

Competition and Consumer (Australian Consumer Law—Country of Origin Information for Seafood for Immediate Consumption) Information Standard 2025

I, Tim Ayres, Minister for Industry and Innovation, and Minister for Science, make the following information standard.

24 June 2025

Tim Ayres

Minister for Industry and Innovation
Minister for Science
for the Assistant Minister for Productivity, Competition, Charities and Treasury

Contents

Part 1—Preliminary 1

1 Name 1

2 Commencement 1

3 Authority 1

4 Definitions 1

Part 2—Information requirements 3

5 Information requirement for supplies of seafood for immediate consumption 3

6 Certain information must be made available on request 4

7 Record keeping 5

Part 1—Preliminary

1 Name

 This instrument is the *Competition and Consumer (Australian Consumer Law—Country of Origin Information for Seafood for Immediate Consumption) Information Standard 2025*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The later of:(a) the day after this instrument is registered; and(b) 1 July 2026. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Competition and Consumer Act 2010*.

Note: Under subsection 134(1) of Schedule 2 to the Act, the Minister may make an information standard in relation to the provision of information for goods or services (or both) of a particular kind.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer Act 2010* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

 (1) In this instrument:

***food*** has the same meaning as in the *Food Standards Australia New Zealand Act 1991*.

***food for special medical purposes*** has the same meaning as in the *Australia New Zealand Food Standards Code – Standard 2.9.5 – Food for special medical purposes* as in force from time to time.

Note: In 2025, the *Australia New Zealand Food Standards Code – Standard 2.9.5 – Food for special medical purposes* [F2024C00915] could be viewed on the Federal Register of Legislation (www.legislation.gov.au).

***fund raising*** ***event*** has the same meaning as in the *Country of Origin Food Labelling Information Standard 2016*.

***harvested in Australia***: seafood is ***harvested in Australia*** if the seafood has been harvested:

 (a) within Australia; or

 (b) from the territorial sea of Australia; or

 (c) from the exclusive economic zone of Australia.

***harvested outside Australia***: seafood is ***harvested outside Australia*** if the seafood is *not* harvested in Australia.

***medical institution*** has the same meaning as in the *Country of Origin Food Labelling Information Standard 2016.*

***seafood*** means:

 (a) aquatic vertebrate or aquatic invertebrate animals, including shellfish, but excluding mammals, amphibians or reptiles; or

 (b) the eggs, larvae or spat of animals covered by paragraph (a).

Note 1: This definition includes fish, molluscs, crustaceans, jellyfishes, sea urchins, sea cucumbers, eels and other aquatic animals.

Note 2: See also subsection (2).

***seafood product*** means a good that is:

 (a) food that is or contains seafood;

but does *not* include:

 (b) food in which no portion of the seafood remains solid, including condiments, flavourings, sauces, oils, marinades, and stocks; or

 (c) shelf stable food that consists of chopped, diced, minced, pureed or shaved seafood, or which contains chopped, diced, minced, pureed or shaved seafood as an ingredient; or

 (d) food that contains seafood only because of the use of an ingredient that is a food referred to in paragraph (b) or (c); or

 (e) food for special medical purposes.

***the Act*** means the *Competition and Consumer Act 2010*.

Extent of the definition of seafood

 (2) To avoid doubt, for the purposes of the definition of seafood in subsection (1), an animal is seafood regardless of whether:

 (a) it is a saltwater animal or a freshwater animal; or

 (b) it is dead or alive; or

 (c) it was harvested from the wild or as part of an aquaculture process.

Part 2—Information requirements

5 Information requirement for supplies of seafood for immediate consumption

 (1) Under subsection 134(1) of Schedule 2 to the Act, this section sets out an information standard for a seafood product that:

 (a) is intended for immediate consumption after it is supplied; and

 (b) is marketed as being or containing seafood; and

 (c) is supplied within 24 hours after purchase; and

 (d) is *not* supplied:

 (i) by a canteen, school, prison, hospital or medical institution; or

 (ii) at a fund raising event; and

 (e) is *not* supplied in circumstances where labelling is required by the *Country of Origin Food Labelling Information Standard 2016*.

