

17 April 2025

Food and Textiles Industries Team
Department of Industry, Science and Resources
GPO Box 2013,
Canberra, ACT, 2601

OriginLabelling@industry.gov.au

Dear Sirs

Country of origin labelling for seafood in hospitality settings- information standard and explanatory statement.

Thank you for the opportunity to comment on the country of origin labelling (**CoOL**) for seafood in hospitality settings- information standard and explanatory statement.

Clubs Australia represents over 5,000 clubs across Australia that employ more than 140,000 people. Clubs are not-for-profit, member-owned organisations that provide sporting, recreational and social facilities to their members and the wider community.

Clubs offer dining facilities, with many clubs serving seafood meals. As member-owned businesses, Clubs are uniquely constrained in raising prices, as their customers are also members, which can deter boards and management from raising prices.

Clubs Australia anticipates that the introduction of CoOL will result in additional compliance costs for clubs, including:

- Training food service staff on the new legislative obligations.
- Engaging with seafood suppliers to verify the origin of seafood, including keeping records of the origin of each delivery.
- Monitoring and record-keeping to comply with the legislation.
- Employee time, as well as printing costs, is involved in changing menus more frequently.

Clubs Australia acknowledges the intent behind seafood CoOL but does not support its mandatory implementation. However, if the Government proceeds with the implementation despite our concerns, we support the proposal to adopt the Australian-Imported-Mixed (AIM) model and that there are exemptions to the requirement (such as condiments, sauces, oils, marinades and stocks with no portion



of seafood remaining). The Government must support clubs to comply with the CoOL for seafood and Clubs Australia recommends:

- A minimum 12-month non-compliance period where the Department will work with clubs to educate them to meeting their seafood CoOL obligations.
- The Department continue to review and update guidance materials to assist clubs in meeting CoOL obligations.
- Updating Example 6 in the explanatory statement to provide practical options and guidance for how clubs can comply with their CoOL obligations

Should you require any further information from Clubs Australia regarding this submission, please do not hesitate to reach out at [REDACTED] or [REDACTED]

Yours sincerely,

[REDACTED]

Alison Tehan
Deputy Executive Director
Clubs Australia



A: Penalty Provisions and Enforcement Period

Clubs Australia is concerned with the proposed penalty provisions in the exposure draft. Whilst we acknowledge the intent and importance of these provisions, clubs genuinely attempting to comply with the new requirement should not be penalised and face enforcement action of up to \$50,000 if there is a contravention.¹ This poses a significant risk, especially for small clubs that may inadvertently not meet the the CoOL obligations.

Clubs Australia recommends an educative approach to compliance by the Department, particularly in the first twelve months of operation, to support clubs in meeting their CoOL obligations and achieving the intent of providing information to consumers with information on the origin of the seafood they are consuming.

- 1. Recommendation: Clubs Australia recommends a minimum 12-month non-compliance period where the Department will work with clubs to educate them to meeting their seafood CoOL obligations.**

B. Guidance Material

Clubs are likely to encounter operational scenarios that are not fully considered in the current explanatory statement and guidance material once the CoOL obligations come into effect.

To ensure clubs can meet the new obligations, the Department must continue to review and update guidance materials as new issues emerge and ensure that these are clearly and widely communicated to clubs to ensure they are not inadvertently caught out.

- 2. Recommendation: Clubs Australia recommends the Department continue to review and update guidance materials to assist clubs in meeting CoOL obligations.**

¹ Section 137AA *Australian Consumer Law*



C: Examples Provided

Clubs Australia supports the intent of the explanatory statement and provided examples to assist clubs in understanding their seafood CoOL requirements.

However, Example 6 may cause some confusion. Whilst it outlines how a club could rectify obtaining required information on seafood CoOL, it does not address the implications for a club if their menu had displayed the incorrect CoOL.

The example should be amended to provide practical options and guidance for how clubs can comply with their seafood CoOL obligations.

- 3. Recommendation: Clubs Australia recommends updating example 6 in the explanatory statement to provide practical options and guidance for how clubs can comply with their CoOL obligations.**