

The Senate

Economics
References Committee

Third party certification of food

December 2015

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ISBN 978-1-76010-331-6

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Printed by the Senate Printing Unit, Parliament House, Canberra.

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Recommendations

Recommendation 1

3.19 The committee recommends that food manufacturers clearly label products which have received third party certification.

Recommendation 2

3.59 The committee recommends that the government, through the Department of Agriculture, consider the monitoring and compliance of halal certification of meat for export; and becoming the sole signatory on the government halal certificate.

Recommendation 3

3.60 The committee recommends that the government, through bilateral and multilateral forums, promote greater acceptance of a 'whole-of-country', government-led halal certification system.

Recommendation 4

3.78 The committee recommends that the government consider requiring certification bodies to register their operations under certification trademarks.

Recommendation 5

3.79 The committee recommends that the government consider requiring that halal certification of goods in the domestic market comply with the standard agreed for export.

Recommendation 6

3.80 The committee recommends that the halal certification industry consider establishing a single halal certification authority and a single national registered certified trademark.

Recommendation 7

3.96 The committee recommends that meat processors clearly label products sourced from animals subject to religious slaughter.

Committee Chair

On 22 October 2015, the committee Chair, Senator Sam Dastyari, stood down as Chair with his promotion to the Shadow Parliamentary Secretary to the Leader of the Opposition, Deputy Manager of Opposition Business (Senate) and Shadow Parliamentary Secretary for School Education and Youth.

On 22 October 2015, the committee unanimously agreed to appoint Senator Chris Ketter as the committee's new Chair.

Chapter 1

Introduction

1.1 On 13 May 2015, the Senate referred the following matters to the Economics References Committee for inquiry and report by 30 November 2015:

- a. the extent of food certification schemes and certifiers in Australia including, but not limited to, schemes related to organic, kosher, halal and genetically-modified food and general food safety certification schemes;
- b. current labelling requirements of food certification schemes;
- c. the need for labelling on products produced by companies that pay certification fees;
- d. whether current schemes provide enough information for Australian consumers to make informed purchasing decisions;
- e. details regarding certification fees paid by food producers and/or manufacturers, and the potential for these to impact on prices for consumers;
- f. the importance of food certification schemes in relation to export market access and returns to producers;
- g. the extent and adequacy of information available to the public about certifiers including, but not limited to, certification processes, fees and financial records; and any related matters.¹

Conduct of the inquiry

1.1 The committee received 1492 submissions, as listed in Appendix 1.

1.2 The committee held three public hearings; a list of the public hearings is included in Appendix 2.

Structure of the report

1.3 This report addresses the committee's terms of reference and is divided into three chapters:

- Chapter one (this chapter) states the administrative arrangements for the inquiry.
- Chapter two provides an overview of food certification schemes and the roles of organisations and government agencies involved in food certification, for both the domestic market and for export.

1 *Journals of the Senate*, No. 93 – 13 May 2015, p. 2586.

- Chapter three examines issues identified by submitters and makes a number of recommendations to enhance the food certification system.

Notes on references

1.4 References to submissions in this report are to individual submissions received by the committee and published on the committee's website. References to the committee Hansards are to the official transcripts from inquiry hearings.

Acknowledgements

The committee thanks the many individuals and organisations that made written submissions, as well as those who gave evidence at the

Chapter 2

Overview

Introduction

2.1 This chapter provides an overview of some of the key certification schemes and what food certification means. Specific issues identified over the course of this inquiry are examined in the next chapter.

2.2 Third party certification is a mechanism business owners employ to promote particular product attributes to consumers. Certifiers licence their logo or trademark to businesses that meet given standards, thereby confirming that products bearing the mark possess the marketed attributes. These can include qualities such as:

- nutrition (e.g. National Heart Foundation tick of approval)
- product origin (e.g. 'Australian Made Australian Grown')
- environmental sustainability (e.g. dolphin-friendly tuna)
- animal welfare (e.g. RSPCA approved)
- compatibility with religious belief systems (e.g. halal, kosher)
- dietary choice (e.g. organic)
- ethical sourcing (e.g. fair trade)

The benefits of certification

2.3 Certification confirms that a required standard has been met, and is commonly used to identify organic, gluten free, halal, or kosher food products. For certification to be effective a standard must be clear, information about the standard should be easily accessible, and consumers must have confidence in the credibility and integrity of the certification system.

2.4 The value of certification to food producers and retailers is to allow them to differentiate their product in the market:

The value to the manufacturer or brand owner lies in the fact that a trusted and independent entity is confirming that the product has the claimed characteristic, and the value to the certifier lies in enhanced reputation as a trusted expert and in the certification fees paid.¹

1 Australian Food and Grocery Council, *Submission 1412*, p. 4.

2.5 Market forces play a significant role in the success of a certification scheme. When consumers do not trust a certifying body, it offers little value to the manufacturer or retailer, and the commercial relationship is likely to be discontinued.² Certification may also be valuable for food manufacturers and retailers in other less direct ways:

- It may be an entry cost of doing business with a particular customer or retailer, or to gain access to a particular market – for example, halal certification allows entry into Middle East and South East Asian markets;
- It opens the opportunity for incremental business opportunities (e.g. selling to food service as well as retail), leading to better productivity and higher factory utilisation;
- It can fulfil corporate charter requirements and ‘good corporate citizen’ measures; and
- It acts as a compliance measure for claim substantiation (i.e. the product label claim might be ‘organic’ which is then substantiated by way of a third party organic certification).³

2.6 Certification is therefore 'both a marketing tool and a quality assurance measure.'⁴

The importance of export market access

2.7 Australia is a mature food market in which consumption is rising modestly in line with population growth. By contrast, overseas food markets, such as the Middle East and much of Asia, are expanding as the number of middle class consumers grows.⁵

2.8 At present, approximately two thirds of Australian food is produced for export.⁶ Our food exports were worth approximately \$37 billion in 2014 alone.⁷

2.9 Certification provides Australian food exporters with access to lucrative export markets.

2.10 Food certification is expanding rapidly worldwide—in 2013, the value of the global certification market was estimated at US\$10 billion, roughly 1.4 per cent of the total value of the global food and agricultural industry, and it is projected to grow at more than five per cent annually to 2019.⁸

2 Australian Food and Grocery Council, *Submission 1412*, p. 4.

3 Australian Food and Grocery Council, *Submission 1412*, p. 4.

4 Export Council of Australia, *Submission 1436*, p. 3.

5 Department of Industry and Science, *Submission 1413*, p. 15.

6 Department of Agriculture, *Submission 1338*, p. 2.

7 Department of Foreign Affairs and Trade, *Submission 1236*, p. 1.

8 Food South Australia, *Submission 945*, p. 13.

2.11 The value of halal certification alone is substantial:

The global halal market is robust and dynamic market. One of its most outstanding features of halal certification is that it can capture and is intended to capture both this market as well as others that do not characterise themselves as halal markets. Halal certification is an effective and sought after instrument that enables companies to expand the scope of their customers worldwide. Arguably no other instrument has the capacity to do so than halal because essentially it removes barriers of entry to markets. Australia would be at a considerable disadvantage to do anything to undermine halal or its utilisation by Australian business. Using the halal certification label can bring about a massive expansion of both halal and non-halal exports and result in significant improvements in Australia's terms of trade if in fact it has not already done so.⁹

2.12 It is estimated that there are 1.6 billion consumers in the halal market worldwide, making it one of the biggest food markets in the world:

According to research commissioned by the Dubai Chamber of Commerce the halal food industry was worth US\$1.1 trillion dollars in 2013. It estimates that the global share of the food and beverages market accounted for 16.6 percent. The UAE halal food market alone (dominated by unpackaged red meat at 78.7 per cent) was valued at \$20 billion dollars in 2013. The outlook is even more impressive. The global halal food market is expected to be worth 1.6 trillion dollars in 2018, growing at a compound growth rate of 6.9 percent. There are also higher estimates which claim that the halal market was worth US\$2 trillion dollars 2008, when halal food is combined non-food halal products (i.e. cosmetics & pharmaceutical products etc.). What this shows is that the halal market is one of the fastest growing and lucrative food markets in the world.¹⁰

2.13 The Australian red meat export sector was worth \$1.4 billion in 2013–14. Halal certification is required for exports to Indonesia, Malaysia, Iran, Iraq, the United Arab Emirates, Jordan, Kuwait, Bahrain, Brunei, Oman, Qatar, Saudi Arabia and Egypt. These are significant markets for the meat industry¹¹ and third party certification is instrumental in providing exporters access to these markets:

Were we unable to offer Australian Government assured halal certification to our Muslim and other trading partners, access for our red meat exports to these markets would be limited and potentially denied, with a corresponding deleterious effect on the Australian red meat export industry. Likewise, if other food businesses did not have access to commercial halal certification services this would limit their ability to access a large and

