

21 August 2009
[13-09]

Application A545 – Vegetarian labelling

Food Standards Australia New Zealand (FSANZ) has decided to reject Application A545 – Vegetarian Labelling. This information provides notice to interested parties of the rejection of Application A545. It is not an invitation for public comment.

Background

Food Standards Australia New Zealand (FSANZ) received an unpaid Application on 23 August 2004 requesting an amendment to the *Australia New Zealand Food Standards Code* that would enable vegetarian consumers to more easily discern whether a food is suitable for their consumption, or whether the ingredients, food additives or processing aids used in the manufacture of a food are derived from any animal products or by-products from slaughtered animals. The Application specifically requested the labelling of all packaged foods not clearly being sold as animal products to be labelled as either ‘suitable for vegetarians’ or ‘not suitable for vegetarians’.

The amendment to the Code was sought on the basis that current labelling requirements do not allow vegetarian consumers to decide whether a food is suitable for their consumption and therefore limits choices. The reasons given by the Applicant for seeking the amendment were related to moral (i.e. dissociating one’s own lifestyle and involvement from cruelty to animals) and/or religious principles and/or environmental and/or perceived health benefits.

Reasons for rejection

The FSANZ Board has decided that no further consideration of this Application is warranted because:

- FSANZ is not aware of any evidence indicating that a risk to consumer health and safety exists as a result of the absence of a food regulatory measure of the kind proposed.
- FSANZ is also not aware of any evidence to show that the consumption of a well-balanced vegetarian diet provides greater health benefits than a well-balanced non-vegetarian diet.
- The development of a food regulatory measure of the kind proposed is unlikely to achieve the intent of benefiting all vegetarian consumers due to the differences in the degree to which people choose a vegetarian diet.
- The requested regulatory intervention is unlikely to provide a net public benefit, or be considered as proportionate in dealing with the issue raised or be considered as meeting the test of minimum effective regulation since:

- the costs that would arise as a result of a developed or varied regulatory measure are likely to be disproportionate to the direct and indirect benefits that would arise from the measure or variation; and
 - the benefits of this proposed change will be concentrated to a small sub-group of consumers, but the costs associated with the change are likely to be widely distributed to all consumers.
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- The issues raised in this Application are currently being addressed by alternative mechanisms, such as the availability of additional information specific to vegetarian consumers from several sources, support from advocacy groups, the presence of substitute foods, and the voluntary vegetarian labelling of some products, thereby removing the need for regulatory intervention.
 - While subsection 2A(d) and paragraph 10(2)(b) of the *Food Standards Australia New Zealand Act 1991* (as was in force prior to 1 July 2007) both touch on harmonising international and national food standards, FSANZ is not aware of a food regulatory measure of the kind proposed that is implemented in a market similar to Australia and New Zealand that provides a basis for FSANZ to proceed with the current Application.
 - To propose to use an Australian and New Zealand domestic food standard aimed at regulating the quality and safety of foods to fulfil needs based on moral and/or religious beliefs and/or for environmental reasons is a purpose that goes beyond the intent of *Food Standards Australia New Zealand Act 1991*.