Note: A product may be marketed as containing seafood in a range of ways, including where the product is listed on a menu, or displayed for sale, and:

(a) the name of the product refers to seafood; or

(b) the name of the product is commonly associated with food that is, or contains, seafood (for example, surf ‘n’ turf is commonly associated with a serving of steak and prawns).

 (2) Where the seafood product is of a kind specified in an item of the following table, the information set out in that item must be provided in relation to the seafood product, and must be:

 (a) in writing; and

 (b) clearly visible, prominent and legible; and

 (c) in English.

| Information that must be provided in relation to seafood for immediate consumption |
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| Item | If the seafood product is, or contains, … | the information must include… |
| 1 | seafood harvested in Australia only | (a) the word ‘Australian’ in relation to the product; or(b) an abbreviation (such as ‘A’) in relation to the product, with additional information making it clear that the seafood is being described as:(i) Australian; or(ii) harvested in Australia. |
| 2 | seafood harvested outside Australia only | (a) the word ‘imported’ in relation to the product; or(b) an abbreviation (such as ‘I’) in relation to the product, with additional information making it clear the seafood is being described as:(i) imported; or(ii) harvested outside Australia. |
| 3 | seafood harvested in Australia and seafood harvested outside Australia | (a) the word ‘mixed’ in relation to the product; or(b) an abbreviation (such as ‘M’) in relation to the product, with additional information making it clear the product is being described as:(i) mixed; or(ii) containing seafood harvested in Australia and harvested outside Australia; or(c) words (such as ‘Australian’ or ‘Imported’) which separately identify the seafood that was harvested in Australia and the seafood that was harvested outside Australia; or(d) abbreviations (such as ‘A’ or ‘I’) which separately identify the seafood that was harvested in Australia and the seafood harvested outside Australia, with additional information making it clear the seafood is being described by the seller as seafood harvested in Australia or seafood harvested outside Australia (as the case may be). |

Note 1: The statement may be in a digital or physical form and can be included (for example) on a menu.

Note 2: Additional labelling about the location the seafood is harvested from may also be used. It can be broad (for example, State or Territory in Australia, or the country from which the seafood is harvested) or specific (for example the town, the city or region), but the information must include the relevant A (Australian), I (Imported) or M (Mixed) origin label.

6 Certain information must be made available on request

 (1) Under subsection 134(1) of Schedule 2 to the Act, this section sets out an information standard for a seafood product that meets all of the following:

 (a) the product is supplied by a person (the ***supplier***) to another person (the ***purchaser***) in Australia;

 (b) section 5 does *not* apply in relation to the product;

 (c) the product is *not* supplied:

 (i) by a canteen, school, prison, hospital or medical institution; or

 (ii) at a fund raising event;

 (d) the product is *not* supplied in circumstances where labelling is required by the *Country of Origin Food Labelling Information Standard 2016*.

 (2) If the purchaser requests information about the origin of the product for the purpose of enabling the purchaser, or another person to whom the product is subsequently supplied, to comply with section 5 in relation to:

 (a) supplying the product to another person; or

 (b) supplying food that uses the product as an ingredient to another person;

the supplier must provide the information to the purchaser in writing.

 (3) Section 137AA of Schedule 2 to the Act applies to this section.

Note: A pecuniary penalty may be imposed for a contravention of a requirement of this section: see section 137AA of Schedule 2 to the Act.

7 Record keeping

 (1) If:

 (a) a person offers to supply a seafood product to which section 5 applies; and

 (b) the person, in making that offer, has provided a written statement that includes the information required by the table in subsection 5(2);

the person must keep the records that the person relied on for that information.

 (2) The records must be kept for 3 months after the food is last offered for supply.

 (3) Section 137AA of Schedule 2 to the Act applies to this section.

Note: A pecuniary penalty may be imposed for a contravention of a requirement of this section: see section 137AA of Schedule 2 to the Act.