9 Mr Abdul Ayan, *Submission 205*, p. 5.

10 Mr Abdul Ayan, *Submission 205*, p. 12. See also Department of Industry and Science, *Submission 1413*, p. 12.

11 Department of Foreign Affairs and Trade, *Submission 1236*, p. 3.

growing pool of Muslim consumers, many of whom reside in rapidly growing economies within our region.¹²

2.14 Kosher certification presents comparatively fewer economic advantages, but is 'useful for exporting to Israel and the United States.'¹³ Opportunities also exist in organic food certification, with Australia's organic food exports valued at over \$228 million in 2014.¹⁴

Regulation

2.15 Various food certification schemes are subject to a complex interplay of regulatory standards which balance food safety with the varied requirements of our export markets. The Department of Industry and Science (DIS) explained:

The institutional structures and administration of Australia's food industry regulation are complex due to the devolved nature of many activities and the need to balance production and consumer marketing aspects of food with food safety and export requirements.¹⁵

2.16 Food safety is important to consumers, industry and the government:

In Australia, and indeed most modern economies, food safety is assured to the extent possible through processes of hazard identification, and control point identification for risk minimisation and mitigation.¹⁶

2.17 Although it is not common practice for quality and safety system accreditations to appear on food labels, significant work is being done to standardise food safety audits:¹⁷

Safety audits are undertaken for regulatory compliance, as a result of manufacturer requirements or to satisfy retailer requirements, and at present there is relatively little recognition by one stakeholder of safety audits undertaken for another, even though the safety audit can be standardised against internationally accepted protocols. This creates the circumstance where a company might undergo 10 to 15 different safety audits in a year, all looking at the same things. This duplication places a burden on auditors and on the audit process where standardisation and recognition could drive better outcomes for consumers and for industry.¹⁸

2.18 The Department of Agriculture has an important role in regulating the certification of goods for export, which 'provides recognisable economic benefit to Australia's agricultural industries and assists against the threat of market failure.'¹⁹ In

12 Department of Foreign Affairs and Trade, *Submission 1236*, p. 3.

13 Department of Industry and Science, *Submission 1413*, p. 12.

14 Department of Industry and Science, *Submission 1413*, p. 12.

15 Department of Industry and Science, *Submission 1413*, p. 6.

16 Australian Food and Grocery Council, *Submission 1412*, p. 5.

17 Australian Food and Grocery Council, *Submission 1412*, p. 5.

18 Australian Food and Grocery Council, *Submission 1412*, p. 5.

19 Department of Agriculture, *Submission 1338*, p. 2.

the case of halal certified foods, the department's role is limited only to the halal certification of red meat—certification of other goods is on a purely commercial basis.²⁰

2.19 Manufacturers and brand owners are not always required by law to certify products destined for the domestic market, nor do regulations prevent claims being made about products which are not certified.²¹ As put by the Australian Food and Grocery Council, '[c]ertifications are rather discretionary marketing activities of the manufacturer or brand owner.'²²

2.20 The section below explores how consumer interests are protected.

Consumer protection—certification trademarks

2.21 The consumer protection provisions contained in Schedule 2 of the *Competition and Consumer Act 2010* (Australian Consumer Law) apply to all commercial activity in Australia, including all certification schemes. Under the Australian Consumer Law:

A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive.²³

2.22 The Australian Food and Grocery Council elaborated on this:

- it is unlawful to make a representation that is misleading or deceptive or likely to mislead or deceive, including by way of a certification;
- it is both unlawful and a criminal offence to make a false or misleading representation that a product has a history or characteristic that it does not have, including by way of a certification; and
- it is both unlawful and a criminal offence to represent that a product has a sponsorship or approval that it does not have.²⁴

2.23 Although the Act provides a considerable degree of consumer protection regarding the validity of certifications, the type of trademark/logo a certification body operates under impacts considerably on the resultant level of consumer protection.

2.24 The *Trade Marks Act 1995* distinguishes between types of trademarks:

A special class of trade marks has been created in Australia, called a certification trade mark (CTM). CTMs differ from other registered

20 See discussion with Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, pp 32–45.

21 Claims must be accurate and truthful to comply with the *Competition and Consumer Act* (the Australian Consumer Law).

22 Australian Food and Grocery Council, *Submission 1412*, p. 7.

23 Section 18 (1) of the *Competition and Consumer Act 2010*.

24 Australian Food and Grocery Council, *Submission 1412*, pp 5–6.

trademarks in that they require a set of public rules which must be met in order for that manufacturer to be able to display the CTM.²⁵

2.25 CTMs are lodged and processed by IP Australia, and must be approved by the Australian Competition and Consumer Commission (ACCC) before they can be registered under the *Trade Marks Act*. Dr Richard Chadwick, General Manager of the Adjudication Branch of the ACCC explained Australia's trademark system during the inquiry:

Certification trademarks are a type of trademark, so they lodge an application with IP Australia, and IP Australia does its usual kind of review of the trademark. And then, if they are seeking a certification trademark, IP Australia sends the application and the rules across to us. As Mr Gregson said, there are really two types of things we look at. Under the Trade Marks Act, there is a set of requirements effectively that the rules have to specify the attributes of the person doing the assessment; the rules that are being assessed, so the standard; and how they are being assessed. There are also requirements that there are dispute resolution systems. So, if you like, the certification process has to have certain elements. And then the commission also has a broader assessment process, which is really deciding whether or not the trademark and the rules are consistent with the principles of consumer protection and competition.²⁶

2.26 Certification trademarks indicate that a product is of a particular quality, manufactured in a particular way or according to a particular process and that the advertised standard is assessed and monitored for compliance regularly. The Heart Foundation Tick is a well-known and easily recognised certification trademark.

2.27 Consumers can be confident that products certified by a company with a certification trademark comply with the sought-after standard or value:

[CTMs] might be said to be more transparent to consumers due to the public nature of the requirements and processes involved in the certification. However, operating a CTM is a more expensive exercise for certifiers, costs which are ultimately borne by the certified manufacturers through fees.²⁷

2.28 There is no requirement for a logo or a trademark to be a registered certification trademark. Certification authorities may 'seek protection of their intellectual property through other mechanisms' or not seek protection at all.²⁸

2.29 Certification bodies which do not have registered certification trademarks are by law only prohibited from misleading conduct, penalties for which range from

25 Australian Food and Grocery Council, *Submission 1412*, p. 8.

26 Dr Richard Chadwick, General Manager, Adjudication Branch, Australian Competition and Consumer Commission, *Proof Committee Hansard*, 24 September 2015, p. 2.

27 Australian Food and Grocery Council, *Submission 1412*, p. 8.

28 Mr Scott Gregson, Executive General Manager, Consumer Enforcement, Australian Competition and Consumer Commission, *Proof Committee Hansard*, 24 September 2015, p. 1.

\$200 000 for individuals and \$1.1 million for companies.²⁹ They are not required to operate to a particular standard.

Certification schemes

Organic certification

2.30 The organic market is the fastest growing agricultural industry in Australia, currently valued at \$1.72 billion.

2.31 The term "organic" is not regulated for the domestic Australian market³⁰—the industry relies on self-regulation, consumer awareness and respect:

Responsibility for action taken on misuse of the term organic and certified organic therefore falls on the certification industry, working in concert where relevant with the ACCC and fair trade agencies. Ultimately this is a market driven and supported production system attribution claim which requires vigilance from consumers in looking for, and buying, certified organic products under a recognised logo.³¹

2.32 Conversely, organic food bound for export is subject to strict controls.³²

2.33 Certification is carried out by one of six organic certification bodies administered by the Department of Agriculture:

The Department of Agriculture is considered the competent authority, and conducts annual audits to verify that all organic certification issued by these bodies is in accordance with the requirements of the National Standards for Organic and Biodynamic Produce.³³

2.34 A representative of the department explained its role:

I think the easiest way to explain something that is very complicated is in a simple framework. Essentially my division operates under and administers the Export Control Act. Within the Export Control Act, we will have a range of prescribed goods and, clearly, one of those prescribed goods areas is meat and meat products. Within our regulatory philosophy, what we are seeking to do is, to the minimalist extent possible, meet importing country requirements. So depending on what the aspect of the commodity is, depending on the markets it is going to, it enables us then to use various ranges of instruments to have the lightest possible touch into those markets. Probably one of the lightest touch regulatory models we have is organic. You would have observed that we actually facilitate industry in as a devolved way as possible the administration of that program. You would

29 Mr Scott Gregson, Executive General Manager, Consumer Enforcement, Australian Competition and Consumer Commission, *Proof Committee Hansard*, 24 September 2015, p. 3.

