposed Consumer Information Standard

Portfolio Commerce and Consumer Affairs

On 18 September 2019, the Cabinet Economic Development Committee:

Background

- 1 **noted** that the Consumers' Right to Know (Country of Origin of Food) Act 2018 requires the Minister of Commerce and Consumer Affairs to recommend the making of regulations under the Fair Trading Act 1986 prescribing a consumer information standard for the disclosure of the country or place of origin of certain foods by June 2020;

Proposed regulations

- 2 **agreed** that:
 - 2.1 the country or place of origin of fruit and vegetables must be disclosed by reference to where it was grown;
 - 2.2 the origin of meat must be disclosed by reference to where the animal was raised;
- 3 **agreed** that the country or place of origin of fish or seafood must be disclosed by reference to the territorial region in which the fish or seafood was caught or harvested, and if caught in international waters, it must be disclosed by reference to the region in international waters;
- 4 **agreed** that the country or place of origin of cured pork must be disclosed by reference to where the pigs were raised;
- 5 **agreed** that a food is no more than 'minimally processed' if it has been, at most, subject to certain processes (including, for example, size reduction, deboning/filleting, blanching, refrigerating, or surface treating);
- 6 **agreed** that cured pork be either:
 - 6.1 a processed pork product that contains at least 30 percent pork flesh and is represented for sale as bacon or ham; or

- 6.2 a processed pork product that contains or is made of whole muscle cuts or pieces of pork flesh, contains at least 66 percent pork flesh, and contains, for the primary purposes of preservation, either added salt and nitrite and/or nitrate, or added salt (such as for dry-cured products);
- 7 **agreed** that where food is supplied or offered for supply where the food is physically present, the information must be disclosed in a written format clearly in connection with the food;
- 8 **agreed** that where food is offered or advertised for supply other than where the food is physically located, the information must be disclosed in a written format on the offer or the advertisement for supply;
- 9 **agreed** that the information must be disclosed in English or Te Reo Māori, be legible, and be prominent so as to contrast distinctly with the background of the label;
- 10 **agreed** to exclude food from being a regulated food if it is supplied, or offered or advertised for supply online, where the retailer believes that the country or place of origin may change between ordering and delivery, or the country or place of origin varies between individual retail stores;
- 11 **agreed** that where the proposal in 10 above applies, the following requirements will apply:
- 11.1 if the retailer believes that the country or place of origin may change between ordering and delivery, the retailer must state the country or place of origin of its stock at the time of ordering, and indicate that the country or place of origin for delivery is subject to change; or
- 11.2 if the country or place of origin of the regulated food varies between individual stores, all possible countries or places of origin must be listed as alternatives;
- 12 **agreed** to exclude food from being a regulated food if it is advertised for supply somewhere other than where the product is physically located, where the retailer reasonably believes that the country or place of origin may change between advertisement and purchase, or the country or place of origin varies between individual retail stores;
- 13 **agreed** that where the proposal in paragraph 12 above applies, the following requirements will apply:
- 13.1 if the retailer believes that the country or place of origin may change between advertisement and purchase, the retailer must state the country or place of origin of its stock at the time of advertisement; or
- 13.2 if the country or place of origin of the regulated food varies between individual stores, all possible countries or places of origin must be listed as alternatives;
- 14 **agreed** to exclude food from being a regulated food where it is advertised for supply over an audio-only medium (such as the radio);
- 15 **agreed** to exclude food from being a regulated food that is supplied, or offered or advertised for supply, where a single food is either sourced from multiple sources or the source may vary frequently within a period in which it would be unreasonable to change labelling;
- 16 **agreed** that where the proposal in paragraph 15 above applies, all possible countries or places of origin must be disclosed;

Legislative implications

- 17 **invited** the Minister of Commerce and Consumer Affairs to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above paragraphs;
- 18 **authorised** the Minister of Commerce and Consumer Affairs to make minor or technical changes, consistent with the policy framework outlined in the paper under DEV-19-SUB-0252, on any issues that arise during drafting;
- 19 **authorised** the Minister of Commerce and Consumer Affairs to approve and release an exposure draft of the Order in Council for consultation purposes.

Jack Petterson
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Kelvin Davis
Hon Grant Robertson (Chair)
Hon Phil Twyford
Hon Dr Megan Woods
Hon Iain Lees-Galloway
Hon Damien O'Connor
Hon Shane Jones
Hon Willie Jackson
Hon James Shaw
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for DEV

Hard-copy distribution:

Minister of Commerce and Consumer Affairs