



12 May 2021

Ms Christel Leemhuis  
Director, Food and Nutrition Policy  
Department of Health  
GPO Box 9848, MDP 707  
CANBERRA ACT 2601

Via email: [FoodRegulationModernisation@health.gov.au](mailto:FoodRegulationModernisation@health.gov.au)

Dear Ms Leemhuis,

**RE: Review of the Food Standards Australia New Zealand Act 1991 - Draft Regulatory Impact Statement**

I am writing to you today regarding the review of the Food Standards Australia New Zealand Act 1991, and as a response to the draft Regulatory Impact Statement. The National Farmers' Federation (NFF) welcomes the opportunity to provide this submission.

The NFF is 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.

The NFF recognises the importance of food labelling and associated regulation in achieving our shared ambition of reaching \$100 billion in farm gate output by 2030. To this end, NFF supports regulatory reform efforts that modernise and contemporise the FSANZ Act and to reduce, where possible, the regulatory burden imposed by the FSANZ Act. NFF does not support increasing the scope of the FSANZ Act to include environmental sustainability labelling, and the associated regulatory burden.

In reviewing the Draft Regulatory Impact Statement, the NFF notes that *"FSANZ's objectives are currently mute on the issues of food sustainability. This leaves FSANZ no levers to consider sustainability issues when developing or reviewing food regulatory measures."* NFF supports the status quo in this respect.

More broadly, NFF Also opposes the idea that *"... the joint food standards system ... could be broadened to encompass food security, health, economic and social impacts ... the impact of agricultural practices, food processing, distribution, packaging, and other activities in the food supply chain on climate change, biodiversity, soils and waterways, and ultimately future food security."*

More specifically, the Draft Regulatory Impact Statement informs three fundamental reasons for our opposition to the inclusion of environmental or sustainability criteria in a food standards scheme:

- There are no sufficiently developed or supported frameworks in existence that would allow the development of a standards based approach to measuring sustainability or environmental indicators at a landscape level (and it is at best nascent in its development);
- The UN Food Systems Summit 2021 is already at risk of being compromised by the undue influence of sectoral interest groups on the agenda and should not be relied upon as an informative, responsive or representative pathway to reform; and
- Industry is separately and appropriately responding to community expectations through sectoral schemes to assure market access, market premium and/or consumer assurance. It is right and proper that these evolve in a voluntary manner and allow consumers to exercise market choice. (Sustainability and environmental ideals will vary and will be inherently complex to design and unable to reflect market demands if regulated).

Finally, there is no cogent case for a regulatory intervention in sustainability labelling, these are aspirational goals that modern society manages through market behaviour. There are no demonstrable human health nor food safety implications in this context. It is therefore NFF's strong view that the FSANZ objectives remain mute on this topic, it is beyond scope.

Should you have any questions regarding this submission, please contact the NFF's General Manager for Rural Affairs, Mike Darby at [MDarby@nff.org.au](mailto:MDarby@nff.org.au) or 02 6269 5666.

Yours sincerely,



**TONY MAHAR**  
Chief Executive Officer