30 Department of Foreign Affairs and Trade, *Submission 1236*, p. 4.

31 Australian Organic Ltd, *Submission 1374*, p. 1.

32 Organic Industry Standards and Certification Council Inc., *Submission 1398*, p. 1.

33 Organic Industry Standards and Certification Council Inc., *Submission 1398*, p. 1.

have heard that we gain the assurances for the certificates that are issued on our behalf through some verification audits over those certifiers.³⁴

2.35 Each of the six certifiers is required to comply with strict criteria, and must provide information regarding fee structures and service provision. Certifiers must simultaneously meet strict regulatory standards applied by the European Union, Taiwan and Japan 'in order to accredit product for export to these regions, under equivalency arrangements.'³⁵

2.36 A number of Australian organic certifiers also hold direct accreditation with foreign governments, for example the United States Department of Agriculture National Organic Program, which enables them to certify products for export bound for those countries. Their accreditation with overseas governments means they meet other nations' legislative and audit requirements.³⁶

2.37 In their submission to the inquiry, the Department of Foreign Affairs and Trade state third party certification is critical to the continued growth of Australia's organics industry:

Although Australia's total percentage share of the global organic food market is only 2.3 per cent, the forecast compound annual growth rate of the Australian industry for 2014-2016 is 12.5 per cent, more than double that of the global industry of 5.9 per cent. This growth potential will benefit from continued robust third party certification for organics, which in turn should continue to support national and international consumer confidence in Australian organic produce and ensure that we maintain access to key overseas markets.³⁷

Genetically modified food

2.38 Only two genetically modified (GM) crops, canola and cotton, are grown in Australia.³⁸

2.39 GM food is regulated under standard 1.5.2 of the Food Standards Code.³⁹ The food standard permits up to 0.9 per cent of genetically modified material in food products. Products containing higher levels are required to be labelled as "genetically modified". A submission from GMO ID Australia states that no routine testing is conducted on imported products.⁴⁰

34 Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 32.

35 Organic Industry Standards and Certification Council Inc., *Submission 1398*, p. 1.

36 Organic Industry Standards and Certification Council Inc., *Submission 1398*, p. 1.

37 Department of Foreign Affairs and Trade, *Submission 1236*, p. 4.

38 GMO ID Australia, *Submission 376*, p. 1.

39 For more information see Food Standards Australia New Zealand (FSANZ) at: <http://www.foodstandards.gov.au/consumer/gmfood/gmoverview/Pages/default.aspx> (accessed 9 November 2015).

40 GMO ID Australia, *Submission 376*, p. 1.

2.40 Certification is available for non-genetically modified food products:

Non GM certification is a non-religious standard and was established to inform customers/consumers about a product/ingredient that current labelling legislation does not adequately cover. Many consumers are concerned about genetic manipulation of different crops, by products and animals.⁴¹

Religious certification

2.41 There are two primary forms of religious based certification carried out in Australia—kosher for the Jewish market, and halal for the Muslim market. Both halal and kosher certification bodies adhere to specific requirements in relation to how meat is to be slaughtered, which ingredients are permissible and how cross-contamination of products is to be avoided. Submissions received from the Halal Certification Authority Australia (HCAA) and the Executive Council of Australian Jewry (ECAJ) confirmed that non-meat products sold as halal or kosher are not blessed or religiously altered in any way.⁴²

2.42 Specific issues of concern to submitters are examined in the next chapter. The sections below outline what kosher and halal certification entails and how certification operates in Australia.

Kosher

2.43 ECAJ defined the word "kosher" as "proper" or "fit for use":

It describes the acceptable status of food products in accordance with the Biblically-based dietary laws of the Jewish faith. These laws are extremely intricate, taking up many volumes of ancient and modern scholarly texts and teachings. Reliable and acceptable endorsement of items as kosher requires considerable scholarly and technical knowledge and expertise.⁴³

2.44 The committee was provided an outline of the multifaceted rules and traditions which comprise Jewish religious dietary laws:

- Further, the “kosher” animal must be killed for consumption by specially trained and religiously observant Jewish personnel in a procedure conforming to strict rules that ensure a swift, clean kill.
- Poultry is similarly categorised into acceptable and non-acceptable species, based on a Biblical listing. Chicken and turkey are acceptable species. Wild duck and all carnivorous birds of prey are not. The acceptable poultry must be prepared for consumption under similarly strict regulations governing killing and processing.
- Kosher meat certification rules are not just confined to the meat itself but also govern the acceptability, or otherwise, of the use of

41 GMO ID Australia, *Submission 376*, p. 1.

42 Halal Certification Authority Australia, *Submission 1437*, p. 5. Executive Council of Australian Jewry, *Submission 874*.

43 Executive Council of Australian Jewry, *Submission 874*, p. 1.

everything derived from the animal/meat or otherwise of animal/meat origin. This includes animal-based food products such as tallow-based fats and margarines, and also less obvious animal-derived products such as processing aids like gelatine, emulsifiers and rennet.

- The addition of any non-kosher animal or animal-derived products into other products also renders the final product as non-kosher.
- Kosher laws define the acceptability or otherwise of fish and seafood. Only fish and sea-food possessing defined scales and fins are permitted according to Biblical law. This excludes octopus, shark and whales and all shell-fish and crustaceans such as oysters and crabs and their derivatives.
- The mixing of meat and dairy products or their respective derivatives, is prohibited by Biblical law.
- There are also regulations regarding the acceptability of consumption of various fruit and vegetables, again based on specific Biblical regulations.
- Production of kosher items in equipment that was previously used for non-kosher products also renders the otherwise kosher product non-kosher – unless the equipment first undergoes a specific “cleansing” process to remove any trace of the previous non-kosher “contamination”.⁴⁴

2.45 The committee noted that declaring food to be "kosher" merely entails an expert assessment of the way the food was produced and the ingredients it contains. The food is not subject to any religious ritual, change or blessing.⁴⁵

Kosher certification

2.46 Overall, the market for kosher food in Australia is small, estimated by ECAJ to be about 30 000 people. There are others who seek kosher food on some occasions, for a range of reasons.⁴⁶

2.47 Two kosher certification authorities—the New South Wales Kashrut Authority (NSWKA) and Kosher Australia (KAVIC)—are the principal certification authorities in NSW and Victoria respectively, and provide over 90 per cent of kosher certification services in Australia. The Kashrut Authority of Western Australia (KAWA) is the only kosher certification authority in WA, and no certification authorities operate in Queensland, South Australia, Tasmania or the Australian Capital Territory, reflecting the distribution of Australia's Jewish population. In states without certification authorities, the local Jewish communities rely on kosher supervision

44 Executive Council of Australian Jewry, *Submission 874*, p. 2.

45 Executive Council of Australian Jewry, *Submission 874*, p. 2.

46 The ECAJ submission explains that approximately one quarter of Australia's Jewish population identify as 'strictly Orthodox' or 'modern Orthodox' and can be assumed to 'keep kosher'. See Executive Council of Australian Jewry, *Submission 874*, p. 4.

undertaken by the local rabbis, and will often source specialised kosher products from NSW and Victoria.⁴⁷

2.48 Certifiers examine and certify individual products, but they also certify food businesses such as bakeries, restaurants and caterers. Almost all kosher animal slaughter in Australia is carried out in NSW and Victoria.⁴⁸

Halal

2.49 The Halal Certification Authority Australia (HCAA) defined the word "halal" as 'permitted, allowed, authorised, approved, sanctioned, lawful, legal, legitimate or licit'.⁴⁹ In the context of food "halal" denotes goods that are fit for consumption by Muslims.

2.50 Conversely, foods which are not fit for consumption by Muslims are known as "haram"; that is, 'not permitted, unauthorised, unapproved, unsanctioned, unlawful, illegal, illegitimate or illicit'.⁵⁰ Products are "haram" if they contain or come into contact with:

- Animals not slaughtered according to Islamic requirements.
- Carnivores, omnivores, pigs, dogs or donkeys.
- Animals which died by strangulation, a blow to the head, headlong falls, natural causes, or were killed by another animal.
- Animals with protruding canine teeth, e.g. cats and monkeys.
- Amphibious animals, e.g. frogs and crocodiles.
- Insects such as flies, worms and cockroaches.
- Birds of prey with talons, including owls and eagles.
- Alcohol, harmful substances – any poisonous or intoxicating plants or drinks.
- Blood, urine and faeces.⁵¹

2.51 Mr Abdul Ayan, an international halal consultant based in Melbourne, provided a useful explanation of what is meant by "halal" in the contemporary context:

In Islam, halal is conceived as a universal principle, because it is based on permissibility. Some people refer to it as the principle of permissibility. It means that God's bounty is almost unlimited and that He has made everything halal except a few actions and products that are specified. The concept of halal is not unfamiliar to Judaism albeit under a different but equivalent term - Kosher. The same I understand is true of Christianity

