



12 August 2021

Senator Susan McDonald
Chair
Senate Standing Committees on Rural and Regional Affairs and Transport
PO Box 6100
Parliament House
CANBERRA ACT 2601

Via email: rrat.sen@aph.gov.au

Dear Senator

Re. Definitions of meat and other animal products

The National Farmers' Federation (NFF) welcomes the opportunity to provide a submission into the Senate Standing Committee on Rural and Regional Affairs and Transport Inquiry into Definitions of Meat and Other Animal Products. The NFF would like to take the opportunity presented through the development of our submission to comment on the broader regulatory environment surrounding truth in labelling of animal and plant-based products for food consumption.

The NFF was established in 1979 as the national peak body representing farmers and the agriculture sector more broadly across Australia. The NFF's membership comprises all of Australia's major agricultural commodities across the breadth and the length of the supply chain. Operating under a federated structure, individual farmers join their respective state farm organisation and/or national commodity council. These organisations form the NFF and include both livestock and plant industries.

In developing this submission, the NFF has conducted significant consultation of our membership, including briefings from Food Standards Australia and New Zealand, and the Australian Competition and Consumer Commission to ensure our response is informed and constructive. The NFF would also like to take this opportunity to advise the committee that we made a submission to the Plant-based Alternatives Labelling Working Group, convened by the Department of Agriculture Water and the Environment.

The NFF believes the current use of language commonly associated with meat and dairy products, to describe products that contain no meat or dairy, can be misleading for consumers. Put simply, there are plant-based protein products currently marketed using meat or dairy language, that contain no meat or dairy. This is potentially unethical and misleading from a consumer and industry perspective.

Further, irrespective of whether or not consumers are misled by current labelling arrangements, Australia's meat and dairy industries face significant compliance standards in producing meat and dairy products. Plant-based protein foods are not required to comply with similar levels of standards and yet are free to use the terminology in a way that indicates an equivalence, irrespective of whether or not they are equivalent products.

The management by the Department of Agriculture, Water and the Environment of the legislative and regulatory framework underpinning the compulsory levy investment into meat category brands as declared through the Australian Meat and Live-stock Industry Act 1997.

The NFF, the broader agriculture industry and the Australian Government have a target of growing Australian agricultural value to [\\$100 billion by 2030](#), from the current estimate of \$67 billion. Achieving this target, through improved competitiveness, is a shared responsibility and includes the responsibilities of the Commonwealth Department of Agriculture, Water and the Environment (the department).

The department will be required to administer its legislative and regulatory framework in a way which allows both meat and plant-based protein sectors to fulfill their potential in our shared goal of achieving \$100 billion by 2030. One of the ways in which the department currently does this is via the compulsory collection and disbursement of agricultural levies. Total funds raised by these levies has run into billions of dollars over time.

Australian field crop producers, including plant-based protein producers, are required to contribute to research and development via their compulsory field crop levies. They are required to pay around [1.020% of the sale value of their crop](#) and the funds are invested in emergency plant pest response, national residue testing, Plant Health Australia and research and development. They do not however, pay levies for marketing, as is the case with livestock (red meat, dairy and pork).

Conversely, the red meat protein sector in Australia, is required to contribute to collective research and development, via compulsory livestock and meat processing levy contributions, but also contribute to marketing. Marketing funds are invested without matching funds of the Commonwealth as enjoyed by research and development levy investment. The aim of marketing investment is to establish red meat as a wholesome, nutritious, and safe form of protein for consumption both in Australia and in our export markets. Marketing activities are supported by research and development levy investment.

The historic levy investment of livestock industries in marketing began with the "feed the man meat" promotional programs in the 1970's and continues through to today. These promotions rely heavily on messaging and language to position red meat protein in an advantageous way. This, combined with the sheer scale of total red meat levy investment, almost \$2 billion dollars over the past decade alone, has provided the red meat protein sector with an intrinsic sense of ownership of the language associated with the marketing and labelling of meat products. The dairy and pork protein sectors also feel a similar sense of ownership over their messaging and language.

The potential impairment of Australian meat category brand investment from the appropriation of product labelling by manufactured plant-based or synthetic protein brands

Achieving our shared goal of \$100 billion by 2030 will require significant growth from all agricultural sectors, both animal and plant. The value of the red meat industry stands at around \$17.6 billion for 2018/19 - the industry [is estimated to double its value to approximately 35 billion by 2030](#). By comparison, Australia's plant-based protein sector, which identifies itself as ["Australia's plant-based meat sector"](#), is

[estimated at around \\$140 million in 2018/19](#), or less than 1% of the value of the red meat sector in 2018/19.

