



New South Wales

Food Amendment (Seafood Country of Origin Labelling) Bill 2019

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to require persons who sell seafood to the public for immediate consumption (including at a restaurant or take-away food shop) to display a statement about the country of origin of that seafood.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 July 2020.

Clause 3 amends the *Food Act 2003* to give effect to the object set out in the Overview above.



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New South Wales

Food Amendment (Seafood Country of Origin Labelling) Bill 2019

No. , 2019

A Bill for

An Act to amend the *Food Act 2003* to require the country of origin of seafood that is sold for immediate consumption to be displayed.

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Food Amendment (Seafood Country of Origin Labelling) Act 2019</i> .	3
2 Commencement	4
This Act commences on 1 July 2020.	5
3 Amendment of Food Act 2003 No 43	6
Insert after section 20—	7
20A Statement of country of origin for seafood sold for immediate consumption	8
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(1) A person must not sell seafood to the public for immediate consumption (including, but not limited to, selling seafood at a restaurant or take-away food shop) unless the seafood is accompanied by whichever of the following statements applies to the seafood—	10
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(a) in the case of seafood wholly sourced from Australia—“This seafood is sourced from Australia” (or similar words identifying Australia, or a specified State or locality in Australia, as the source of the seafood),	14
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(b) in the case of seafood that is not sourced from Australia—“This seafood is imported” (or similar words identifying the country from which the seafood is sourced),	18
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(c) in the case of a product containing both seafood sourced from Australia and from other countries—“This seafood may include seafood sourced from Australia and imported seafood” (or similar words identifying the country from which the seafood is sourced).	21
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Maximum penalty—1 penalty unit.	26
(2) For the purposes of subsection (1), a statement accompanies seafood if—	27
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(a) in the case of the seafood that is visible to the customer when offered for sale—the statement is displayed with the seafood to which it relates, or	29
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(b) in the case of seafood that is offered for sale in a menu or other display—the statement is published together with the name or description of the seafood in the menu or display.	32
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(3) In this section—	35
<i>seafood</i> means an aquatic vertebrate or aquatic invertebrate (including a product of, or anything containing a product of, an aquatic vertebrate or aquatic invertebrate) that is intended for human consumption, but does not include amphibians, mammals, reptiles or any seafood or class of seafood prescribed by the regulations for the purposes of this definition.	36
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sourced from Australia means taken from waters within the Australian fishing zone (within the meaning of the *Fisheries Management Act 1991* of the Commonwealth) or the waters within limits of the State or another State or Territory.

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