47 Executive Council of Australian Jewry, *Submission 874*, p. 3.

48 Executive Council of Australian Jewry, *Submission 874*, p. 4.

49 Halal Certification Authority Australia, *Submission 1437*, p. 2.

50 Halal Certification Authority Australia, *Submission 1437*, p. 3.

51 See Halal Certification Authority Australia, *Submission 1437*, p. 3.

although it is no longer extant. There is one basic truth about halal food; it is overwhelmingly about products that Humanity (Muslims and non-Muslims) consumes every day. Halal therefore is not peculiar to Muslims even if the term may make it seem as if it is. What is peculiar to Muslims (& Jews) is that they do not consume products like pork etc. To say that a particular food is halal is to say that Islam places no barriers on consuming it. That in fact is the fundamental definition of halal: that everything is halal except 'A, B, C' (a small number of specified products such as pork that are prohibited). The purpose of halal certification is not in fact about halal itself, but about validating the absence of haram in the composition of the products that are sold or offered for consumption. What must be pointed out is that there should be no objection to halal at all, because to do so is to object to the very products that we all consume on a daily basis including water, bread, fruit vegetables and rice etc.⁵²

Halal certification

2.52 HCAA described a halal certificate as a 'document attesting to facts', explaining that it is directly based on Koranic requirement.⁵³

2.53 Mr Abdul Ayan offered the following description of how certification works:

There are many types of halal certification labels on products. Halal certification of raw meat is different from packaged and bottled products. Halal meat is required to have two consecutive certifications. The first is the certification of carcass by way of a stamp on carcass (for ex. VIC MS stamp in Victoria & similar ones for other states) and the other is by way of a certificate of authentication or validation which accompanies the product to its export destination or sales outlet. These are mandatory official certificates. One relates to in-house processes, the other outward validation. There is another certificate called an Interim/Transfer certificate which accompanies the movement of the product in transportation and storage. This however is not an official stamp but one intended for internal management by halal certifiers (to insure that the integrity of the halal product is not compromised).⁵⁴

2.54 Detailed information on organisations authorised to certify non-meat products in Australia is not readily available, was not supplied by any submitters, and could not be found by the committee.

Genetically modified food

2.55 The genetic make-up of food has been manipulated through traditional cross-breeding of plants and animals for generations. Today science allows us to make copies of particular genes from the cells of an animal or plant and insert these copies into the cells of another organism to produce a particular characteristic. The resultant organisms are referred to as genetically modified (GM) foods:

52 Mr Abdul Ayan, *Submission 205*, p. 3.

53 Halal Certification Authority, *Submission 1437*, p. 3.

54 Mr Abdul Ayan, *Submission 205*, p. 5.

Most of the GM foods produced so far are GM plants, for example corn plants with a gene that makes them resistant to insect attack, or soybeans with a modified fatty acid content that makes the oil better suited for frying. Plants that use less water to grow have also been developed so they are more suitable for changing climatic conditions.⁵⁵

2.56 GM foods are regulated under Standard 1.5.2 of the Food Standards Code and subject to mandatory pre-market approval and labelling requirements.⁵⁶

The cost of certification

2.57 Certification services are provided by a range of organisations for a fee. There is no common fee structure—operator's fees are individually structured and depend on the nature of the certification provided. Costs to businesses seeking certification could include:

- Changing operations, reformulating products or modifying ingredient sourcing in order to qualify for certification;
- Certification fees;
- Compliance costs such as certifier visits to facilities, auditing of processes, supply chain and ingredients; and
- Labelling costs where a logo is to be included in packaging.⁵⁷

2.58 To survive in a highly concentrated food market domestically and abroad, manufacturers and brand owners have to be price competitive. The net financial effect of certification therefore has to be beneficial or certification would not be sought.

2.59 The committee sought clarity on fees charged by various certification bodies. It is noted that while some certification authorities were more transparent and forthcoming than others in the information they provided, there is no legislative requirement for fee structures to be made public.

Organic

2.60 Australian Organic Ltd informed the committee that its certification programs cater for both small and large businesses, charging fees 'starting from \$495 per annum for small scale farm operators and capped at less than \$5,000 (ex GST) for the largest operations (farm and processing/handling)'.⁵⁸ Those costs are estimated to represent at most less than 1 per cent of the wholesale cost of certified organic products:

55 Food Standards Australia and New Zealand:
<http://www.foodstandards.gov.au/consumer/gmfood/gmoverview/Pages/default.aspx>
(accessed 11 November 2015).

56 Food Standards Australia and New Zealand:
<http://www.foodstandards.gov.au/consumer/gmfood/gmoverview/Pages/default.aspx>
(accessed 11 November 2015).

57 Australian Food and Grocery Council, *Submission 1412*, p. 8.

58 Australian Organic Ltd, *Submission 1374*, p. 3.

ACO [Australian Certified Organic] maintains its charging structure to assist smaller to medium enterprises as they develop, while also ensuring that financially it is not beholden to any large or singular commercial interests, by maintaining capped and low charges.⁵⁹

2.61 The committee understands that proceeds from organic certification are 'channelled back into assisting in regulating, testing, spot inspections, market access and trade and consumer education.'⁶⁰

Non-genetically modified

2.62 The price to certify food products as 'non-genetically modified' is based on the perceived "risk" of a product or ingredient being genetically modified.⁶¹ Fees may vary from \$1200 per annum for a "low risk" product like Tasmanian honey, to as much as \$13 000 for Manuka honey produced in Turkey, or corn grown in the United States. Fees include auditing, certification and registration with CERT ID, Europe.⁶²

2.63 Although the committee received a considerable number of submissions, a number of concerns were identified. These are set out and addressed in the next chapter.

59 Australian Organic Ltd, *Submission 1374*, p. 3.

60 Australian Organic Ltd, *Submission 1374*, p. 3.

61 GMO ID Australia, *Submission 376*, p. 2.

62 GMO ID Australia, *Submission 376*, p. 2.

Chapter 3

Issues

3.1 The vast majority of submissions the inquiry received voiced concerns about, and opposition to, halal food certification. A number of submitters employed language and arguments which could be described as inflammatory, derogatory, and, in some cases, even obscene. In the interests of fostering an open dialogue and allowing submitters to have their opinions heard on what is clearly a contentious issue, the committee decided to accept and publish as many submissions as possible. Nonetheless, the committee is sensitive to the nature of some of the material in question, and some submissions were not published.

3.2 A number of valid arguments were made by organisations and individuals. Concerns raised by submitters are set out and addressed in this chapter.

Inadequate labelling

3.3 Not all consumers are interested or concerned about food certification or certification logos. However, those who are interested should have access to sufficient information to interpret what certification stamps represent. This could include information on:

- Who is the certifying body?
- What is the certifier's competence to provide certification, in terms of subject matter expertise and audit/compliance skills?
- What does a company need to do in order to be certified or remain certified?
- What checks or audits are undertaken to ensure the certification is used properly, and what is the experience of the auditor?
- Is the certification a profit-making enterprise or run only as cost-recovery?
- To what purposes are profits (if any) from certification fees devoted?¹

3.4 A large number of submitters expressed dissatisfaction with current labelling practices, particularly in the case of halal certified foods.² Mrs Kirralie Smith, representing Halal Choices, an organisation with the stated aim of providing consumers with information to help them easily identify halal foods, expressed the following view:

Australian consumers, myself included, are very frustrated with the lack of choice and information regarding halal certification on their everyday grocery purchases. It is almost impossible to make informed choices as many products are not clearly labelled or the company refuses to give clear

1 Australian Food and Grocery Council, *Submission 1412*, p. 11.

2 See for example Halal Choices, *Submission 1278*; Mr Burnie Riley, *Submission 514*; Ms Suzanne Strates, *Submission 776*; Name withheld, *Submission 443*; Mr Richard Sibthorpe, *Submission 467*; Mr Russell Gomez, *Submission 498*; Mr Anthony Crook, *Submission 647*.

and accurate information about halal fees and practices on the items they produce.³

I want that information. I want it to be clear. Through my submission, you can understand that it took years to find out from companies whether they are halal certified or not.⁴

3.5 Mr Bernard Gaynor, who made a comprehensive submission and appeared before the committee in a private capacity, stated:

There is no doubt that the failure of food producers to provide Australian consumers with information about the Islamic component used in the food-production process is because of negative connotations held by the Australian consumer about sharia-law-compliant food.⁵

Quite simply, where food, religion and money meet, this should be disclosed to the consumer.⁶

3.6 Melbourne based international halal consultant Mr Abdul Ayan, while supporting consumers' right to information, questioned why some in the community were so critical of halal certified product labelling:

In principle I support that consumers should normally have information about the products they buy or that appropriate information be made available to them. Consumers can also make themselves informed particularly if that information is readily available say on the internet. But to be informed or make oneself informed about a product does not begin with objecting to it on the basis preconceived ideas and prejudices. And if the product one is seeking information about is the same product he/she has always or often consumed, then what is it does he/she really want to know that is new or different from that which he/she has always known? But if information needs to be had then it must be simple useful and relevant information. A manufacturer, producer or certifier's website normally includes a customer inquiry page and other pages which the customer may consult to obtain information he/she needs about halal certified products. Perhaps such websites may be designed with a view to providing "adequate" information. Depending on what information is required this will add to the cost companies pay for certification and ultimately to the prices of products at the point of sale.⁷

3.7 When product labels carry certification stamps, they let target consumers know the products meet their expectations, and they help those who may wish to do so

3 Mrs Kirralie Smith, Director, Halal Choices Incorporated, *Proof Committee Hansard*, 24 September 2015, p. 17.

4 Mrs Kirralie Smith, Director, Halal Choices Incorporated, *Proof Committee Hansard*, 24 September 2015, p. 18.

5 Mr Bernard Gaynor, *Proof Committee Hansard*, 24 September 2015, p. 31.

6 Mr Bernard Gaynor, *Proof Committee Hansard*, 24 September 2015, p. 32.

7 Mr Abdul Ayan, *Submission 205*, p. 8.

avoid those products.. Their reasons for doing so are, in the committee's view, a matter of personal choice.