It stands to reason that the plant-based sector might take the opportunity to leverage the language and labelling already established over time by the red meat and broader animal protein sector. Consumers readily understand the value of terms like "meat" and "milk". This has been justified by the claim that certain language describes the utility of the product rather than its content i.e. soy milk, which provides similar functions to milk but contains no milk.

Despite its very small size, the plant-based protein sector will likely grow well beyond its current estimated value driven by product innovation and changing consumption patterns. The growth and maturation of this sector will likely continue to draw into focus the current regulatory disparities with the more heavily regulated livestock protein sector.

The dairy and pork protein sectors find themselves in a similar situation as the red meat sector, having invested in both research and marketing via mandatory levies, and are now facing similar competition from plant-based industries who appear to be appropriating their language and messaging.

The department must ensure that their legislative and regulatory framework does not impair Australian meat category brand investment, from the appropriation of product labelling by manufactured plant-based or synthetic protein brands, while allowing both plant and red meat protein sectors to grow at their full potential.

The use of manufactured, plant-based or synthetic protein descriptors containing reference to animal flesh or products made predominately from animal flesh, including but not limited to “meat”, “beef”, “lamb”, and “goat”

The NFF believes the regulation by which both livestock and plant-based sectors rely on for fair competition and continued innovation is centred around labelling. Definitions for red meat have been long established and include the Australian Meat and Livestock Industry Act 1997, the Australia New Zealand Food Standards Code (the Code), and the Export Control Rules for Meat and Meat Products.

The NFF understands that the generic labelling requirements of the Code apply to all foods and that Australian Consumer Law prohibits a business from making false or misleading representations about goods or services (Competition and Consumer Act).

Some foods are defined in the Code and can only be sold using a specific name or representation if they meet the definition and compositional requirements in the Code (e.g. milk, meat, honey). However, a provision introduced into the Code on 1 March 2016 allows the name of the food to be further qualified so the context makes it clear the food is not a food as defined in the Code. The descriptor ‘soy’ for soy milk is intended to make it clear to the consumer that the food they are purchasing is not a dairy milk product to which Standard 2.5.1 applies. This principle applies across the Code, and allows the naming of foods such as ‘ginger beer’, ‘peanut butter’ or ‘soy milk’ when these foods do not meet defined terms.

The NFF remains concerned that the current use of animal protein language and animal images on plant-based products has the impact of conveying the nutritional equivalence of animal-based products when often these products are not nutritionally equivalent.

NFF's views on labelling and the definitions of meat and other animal products

With respect to the definitions of meat and other animal products and reforming the current food labelling system, the NFF supports the application of the following principles:

- A fair and balanced regulatory environment for meat, dairy and plant-based protein sectors.
- Food labelled with an animal product descriptor must be derived from an animal.
- Minimum regulatory regime that prohibits:
 - plant protein descriptors that contain any reference to animal flesh or products; and
 - the use of livestock images on plant protein packaging or marketing materials.

The NFF acknowledges significant investment has been made in Australia's meat and animal category branding, with Australian meat and livestock family producers and businesses paying mandatory levies at every point along the supply chain.

The Labelling and Marketing of Plant-based Alternatives to Meat and Meat-based and Dairy products Industry Working Group Discussion Paper

The NFF would like to draw the inquiries attention to the recent industry working group discussion paper, which used the following definitions:

- "Plant-based alternatives" - alternatives to meat and meat-based and dairy products that are produced with plant-based ingredients that may claim to have the texture, flavour, appearance, nutrients or other characteristics associated with meat and meat-based or dairy products but do not contain animal-derived ingredients.
- "Meat" – refers to whole meat from the flesh of an animal, including chicken, beef, pork, etc.
- "Meat-based" products – includes processed meats including sausages, patties, mince, ham, salami, etc.
- "Dairy products" refers to products derived from milk as per Food Standards Code, Primary

Production and Processing Standard for Dairy Products, Standard 4.2.4, including fat and protein derivatives this includes products such as milk, cheese, yoghurt, butter, ice-cream, including plain and flavoured varieties, regular and reduced fat etc.

Break out box 1: Current Regulations Legislation

Australian Meat and Livestock Industry Act 1997

The Australian Meat and Livestock Industry Act 1997 provides the following definitions:

- "meat" means the fresh or preserved flesh of cattle, calves, sheep, lambs, goats or other animals prescribed for the purposes of this definition, and includes meat products, meat by-products and edible offal, but does not include meat of a kind declared by the regulations to be, for the purposes of this Act, unfit for human consumption.

- "meat product" means food prepared from or containing meat, and includes canned meat.
- "meat by-product" includes skin, hide, tallow, meat meal and inedible offal.

