



Plant-based protein product labelling

Clearer labelling election commitment

The government committed during the May 2022 election to ‘support meat and plant industries’ by ‘improv[ing] existing regulations that deliver accurate and clear food labelling so that consumers have informed choice’.

Shortly after this commitment was made, the Alternative Proteins Council (APC) released *Industry Guidelines for the Labelling of Meat Alternative Products in Australia and New Zealand*. The APC is now developing equivalent guidelines for the labelling of dairy alternative products.

Any changes to food labelling should be approached in a holistic way and should consider the linkages between the food safety system, consumer law and industry-led approaches.

Noting this is a complex issue with diverse views, the department is seeking industries’ views on how plant-based protein products are labelled and the impact on the industry, and the specific elements of product labelling of highest priority to the industry.

Discussion Questions

1. What are the priority issues for your industry in relation to plant-based product labelling?
 - a. Have these priorities changed since the Report of the Senate Committee?
2. Have there been any other developments in the industry, or any new information since the Senate Inquiry was conducted that would inform next steps on the election commitment?
 - a. For example, any new research on consumer misinformation, any evidence of false or misleading conduct, any changes in industry practices?
3. What kind of regulation would be most appropriate to address the issues for your industry?
4. What awareness do you have of APC’s *Industry Guidelines for the Labelling of Meat Alternative Products in Australia and New Zealand* and dairy guidelines currently in development?
5. Do you think these guidelines have been or will be effective? If not, why not?
6. How could the guidelines be improved?
 - a. Changes to the content? If so, which areas?
 - b. Improvements in monitoring, enforcement, and reporting? If so, how?
7. What specific restrictions do you think should be placed on the following practices:
 - a. Animal imagery
 - b. Meat-related terms
 - c. Sustainability claims
 - d. Nutrition claims
 - e. Animal welfare claims
 - f. Comparison claims

Background

In June 2021, the Senate Rural and Regional Affairs and Transport Legislation Committee self-referred an inquiry into meat category branding in Australia. This followed the Plant-based Alternatives Labelling and Marketing Working Group, which was established to investigate whether the labelling and marketing requirements of plant-based alternatives to meat and dairy products could be improved.

The key concern that traditional meat and dairy industries raised through the Senate Inquiry and working group was the potential for consumers to be misled due to the use of meat-related terms and/or animal imagery on the labels of plant-based protein products. Similarly, there were concerns that consumers would not be able to make informed choices because of plant-based protein products making various claims in relation to sustainability, nutrition, or animal welfare.

The Senate Inquiry also heard from the plant-based industry and food manufacturers that there is limited evidence to indicate consumers are confused by the labelling of plant-based protein products.

The current policy landscape and regulatory framework

Food labelling policy

Food labelling policy is complex, with competing interests from consumers, industry, and government. As part of the 2017 Overarching Strategic Statement for the food regulatory system, Food Ministers (made up of all Commonwealth, State and Territory Health and/or Agriculture Ministers) agreed to a framework, underpinned by a risk-based issues hierarchy, to provide a principles-based approach for decision making regarding food labelling regulation.

Under this framework, food labelling policy is guided by a three-tier issues hierarchy in descending order of food safety, preventive health, and consumer values issues.

Issue	Approach as agreed by food ministers
1. Food safety which includes direct, acute, immediate threats to health.	Primarily government-initiated and referenced in the Food Standards Code.
2. Preventative health which includes the indirect, long-term impacts on health, particularly chronic disease.	Government-initiated or in collaboration with stakeholders and/or industry. Level of intervention should be informed by governments' health priorities, public health research and the effectiveness of co-regulatory measures.
3. Consumer values reflect consumer perception and ethical values.	Should generally be initiated by industry in response to consumer demand. This usually would be under consumer protection law rather than food regulation.

Food Standards Code and Australian Consumer Law

All food sold domestically in Australia must be labelled as per Part 1.2 of the Australia New Zealand Food Standards Code which includes requirements about the composition, safety, and nutritional information about the food so that consumers can make informed choices. Further, under Australian Consumer Law, businesses must not make any misleading claims about their products and must be able to prove any claims that are advertised.