3.8 A number of stakeholders, usually representing business organisations and government, did not consider that current labelling practices were insufficient.

3.9 Government agencies and other organisations consider that sufficient avenues exist for consumers to verify third-party certifications, and that mandating further information disclosure on food labels is unnecessary.⁸ In its submission, the Department of Agriculture concluded that 'a market-driven, self-regulatory approach to consumer value concerns, such as halal labelling, is likely to be more responsive to consumer needs than a regulatory response.'⁹

3.10 The Department of Industry and Science expressed a similar view:

The department considers that Australian Consumer Law provides adequate protections in relation to the labelling of consumer preferences for food products and that current food regulation balances the need to protect and inform consumers with the need to avoid unnecessary costs to businesses.¹⁰

3.11 Further, the Australian Food and Grocery Council (AFGC) stated that brand owners and manufacturers could be legally constrained by their certification license agreements as to what information they can disclose about the certification logo on their labels; and that providing information was a role for the certifiers themselves.¹¹

The AFGC considers that, in the first instance, it is incumbent on certifiers to improve the recognition and trust in their program by embracing greater transparency. It is in the certifier's interest to do so as it increases the value of their certification. It would further enhance the reputation of certifications as a class by promoting consistency of disclosed information, enabling consumers and manufacturers to better judge the nature of the certification being provided.¹²

3.12 In their submission, the AFGC suggest the following information could be made available:

- The legal entity issuing the certification, and whether it is commercial or not-for-profit
- Its authority to issue certification
- Any limits on the acceptance of the certification (e.g. by country or by denomination)
- How a company obtains and maintains the certification

8 Department of Industry and Science, *Submission 1413*, p. 11.

9 Department of Agriculture, *Submission 1338*, p. 12.

10 Department of Industry and Science, *Submission 1413*, p. 4.

11 Australian Food and Grocery Council, *Submission 1412*, p. 11.

12 Australian Food and Grocery Council, *Submission 1412*, pp 11–12.

- What checks are undertaken to audit the certification, who undertakes such checks and what is their qualification to undertake the audit
- How consumers might check whether a claimed certification is valid
- What sorts of fees and charges are levied (description rather than amount)
- Whether the certification scheme is run not-for-profit or as a commercial venture, and if commercial, the uses to which profits are devoted.¹³

Anti-halal campaigns

3.13 The committee is familiar with various anti-halal certification campaigns. This, Mrs Kirralie Smith explained, is in response to inadequate labelling:

Consumer boycotts are a reaction to the betrayal of leading supermarkets and retail companies who refuse to adequately label products and give them a true choice at the point of sale. Promoting and funding religious practices must not continue without the consumer's knowledge or consent.¹⁴

3.14 Worryingly, the Australian Food and Grocery Council reported member concerns 'over the impact on consumer contact staff in particular of abusive anti-halal calls and mail.'¹⁵ The committee also heard disturbing suggestions that some companies have had to remove the halal logo from their products fearing violent attacks.¹⁶

Committee view

3.15 The committee did not receive sufficient evidence to either support or dispel the possibility that companies and their staff have been subjected to abusive phone calls or threats of violence. However, given the strength of feeling in some sections of the community and the tenor of some of the submissions received over the course of this inquiry, the committee believes such allegations may well have merit. The committee does not condone any such conduct, and strongly encourages anyone receiving threats of violence to contact police.

3.16 Nevertheless, the committee recognises that not all members of our community agree with or accept religious certification, and agrees that consumers should have sufficient information to make the choices they feel are appropriate. The committee also accepts that manufacturers cannot provide exhaustive information on food labels—such a demand would make it almost impossible to package products

13 Australian Food and Grocery Council, *Submission 1412*, p. 11.

14 Mrs Kirralie Smith, Director, Halal Choices Incorporated, *Proof Committee Hansard*, 24 September 2015, p. 17.

15 Australian Food and Grocery Council, *Submission 1412*, p. 9.

16 Halal Certification Authority Australia, *Submission 1437*, p. 11.

and result in significant production cost increases which would ultimately be passed on to consumers—this is not an outcome the committee advocates.

3.17 Consumer and business interests appear to be at odds on this issue. As previously stated, companies choose to label—or not label—their products "halal" as they see fit. These are rational commercial decisions made in the context of the market in which products are sold.

3.18 The committee is firmly of the view that people have a right to make informed decisions, whatever the basis of their preferences or prejudices. At the same time, consumers are urged to be sensible in deciding how to express their displeasure over food retailers' or manufacturers' practices. Shopping elsewhere and switching brands are valid personal choices people can make. Verbal abuse, intimidation and threats of violence are not.

Recommendation 1

3.19 The committee recommends that food manufacturers clearly label products which have received third party certification.

Do certification fees raise food prices?

3.20 Products certified organic attract a premium price due to the increased cost of production and the relatively smaller quantities available.

3.21 Most submitters were not concerned with the higher cost of organic products, but instead sought assurance that halal certification—which was in their view unnecessary and unwanted—would not drive up supermarket prices.¹⁷

3.22 One submitter claimed that price increases due to halal certification were already evident:

Of still further concern is the fact that some of the certification fees are as high as \$27,000 per month (\$324,000/year) and this obviously has to be passed on to the consumer which is evident in the increased prices I am paying which is not reflected in the price the primary producers are receiving for their goods.¹⁸

3.23 Evidence received by the committee overwhelmingly suggests that halal certification does not result in increased food prices. This view was shared by government departments and other submitters:

The department is not privy to the commercial costs of halal certification. However it considers that domestic and international food markets are competitive and price-conscious, and that market incentives are such that Australian businesses are very unlikely to noticeably increase the costs of their products through halal certification. Similarly, businesses are unlikely

17 For example see Mrs Helen Buckle, *Submission 644*.

18 Mrs Helen Buckle, *Submission 644*, p. 4.

to obtain voluntary halal certification if they perceive it would do their business financial harm.¹⁹

3.24 Mr Abdul Ayan pointed out that halal certification fees were lower than fees charged by the government for other types of certification and monitoring. Addressing perceived misconceptions about halal certification fees, Mr Ayan stated:

They are neither hidden fees destined for terrorists nor are they religious taxes as claimed by anti-halal groups. Instead they are generally known fees that are in fact modest and low by comparison. I doubt that that you will find many businesses that will agree with the proposition that they are high or extremely high. In a normal commercial environment one could have expected them to be significantly higher- probably between 50 or 100% higher than what they are now. It is important to point out in this respect that certification fees per se have barely risen for the past 20 years. Where a particular certifier has substantially raised his fees, it would be the exception rather than the rule. But you must bear in mind these are based on commercial agreements that are subject to change or termination as the parties may determine.²⁰

3.25 Mr Ayan added that halal certification may in fact have the opposite effect, pushing prices down,²¹ and quoted the Minister for Agriculture, the Hon. Barnaby Joyce MP:

He was clear and unambiguous about the value and importance of these market[s] for Australia stating that “in the rural sector, we know these are really strong markets for us, big markets, reliable markets that stood the test of time, and we work very well [with them]. They don’t ask us to become Islamic, we don’t ask them to become Christians, we trade extremely well and we get along very well and we understand each other very well and we don’t want any unnecessary heat brought into this space because the only people who [will] lose in this will be us”. This indeed is an impressive and candid appraisal of our trade relations with these countries and a warning signal to those who want to trash it. It is not easy to find a more unequivocal and indeed more sobering endorsement of halal certification and its importance for this country than Mr. Joyce’s.²²

3.26 The committee concluded that insufficient evidence exists to determine the effect of third party certification of food on supermarket prices. The committee notes, however, that retailers seek to be price competitive—the committee is of the view that consumers will shop elsewhere if prices are unfairly raised.

Imposition of religion

3.27 Many submitters were concerned about religious certification. The arguments underpinning these submissions ranged from the profane to the well-reasoned. A

19 Department of Industry and Science, *Submission 1413*, p. 14.

20 Mr Abdul Ayan, *Submission 205*, p. 10.

21 Mr Abdul Ayan, *Submission 205*, p. 10.

22 Mr Abdul Ayan, *Submission 205*, p. 11.

large number of submissions asserted that religious food certification imposes association with a particular religion on consumers, and that such an imposition has no place in secular society.²³ Although many submitters expressing this view spoke in broad terms against "any religion" being imposed on non-adherents, it must be noted that an overwhelming majority of submitters were clearly primarily concerned with halal, not kosher, certification.