Australia New Zealand Food Standards Code

As another point of reference, the NFF would like to draw the inquiry's attention to the "Australia New Zealand Food Standards Code – Standard 2.2.1 – Meat and meat products", lists meat definitions:

- "Meat" means whole or part of the carcass of any of the following animals ...
 - buffalo, camel, cattle, deer, goat, hare, pig, poultry, rabbit or sheep
 - any other animal permitted for human consumption under a law ...
- "Manufactured meat" means processed meat.
- "Sausage" means a food that consists of meat that has been minced ...

Export Control Rules for Meat and Meat Products (2021)

As a point of reference, the NFF would like to draw the inquiry's attention to Export Control Rules for Meat and Meat Products (2021), which defines certain terms as:

- beef means meat derived from ... a bovine animal
- ... pork means meat derived from ... a ... porcine animal
- meat means any part of an animal (including an animal carcass and offal) that is slaughtered
- mutton means meat derived from ... a ... ovine animal
- Meat and meat products ... are ... derived from a bovine animal, bubaline animal, camelid animal, caprine animal, cervid animal, ovine animal, porcine animal or soliped animal.

The use of livestock images on manufactured plant-based or synthetic protein packaging or marketing materials

With respect to the use of livestock images on manufactured plant-based packaging or marketing materials (see break out box 2), the NFF supports the implementation of a minimum regulatory regime that prohibits the use of livestock images on plant protein packaging or marketing material that achieves:

- A fair and balanced regulatory environment for meat, dairy and plant-based protein sectors.
- A minimum regulatory regime that prohibits the use of livestock images on plant protein packaging or marketing materials.

Break out box 2:



The health implications of consuming heavily manufactured protein products which are currently being retailed with red meat descriptors or livestock images

In the context of labelling, the NFF supports improved labelling for meat and plant-based protein, however, the NFF opposes the introduction of labelling requirements for environmental descriptors.

More broadly, the NFF opposes the idea that the food standards system could be broadened to encompass food security, economic and social impacts. Further, the NFF does not support changes in labelling that attempts to disadvantage certain foods by way of agricultural practices, food processing, distribution, packaging or any other activities in the food supply chain.

Industry is separately and appropriately responding to community expectations through sectoral schemes to assure market access, market premium and/or consumer assurance.

The immediate and long-term social and economic impacts of the appropriation of Australian meat category branding on businesses, livestock producers and individuals across regional, rural and remote Australia

Policies that support the growth of both animal and plant industries also provide immediate and long-term social and economic benefits to businesses, livestock producers and individuals across regional, rural and remote Australia.

As well as our shared commitment to achieving \$100 billion by 2030, on 23 February this year, the NFF launched its regionalisation agenda. The NFF Regionalisation Agenda proposes a vision for regional Australia where regional economic activity and jobs are designed to thrive in the unique economic and geographical conditions of that region.

The Regionalisation Agenda aims to provide a focus on place-based development for our regional centres that are the economic and social heartbeat of regional Australia. These centres should provide a network of economic and social infrastructure across all of Australia that provides physical and social access to economic opportunities, a skilled workforce, and social amenities needed to maintain vibrant regional economies and communities.

The implications for other Australian animal products impaired from the appropriation of product labelling by manufactured plant-based or synthetic proteins

The NFF believes all sectors deserve access to fair and truthful labelling and, in representing both plant-based and livestock sectors, does not seek to disadvantage any sector. To this end, the NFF's 2030 roadmap calls for "labelling laws which help consumers make fact-based decisions" on imported or alternative foods. This includes consumers being able to readily determine the difference between livestock and plant-based protein.

Similar to the red meat industry, the Australian dairy industry supports a holistic review of misleading descriptions on dairy alternatives, from an analysis of current consumer perception, through to a review of the Food Standards Code. We recommend the development of regulation that prevents plant-based alternatives

from trading on the qualities and values of dairy to bring Australia into line with other countries.

Any related matters

Finally, the NFF believes that irrespective of the outcome of this inquiry, the Government should commit to continue to review labelling arrangements regularly to ensure they remain relevant and appropriate. This policy area will likely become more complex over time with new products, new claims, and new technologies entering the market.

The NFF again thanks the Senate Committee for the opportunity to provide comment on this inquiry. Should you require any further information, or to arrange a meeting, please contact myself or the NFF's General Manager Rural Affairs, Mike Darby, at mdarby@nff.org.au | 02 6269 5666.

Yours sincerely,

A handwritten signature in blue ink that reads "Tony Mahar". The signature is written in a cursive style with a large, looping initial 'T'.

TONY MAHAR

Chief Executive Officer