



UPDATE 26.08.19

Australian Made Country of Origin Claims

Complementary Medicines Australia (CMA) continues to work on behalf of our members to reduce the unintended consequences resulting from the recently updated ACCC [Country of Origin Labelling Guidelines for complementary healthcare products](#). The industry has been significantly impacted with the recent interpretation of the guidelines, affecting the ability of the industry to make a 'Made in' Australia representation, and has led to the cancellation of licenses to use the Australian Made Logo.

After the CMA's comprehensive and sustained advocacy on the implications of this change, a Government Taskforce was established. This Taskforce concluded that Made in Australia claims and the Australian Made logo should continue for Australian complementary medicines manufactured in Australia in production facilities regulated by the Therapeutic Goods Administration (TGA). CMA continues to liaise with the Department of Industry, Innovation and Science (DIIS) so that a legislation change on this matter can be expeditiously progressed.

The DIIS has reaffirmed the Government's [commitment made on 5 April 2019](#). To meet this policy commitment, the department is progressing changes to the Australian Consumer Law (ACL), to provide a mechanism to prescribe processes that result in substantial transformation. Related regulations will be drafted at the same time.

The COAG Legislative and Governance Forum on Consumer Affairs

The COAG Legislative and Governance Forum on Consumer Affairs (also known as the Consumer Affairs Forum or CAF) votes on changes to the ACL and is made up of state and territory ministers responsible for consumer affairs. To inform the voting of CAF, a Regulation Impact Statement (RIS) process is required. These come in two forms: a Consultation RIS and a Decision RIS. We anticipate that the department will shortly release a Consultation RIS, which is in the final stage of being drafted, and may be released as soon as this week.

Government policy requires the RIS to contain a spectrum of options, not only the announced commitment. The purpose of the Consultation RIS will be to elicit feedback from industry, the community and other interested parties on the options. It will contain questions and allow for open submissions. When consultations close (scheduled to be four weeks after the RIS is released), the DIIS will draft a Decision RIS, putting forward options to CAF.

The Consumer Affairs Forum

The CAF will meet at the end of August 2019 where it is understood that the Assistant Treasurer, the Hon Michael Sukkar MP, will raise this important matter.

- CMA, Austrade, AMCL and DIIS have briefed senior state and territory officials in advance.
- CAF is able to make a decision out of session, but will only do so after periods of consultation and deliberation.



Based on information provided from DIIS, it is currently expected that this process will take a total timeframe - from the Government's notification of a proposal to change the ACL, to a CAF decision to change the ACL - to be around **five months** (as a maximum period).

Work is being done to shorten these timeframes by:

- Providing senior official briefings to the jurisdictions in advance
- Ensuring the issue is raised at Ministerial level, whenever appropriate; and
- The Department drafting proposed legislative amendments and regulations in parallel (informed by the required consultation process).

In anticipation of the CAF meeting, CMA along with the Australian Made Campaign Limited has been working behind the scenes and have briefed relevant state and territory ministers responsible for consumer affairs, industry and trade on this issue. There has been broad support and a good level of understanding about the issues relevant to this matter. CMA has requested an advanced copy of the RIS be provided as soon as practical.

As noted above, the immediate next action will be the release of the Consultation RIS and for the CMA to coordinate an industry response. We will continue to keep you informed and updated following actions once CAF have considered this matter. CMA thanks our members for their ongoing work and support on this issue.

Please contact Emma Burchell at the CMA should you have any further questions:
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