3.28 A submission from the National Sikh Council stated:

I have carefully considered this very controversial subject also from a holistic perspective as almost 98% of the Australian are not Muslims. Yet, we are forced to pay to make food fit to eat for only 2% of the population.²⁴

3.29 Mr Bernard Gaynor went even further, arguing that halal certification represents the imposition of sharia law on Australians:

Firstly, halal certification is viewed as a form of religious tax that funds the growth and spread of Islam in Australia, and that it is ultimately funded primarily by the non-Muslim majority of the population. Secondly, halal certification is seen as a way of imposing sharia law and Islamic religious beliefs on the majority of non-Muslim Australians every time they sit down to eat. Thirdly, halal certification causes concern, because it results in the embedding of an Islamic religious ritual in the food-production process of meat products. This necessarily results in discriminatory employment practices, and raises additional concerns about a loss of religious freedom.²⁵

3.30 Mr Gaynor went on to explain that, in his view, there is a considerable problem caused by halal certification:

It is irrelevant whether these concerns held by ordinary Australians are about Islamic religious beliefs and halal certification are valid or not in terms of this inquiry. But I would argue that there are strong and legitimate reasons to hold those concerns. Those concerns exist, and the Commonwealth government has no power or legal role to play in presenting the case or proselytising for Islam. It does, however, have a role to play in ensuring that consumer confidence is addressed when there is a clear market failure in food-labelling arrangements. The market failure and crisis-in-confidence over halal certification can be addressed very easily, and it can be done in such a way that it does not limit any Australian's religious freedom, whether they be Muslim or not, and it can be done in a way that fits with our fundamental belief in freedom and choice.²⁶

3.31 The committee notes that Mr Gaynor is among a number of submitters who expressed their conscientious objection to products which are halal certified. The

23 For example National Sikh Council, *Submission 234*.

24 National Sikh Council, *Submission 234*, p. 1.

25 Mr Bernard Gaynor, *Proof Committee Hansard*, 24 September 2015, p. 31.

26 Mr Bernard Gaynor, *Proof Committee Hansard*, 24 September 2015, pp 31–32.

committee also recognises that Mr Gaynor does not describe his stance as a conscientious objection:

I would say conscientious objection is where you are a minority in a larger system that is imposing requirements on you that have some problem with your conscience and you object to those. I represent the majority of Australians who are non-Muslim, so we are not conscientiously objecting at all. We just want to see our way of life continue; but the majority of meat in Australia is sacrificed to Allah.²⁷

3.32 An important distinction must however be made between the terms "halal" and "kosher", and halal and kosher *certification*. The former refers to standards producers, manufacturers and retailers have to meet, while the latter is a commercial transaction.

3.33 Secondly, products are certified because the seller—not the certifier—sought the certification. These are rational business decisions made on economic grounds; that is, food retailers and producers seek to expand profits by increasing their market access. They are business transactions, not religious rituals. This means that consumers who are not Muslim or Jewish are not partaking in, or subject to, religious rites when they buy religiously certified food.

3.34 This is a crucial point. Non-Muslim consumers are not forced to engage with a religious ritual by purchasing halal certified goods because no such ritual takes place during certification—the food is not altered in any way or substantively different before and after certification. Evidence provided by the Australian Federation of Islamic Councils (also known as Muslims Australia) explained that halal certification, even halal slaughter, does not involve religious rituals:

No, this word 'ritual' is used unnecessarily. There is no ritual involved. Islam introduced halal slaughter to get rid of the ritual slaughter, where the animal was slaughtered in this god's name or that god's name or for other purposes. Ritual is the wrong word to use. As soon as the animal is stunned, it falls down in front of where the slaughterman is standing. He has a sharp knife as a requirement and he slaughters the animal. Then the other people working in the abattoir take over.²⁸

3.35 Similarly, Mr Peter Wertheim, Executive Director of the Executive Council of Australian Jewry, confirmed that no rituals are performed or prayers said over animals prior to kosher slaughter.²⁹

3.36 Furthermore, the perceived increase in halal certified foods is largely a product of rational, financially-driven business decisions; not the spread of Islam. As the Department of Industry explains, Australian food businesses produce goods to

27 Mr Bernard Gaynor, *Proof Committee Hansard*, 24 September 2015, p. 33.

28 Mr Wasim Raza, Manager, Australian Federation of Islamic Councils (Muslims Australia), *Proof Committee Hansard*, 3 November 2015, pp 2–3.

29 Mr Peter Wertheim, Executive Director, Executive Council of Australian Jewry, *Proof Committee Hansard*, 21 August 2015, p. 22.

meet the needs of a variety of export markets, not just the domestic market. They have their products certified in order to increase their client base:

To promote the attributes of their products whilst also managing production costs efficiently and flexibly, Australian businesses often produce food products with a range of voluntary certifications, including halal, so that their full production runs can be sold into both domestic and international markets.³⁰

3.37 In the department's view, individual businesses can decide whether to seek such certification and 'make consumer marketing decisions concerning halal certification for their food products.'³¹ The committee concurs with the department.

Committee view

3.38 The committee welcomed input from all witnesses at its hearings, but is careful to dispel the assertion that views expressed by any individual represent the majority of Australians.

3.39 The committee notes that many submissions conflate the term "halal" with the process of halal certification. Halal certification is purely a commercial exchange, and represents a considerable economic opportunity for Australian food exporting businesses. Certification does not require a religious ritual, nor does it in itself make food any more or any less halal. Products are either halal or they are not—certification merely verifies the fact. It cannot be asserted that the act of certification imposes religion on consumers. In the committee's view more could be done to explain what halal certification entails—this would assist in clarifying prevailing misconceptions.

3.40 The committee believes that, as long as products are clearly labelled, whether food businesses seek halal certification is a matter for them.

Where does the money go?

3.41 A significant number of submitters expressed a deep mistrust of halal certification and speculated that a link might exist between halal certification in Australia and terrorist activity by extremists:³²

There is a lot of mistrust by many Australians in regards to this whole business, and rightly so. The genuineness of these Certifiers should also be called into question, when products that are naturally halal, such as water and milk, are attracting certification as well. There is also a genuine concern that these certifiers are masquerading as a type of charity to the Muslim population, but are instead lining their pockets, and also funding

30 Department of Industry and Science, *Submission 1413*, p. 14.

31 Department of Industry and Science, *Submission 1413*, p. 14.

32 See for example Ms Erica Grace, *Submission 15*; Ms Suzanne Strates, *Submission 776*; Ms Leona Duncombe, *Submission 1038*; Ms Julia Rook, *Submission 206*; Mr Kev Gilchrist, *Submission 207*; Ms Lesley Anne Sullivan, *Submission 209*.

other organisations that have strong links to criminal activity such as Terrorism.³³

3.42 The committee considered these serious allegations very closely and sought the clarification of a number of government agencies with expertise on anti-money laundering and counterterrorism financing (AML/CTF). Evidence supplied by AUSTRAC, Australia's regulator and specialist financial intelligence unit with responsibility for monitoring AML/CTF, stated that despite these allegations, such a link does not exist:

There have been various public claims that fees from certifying halal food may be funding terrorism. AUSTRAC has no information that indicates halal certification is linked to terrorism. AUSTRAC receives financial transaction reports from businesses providing designated services under our act. AUSTRAC monitoring of reported financial transactions allows analysts to make judgements about potential risks of terrorism financing or money laundering and refers relevant information to investigating agencies. AUSTRAC monitors reported financial transactions, including reports of suspicious financial activity and related transactions to identify money movements associated with halal certification. Of the information identified from this monitoring of reported financial transactions, none of these have been assessed as being related to the funding of terrorism, with regard to halal certification fees. AUSTRAC will continue to monitor reported financial transactions and analyse data related to halal certification to identify information that may be relevant to investigating agencies.³⁴

3.43 Representatives of the Australian Crime Commission (ACC) explained that any sector from which large amounts of money are being remitted carries with it an 'opportunity for either serious and organised crime or people sympathetic with terrorism to utilise and exploit that particular sector.'³⁵ The ACC confirmed that no direct link between halal certification in Australia and the funding of terrorism had been found.

3.44 A number of submitters remained unconvinced by the lack of evidence suggesting a direct link between halal certification in Australia and terrorism funding, and continue to speculate:

[T]o me, it is quite clear that the government cannot definitively say that there are no links to funding either extremists or terrorism. Over and over again in those reports they talk about the charities being one of the major conduits for funding terrorism, and all of the halal certifiers—maybe not all, but let's say the majority—boast about how much money they give to charity. I do not think that there is ever going to be a direct link. As with most criminal activity, there are no direct links, and that is why we need

33 Ms Suzanne Strates, *Submission 776*, p. 1.

34 Mrs Angela Jamieson, National Manager, Compliance, AUSTRAC, *Proof Committee Hansard*, 24 September 2015, p. 8.

35 Mr Hamish Hansford, National Manager, Strategic Intelligence and Strategy, Australian Crime Commission, *Proof Committee Hansard*, 24 September 2015, p. 15.

investigations to uncover these sorts of things. But it is quite clear that the halal certifiers are giving to charities, and AUSTRAC, AIC and ACC have all said repeatedly that those charities are major conduits for funding extremists and terrorism both here and overseas.³⁶

3.45 The committee did not receive any evidence supporting this view.

Committee view

3.46 The committee defers to the view of agencies which are at the forefront of Australia's counter-terrorism and anti-money laundering endeavours, which have access to classified intelligence and considerable resources, and whose evidence indicates that there is no direct link between halal certification in Australia and terrorism funding.

