



Australian Government
**Department of Industry,
Innovation and Science**



Country of Origin Labelling Consultation package - Item 4

Proposed changes to the Australian Made, Australian Grown Certification Trade Mark Code of Practice

Country of Origin Labelling Taskforce

4 December 2015

<https://consult.industry.gov.au/cool-taskforce/cool>

Proposed changes to the Australian Made, Australian Grown Certification Trade Mark Code of Practice

Australian Made Campaign Limited (AMCL) is a non-profit organisation that is the registered owner of the Australian Made Australian Grown (AMAG) logo certification trade mark (CTM) (the kangaroo symbol) under a formal agreement with the Australian Government.

The CTM indicates to consumers that food, non-food and export products using the AMAG logo have been assessed as meeting particular requirements, including requirements under Australian law, to claim the product is Australian grown, produced, made and/or manufactured. AMCL has exclusive rights to use and licence other businesses and organisations to use the logo on products as well as for broader promotion and advertising purposes.

The CTM must be used and managed in accordance with the requirements of its official rules for use (Code of Practice), which are approved by the Australian Competition and Consumer Commission (ACCC).

Under the country of origin labelling reforms, arrangements will be made for the Australian Government to manage the use of the AMAG logo for food products offered for sale in Australia under the Information Standard and allow AMCL to continue to manage the logo for non-food and export products and other uses.

To achieve this, the Australian Government will amend its agreement with AMCL, which will include agreement from AMCL to amend the Code of Practice for the Certification Trade Mark to ensure consistency with the Information Standard. This will include:

- limiting the scope of the AMCL voluntary certification scheme to non-food and export products and other uses
- providing transitional arrangements to ensure that existing AMCL food licensees can see out the terms of their existing licences
- amending references to legislation to reflect changes to the safe harbour provisions in Australian Consumer Law, the Food Standards Code and implementation of the Information Standard.

The process for varying the Code of Practice for the AMAG Certification Trade Mark will involve AMCL submitting an application to the ACCC to make these rules changes. The application will be considered by the ACCC in accordance with the requirements of Section 178 of the Trade Marks Act.

The amended Code of Practice will be published on the IP Australia website for public viewing.

Questions on the Code of Practice variation

1. Are the proposed changes to the Code of Practice for the AMAG Certification Trade Mark likely to result in any significant public detriments?
2. Would they be likely to have any significant effect on competition or impact on consumers?