

Regulation and compliance

Policy position statement

Introduction

Regulation and compliance within the horticulture sector is essential for delivering food safety, environmental sustainability, fair labour practices and other outcomes, that are in the both the public and industry interest. Both government regulation and market-driven compliance requirements can play crucial roles in achieving these goals.

Government regulation provides a standardized framework that ensures consistency and fairness across the industry. It helps protect public health, maintain environmental standards, and uphold worker rights. However, it can also pose challenges such as increased administrative burden, high compliance costs, and potential stifling of innovation.

Market-driven compliance, often mandated by trading partners down the supply chain as a condition of doing business, provides assurance that products meet a standard consumers demand above any regulatory minimum. This form of compliance may result in inconsistent standards and can place smaller producers at a disadvantage due to varying requirements from different buyers.

Position

The NFF Horticulture Council considers compliance and regulation a last resort, promotes industry self-regulation wherever possible, and acknowledges the important role regulation and compliance can play, where necessary, in maintaining and building public confidence and trust in the industry.

The Council supports regulation and compliance designed in a way to minimise burdens on businesses and individuals, and wherever possible, to deliver better outcomes for growers.

Principles

To navigate these complexities, the NFF Horticulture Council advocates for the following principles to be applied by all parties engaged in the creation and implementation of regulation and compliance for the national horticulture industry:

1. **Cost-Benefit Balance:** Regulation and compliance must be designed in a way that the resulting benefits outweigh the costs, with a preference for industry self-regulation where possible.
2. **Efficiency:** Achieving compliance outcomes most efficiently by avoiding duplication with existing regulations and standards and minimizing the collection of redundant data.
3. **Transparency:** Clear and accessible information about regulation and compliance requirements and processes, including a demonstration of consumer demands influencing market-driven compliance.
4. **Consistency:** Various government and trading partners must design regulations and standards for national consistency and harmonisation, avoiding the imposition of multiple regulatory frameworks in pursuit of the same outcome.
5. **Fairness:** Equitable treatment of all growers and stakeholders, regardless of size or market position.
6. **Collaboration:** Cooperation between government, industry, and consumers to develop, implement and oversight effective regulation and compliance strategies.
7. **Data Sovereignty:** Ensuring businesses retain control over the data and information collected through compliance activities, protecting their proprietary information and maintaining privacy.
 - a. Refer to separate Council policy position statement dealing with data sovereignty and use.
8. **Innovation:** Encouragement of new technologies and methods that enhance compliance and productivity.

Actions

To support and give life to these principles, the NFF Horticulture Council recommends the following actions are taken by government and trading partners:

1. **Streamline Processes:** Simplify regulation and compliance procedures to reduce administrative burdens and costs for producers, including the following actions to be led by the Federal Government:
 - a. Recommit to modelling regulatory best practices, as outlined in the Regulatory Policy, Practice & Performance Framework, including regulating only where necessary, when there is a clear problem that cannot be addressed by other means, such as market mechanisms, voluntary standards, or self-regulation.
 - b. Commission research to understand the full, cumulative burden of Commonwealth, state and territory government regulation on the national horticulture industry, to inform future regulatory impact assessments and the design of fair, reasonable regulation that doesn't unduly impact the cost of food or our competitive position in export markets.

2. **Support Small and Medium Enterprises (SMEs):** Provide resources and assistance to help smaller producers meet compliance requirements without compromising their viability.
3. **Promote Best Practices:** Share knowledge and tools that help producers adopt sustainable and innovative practices.
4. **Enhance Communication:** Foster open dialogue between regulators, industry stakeholders, and consumers to ensure that compliance standards are practical and beneficial for all parties.
5. **Invest in Technology:** Encourage the adoption of technologies that facilitate compliance and improve efficiency, including the following action by the Federal Government:
 - a. Fund an industry-led data management initiative that enables a “tell us once” approach, empowering the grower with ability to permission data sharing, minimising the need for businesses to submit the same information multiple times, reducing regulatory burdens and promoting consistent supply chain procedures.

Conclusion

By adhering to these principles and adopting these actions, the horticulture sector can achieve a balanced approach to compliance that supports both regulatory and market-driven goals, ensuring a sustainable and prosperous future for all stakeholders.

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