3.47 The committee has complete confidence that these agencies are vigilant in their efforts to protect our nation and its interests.

Oversight of halal certification—a two-tiered system

3.48 Halal certification is 'a modern development barely fifty years old.'³⁷ The recent proliferation of certifiers reflects the realities of a rapidly expanding market. The committee was informed that there were approximately 13 registered halal certifiers in Australia in 2011/2012—today there are some 22.³⁸

3.49 Not long into this inquiry it became apparent that a two-tiered system governs halal certification in Australia: one framework is in place for the export market, and another system, characterised by the absence of a framework, for the domestic market.

Certification for meat export

3.50 While the government oversees the halal certification of goods bound for the export market, its regulatory role is limited to only the halal certification of meat.³⁹ When evidence was sought on the Department of Agriculture's engagement with and oversight of halal meat certifiers, the department explained the complexities of the system and the interplay between its oversight and the demands of the export market:

Effectively, Islamic certifiers will need to have an approved arrangement, if you like, with the department. That approved arrangement will contain names, relevant qualifications and experiences of the parties that are involved or making the application, when seeking approval from the department to enter

36 Mrs Kirralie Smith, Director, Halal Choices Incorporated, *Proof Committee Hansard*, 24 September 2015, p. 22.

37 Mr Abdul Ayan, *Submission 205*, p. 4.

38 Mr Abdul Ayan, *Submission 205*, p. 11. The Department of Agriculture publishes a 'list of recognised Islamic bodies for halal certification of red meat', see: <http://www.agriculture.gov.au/export/food/meat/elmer-3/list-islamic-halal-certification> (accessed 3 November 2015).

39 Other goods are certified on a commercial basis. See discussion with Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 33.

into the field of halal certification. In relation to considering that application, we also consider a range of other aspects, including financial standing, 'fit and proper', and essentially their competency to fulfil that role. As you can imagine, the other side of our requirements in terms of halal certifiers is that they have to be recognised by a local mosque. These requirements are the requirements of the overseas countries. They need to be recognised by an importing country authority, so there is no point just wandering into the department if you do not actually have countries that recognise your competency and standing in that particular field. They must have some degree of documentation supporting that. They must provide details to the department of their training and supervision of Muslim slaughtermen and issue Muslim slaughtermen with identity cards once they are assessed as competent.⁴⁰

3.51 Audits of halal certification bodies are not carried out by the department; this responsibility instead rests with the Islamic organisations the department works with:

They conduct their own audit oversight as part of their approved program and their oversight responsibilities, so those are the reports that will be forwarded to the department. The department is also auditing its approved Islamic organisations to ensure their compliance with those requirements.⁴¹

3.52 The department explained the reasoning behind this system, and emphasized that Islamic organisations are guided by clearly set out responsibilities:

As you could understand, if we have a religious review in Australia by a competent authority from an importing country with a focus on the religious aspects of ritual slaughter, then obviously we want the approved Islamic organisation to be front and centre through that review.⁴²

Our regulatory framework also outlines the responsibilities of the Islamic organisations, the responsibilities of the department and the responsibilities of the plant. So, from a regulatory perspective, we have Islamic organisations that have a very clear framework of how they are going to operate on our various export plants in terms of halal supervision. From the plants' side we also have in their approved arrangements how they are going to fulfil their obligations in terms of halal slaughter, segregation of product and a range of other requirements of them. From the department's perspective, we have an oversighting role over both of those participants through our review and audit processes.⁴³

3.53 Others were critical in their assessment of the quality control mechanisms in place:

40 Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 33.

41 Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 37.

42 Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 33.

43 Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 33.

It is fair to say that halal certification, and particularly how certifiers practice it, has many deep seated problems. Their audit and supervision as well as their service provision are poor. There are also credible reports that some engage in corrupt, unethical and improper practices. The system allows them to do so and some therefore take full advantage of it. Halal certification has been widely described by leading members of the Muslim community, aptly in view, as a cash cow whose function is to collect as much money as possible in exchange for little or no provision of services beyond signing and issuing certificates. Each halal registered establishment is required to have a halal program to serve as its operational manual. Halal programs are seldom examined by certifiers to ascertain if they are fully in line with the standard with which they are supposed to comply, or reviewed to ensure that the system is working well to standard. Some of them appear out of date and not relevant to the importing countries requirements.⁴⁴

3.54 The committee understands that meat exporters, in particular, are restrained by the current system precisely because arrangements for securing halal certification in Australia are frequently determined by the importing country. Any given importing country only recognises a small subset of 'authorised' halal certifiers, and this varies from country to country. As a consequence, meat exporters can often be required to obtain multiple halal certifications in order to export to more than one country.⁴⁵

3.55 What this in effect means is that some approved certifiers have a 'monopoly of sorts', as there is 'no competitive force to encourage innovation and efficiency and manage costs.'⁴⁶ One exporter reported 'having to pay for first class air travel for a short factory visit as an example of this lack of competition.'⁴⁷

Committee view

3.56 The committee accepts that these isolated incidents do not reflect the practices of all certifiers, but nonetheless believes that more could be done to ensure greater competition and, as a consequence, improved accountability and quality in certification. It is important to recognise that this would require the government considering taking a greater role. As put by Australian Food and Grocery Council:

It is perhaps naive to hope that one halal certification might satisfy the disparate religious authorities across the varied cultural and economic Islamic world, and in a sense obtaining the 'correct' certification for an export market is simply a cost of doing business in that market. However, it would appear there is opportunity for Australia's trade negotiators to raise this issue in appropriate bilateral and multilateral contexts as a potentially significant non-

44 Mr Abdul Ayan, *Submission 205*, p. 6.

45 Australian Food and Grocery Council, *Submission 1412*, p. 12. For details on the certifiers recognised by each red meat importing country see <http://www.agriculture.gov.au/export/food/meat/elmer-3/list-islamic-halal-certification> (accessed 18 November 2015).

46 Australian Food and Grocery Council, *Submission 1412*, p. 12.

47 Australian Food and Grocery Council, *Submission 1412*, pp 12–13.

tariff barrier to trade, and it would likely reduce the costs of Australian exporters if the current arrangements could be rationalised.⁴⁸

3.57 This being the case, the committee is of the view that a good place to start would be for the government to work with industry to define a minimum standard for halal certification, which halal certification bodies registered with the Department of Agriculture would be required to comply with, and that the department would routinely monitor.

3.58 The government should also consider becoming the sole signatory on the government halal certificate while recognising a panel of current halal certifiers as third party providers. This would effectively mean that the government would be responsible for the management and enforcement of halal standards for export meat products. The government would also through bilateral and multilateral discussions pursue greater acceptance of an Australian government-led halal certification system for future meat exports with all of its current customers. The government, in consultation with industry would set a minimum published set of standards to accompany the establishment of this system.

Recommendation 2

3.59 The committee recommends that the government, through the Department of Agriculture, consider the monitoring and compliance of halal certification of meat for export; and becoming the sole signatory on the government halal certificate.

Recommendation 3

3.60 The committee recommends that the government, through bilateral and multilateral forums, promote greater acceptance of a 'whole-of-country', government-led halal certification system.

The domestic market

3.61 Regulation of halal certification in the domestic market can be generously described as lacklustre.⁴⁹ The committee heard credible reports suggesting that the lack of regulation has at times been unscrupulously exploited.⁵⁰

3.62 Government agencies, however, did not express concern or indicate that they perceived any significant shortcomings in how certification bodies operate in the domestic market. The Department of Industry and Science, for example, stressed that certification entities 'are required to comply with Australia's business licencing, registration and disclosure frameworks.'⁵¹ The inference was that this requirement was sufficient.

48 Australian Food and Grocery Council, *Submission 1412*, p. 13.

49 Certification is for the most part sought voluntarily by business owners and is in fact not regulated. See Department of Agriculture, *Submission 1338*, p. 3.

50 Mr Abdul Ayan, *Submission 205*, p. 16.

51 Department of Industry and Science, *Submission 1413*, p. 15.

3.63 Given the depth of concern among submitters about halal certification, however, the committee was surprised to discover how little verifiable information is available on certification in the domestic market. It is easy to see why misconceptions about halal certification are rife, and easy to imagine that the absence of regulation could be exploited.

