



NEW ZEALAND
LAW SOCIETY

NZLS EST 1869

Consumers' Right to Know (Country of Origin of Food) Bill

18/05/2017

Consumers' Right to Know (Country of Origin of Food) Bill

1. Introduction

- 1.1 The New Zealand Law Society (Law Society) appreciates the opportunity to comment on the Consumers' Right to Know (Country of Origin of Food) Bill (Bill).

2. Comments

- 2.1 The Law Society notes that country of origin labelling requirements of the kind specified in the Bill would fall entirely within the scope of the Consumer Information Standards provisions set out in the Fair Trading Act 1986. In this regard, section 27 of the Act provides for a power to make regulations prescribing consumer information standards in respect of goods or services, including information relating to their origin. A copy of section 27 is **attached** to this submission.
- 2.2 In the Explanatory Note to the Bill, the observation is made that there is already a requirement in New Zealand law to identify the origin of footwear and clothing. This requirement arises from regulations made under section 27: The Consumer Information Standard (Country of Origin (Clothing and Footwear) Labelling Regulations 1992. There are, in total, five Consumer Information Standards issued under regulations made under section 27.
- 2.3 Rather than enact another statute with a parallel purpose, the Law Society submits that the issue of country of origin food labelling should be dealt with in the same manner as footwear and clothing – through regulations made under an existing fit-for-purpose statutory provision.

3. Conclusion

- 3.1 The Law Society does not wish to be heard but is happy to discuss this submission with officials, if that would be helpful.

A handwritten signature in black ink, appearing to read 'Kathryn Beck', written over a horizontal line.

Kathryn Beck
President
18 May 2017

Attached: Section 27, Fair Trading Act 1986

Section 27, Fair Trading Act 1986:

27 Consumer information standards

The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations prescribing consumer information standards in respect of goods or services of any description or any class or classes of goods or services.

(1A) A consumer information standard may—

*(a) require the disclosure of information relating to the kind, grade, quantity, **origin**, performance, care, composition, contents, design, construction, use, price, finish, packaging, promotion, or supply of the goods or services; and*

(b) specify how that information must be obtained or verified before it is disclosed; and

(c) specify the form and manner in which that information must be disclosed on or in relation to—

(i) the supply or possible supply of the goods or services; or

(ii) the resupply or possible resupply of the goods or services; or

(iii) the promotion by any means of 1 or more of the matters described in subparagraphs (i) and (ii). ...

[emphasis added]