3.64 The committee noted a repeated reference to halal certification authorities as "Islamic bodies" or religious societies. The Department of Agriculture's list of recognised certifiers refers to the entities as "Islamic bodies". However, the committee was advised that not all certification authorities are Islamic bodies:

There are three categories of halal certifiers. Firstly those that are unambiguously mosque or in other ways religiously based societies; secondly those that are privately owned family concerns and thirdly those that are sole traders or partnerships. Sometimes the boundaries seem blurred.⁵²

3.65 The committee is also aware of allegations of misconduct and corruption among halal certifiers. These are beyond the scope of the committee's current inquiry. It is the committee's position that anyone who believes they have evidence of illegal activity should contact the appropriate law enforcement agencies.

Committee view

3.66 Incorporated halal and kosher certification authorities are required to comply with Australian law. Like other Australian businesses, they are subject to penalties should they fail to do so. Questioning whether it is right to profit financially from religious certification, as some submitters did, is a point of philosophy and is not a question for this inquiry. The committee unanimously supports Australian exporters in their endeavours to increase access to overseas markets.

3.67 The domestic halal certification system is, however, clearly in disarray. The lack of regulation has created chaos and uncertainty, and opened the door to unscrupulous conduct. In turn, this threatens to taint halal certification as a whole and must be addressed in the interests of increasing our access to lucrative overseas markets. How the system could be improved is examined below.

Improving the integrity of the system

3.68 Since certification is a commercial exchange wherein the business owner and certifier are, in most cases, pursuing profit, without adequate oversight there is little to discourage unscrupulous operators.

3.69 The committee consulted a range of stakeholders in its bid to ascertain how best to regulate halal certification in the domestic market.

52 Mr Abdul Ayan, *Submission 205*, p. 13.

3.70 Mr Abdul Ayan, who has considerable experience in the field, provided substantial and comprehensive evidence on how regulation could be improved.⁵³

3.71 Representatives of the Department of Industry and Science suggested:

There are a range of approaches...You could envisage a regulatory authority for each and every issue that comes up, but we do have a range of measures in place across the economy that can be used. They may not appear to have direct relevance, but the provisions of the Competition and Consumer [Act] are at the forefront in relation to misleading and deceptive conduct. Section 52 could be brought to bear on that, and, if my memory serves me correctly, an action under that section can be brought either by the ACCC [Australian Competition and Consumer Commission] or by a private sector competitor, for example.⁵⁴

3.72 The committee explored the possibility of requiring domestic halal certification bodies to register certification trademarks (CTMs):

A CTM indicates to consumers that a product or service meets a particular standard. For example, a CTM might indicate that a product is of a particular quality or manufactured in a particular way or location or process.

CTM schemes should have a mechanism and expertise to determine compliance with the certification requirements and allegations of failure to meet those standards.⁵⁵

3.73 Such a requirement would, as set out in chapter 2, improve the regulation of certifiers.

3.74 For this regulation to be effective, a single standard for halal certification would need to be established. This would be an ambitious and complex undertaking, although the committee was provided with a suggestion by Mr Ayan.⁵⁶

Committee view

3.75 The committee agrees in-principle with the AFGC, which 'does not consider that certification schemes should be mandated to be CTMs...without evidence of significant regulatory failure.'⁵⁷ It is the committee's view, however, that this inquiry has unearthed significant cause for concern and reason to believe that some halal certification entities operating in Australia are exploiting the lenient regulatory environment. For this reason, and given the importance of a healthy and robust halal

53 Mr Abdul Ayan, *Submission 205*. See also Mr Abdul Ayan, *Proof Committee Hansard*, 3 November 2015, pp 10–18.

54 Mr Peter Chesworth, Head of Division, Sectoral Growth Policy Division, Department of Industry and Science, *Proof Committee Hansard*, 21 August 2015, pp 46–47.

55 Mr Scott Gregson, Executive General Manager, Consumer Enforcement, Australian Competition and Consumer Commission, *Proof Committee Hansard*, 24 September 2015, pp 1–2.

56 Abdullahi Ayan, *Accessing the Global Halal Market*, Chapter 6, tabled at public hearing 3 November 2015.

57 Australian Food and Grocery Council, *Submission 1412*, p. 8.

certification system to Australia's interests, the committee believes enough evidence exists to require that halal certification schemes be CTMs.

3.76 The committee also believes that to ensure greater confidence and clarity, the halal certification community should look to establish a single industry-led halal certification authority to provide quality control of all domestic focused certifiers and their operations. This would include the consolidation of existing halal certification logos/trademarks into a single national registered CTM that has been endorsed by the ACCC. The standards set would be comparable to the same standards as those for export.

3.77 The committee also wishes to stress that a number of halal certification authorities were approached over the course of this inquiry and invited to make submissions or participate in public hearings. Most chose not to engage with the committee or its inquiry, which, in the committee's view, was not helpful. The committee sincerely thanks witnesses and submitters with halal certification expertise who made submissions or appeared as witnesses; the inquiry benefited greatly from their contributions.

Recommendation 4

3.78 The committee recommends that the government consider requiring certification bodies to register their operations under certification trademarks.

Recommendation 5

3.79 The committee recommends that the government consider requiring that halal certification of goods in the domestic market comply with the standard agreed for export.

Recommendation 6

3.80 The committee recommends that the halal certification industry consider establishing a single halal certification authority and a single national registered certified trademark.

Employment discrimination

3.81 Submitters also raised the question of employment discrimination in religious certification, pointing to 'a large discrepancy between theory and practice in Australian anti-discrimination laws when it comes to halal slaughter.'⁵⁸ Again, halal certification attracted the most interest:

In halal-certified abattoirs only Muslim males can now find employment as slaughterers. Non-Muslims and women are considered Haram - unclean.

58 Drs Stephen and Dianne Grocott, *Submission 986*, p. 1. See also Mr Dylan Boyd-Tomlinson, *Submission 436*, p. 3; Mr Greg McKay, *Submission 230*, p. 1; Ms Vicki Hohenhaus, *Submission 307*, p. 1.

This is overt sharia law, manifest in discrimination on gender and religious grounds, and applied with full consent of Australian government agencies.⁵⁹

3.82 A submission from the Halal Certification Authority Australia (HCAA) disputed this assertion:

Halal Certification in abattoirs do not discriminate against non-Muslims or women.

The only Muslims employed in an abattoir are usually limited to slaughtering. This could be from two (2) to six (6) Muslims out of the whole workforce.

Other non-Muslim slaughterers are employed by abattoirs for emergencies and to do non-Halal slaughtering.

From an Islamic point of view there are no impediments for a woman to hold the position of slaughterer.⁶⁰

3.83 The advice received from HCAA was put to the Australian Federation of Islamic Councils (Muslims Australia). Representing AFIC, Manager Mr Wasim Raza stated:

If you have got that advice from a reliable source, then I will not dispute it. But, as far as my understanding, it has to be a man, for one reason, because it is not a good experience to slaughter, to cut an animal's throat, so it is recommended that a man be there.⁶¹

3.84 The committee noted the differing views and concluded that a definitive answer could not be established with the available evidence. On the question of whether halal slaughter has to be performed by a Muslim, Mr Raza explained:

If he is going to say the words, 'bismillah ir-rahman ir-rahim', 'bismillah' means 'in the name of God', so he has to be a Muslim. Some scholars even say 'an adherent of a godly faith'—Christians or Jews, for instance. But these days all the Muslim scholars have said that it has to be a Muslim to do that slaughter.⁶²

Committee view

3.85 The committee notes submitters' views on perceived discriminatory practices, but also notes that there is a question of potential infringement of religious freedom to consider. Many of the religions practiced in Australia, including some Christian denominations, adhere to particular norms which may not on face value reflect equal opportunity principles but are nonetheless accepted.

59 Mr Greg McKay, *Submission 230*, p. 1.

60 Halal Certification Authority Australia, *Submission 1437*, p. 9.

61 Mr Wasim Raza, Manager, Australian Federation of Islamic Councils (Muslims Australia), *Proof Committee Hansard*, 3 November 2015, p. 3.

62 Mr Wasim Raza, Manager, Australian Federation of Islamic Councils (Muslims Australia), *Proof Committee Hansard*, 3 November 2015, p. 3.

Animal welfare

3.86 A number of submitters were concerned about kosher and halal certified meat from an animal welfare perspective. These submitters identified ethical issues with slaughtering livestock that had not first been stunned, and reject assertions that religious slaughter is no more or less cruel than any other type of slaughter.⁶³

3.87 One submitter stated:

Muslims in general are opposed to the stunning of animals prior to slaughter and non-stunning (or possibly partial stunning) prior to slaughter is a requirement for halal meat certification.

The non-stunning of animals prior to slaughter is a cruel and inhumane process whereby the animal suffers unnecessary pain and distress prior to dying...The process of partial stunning is also dubious and there seems reasonable potential for a partially stunned animal to "wake up" during the slaughtering process creating considerable distress and pain to the animal.⁶⁴

3.88 Another concurred:

On the RSPCA website I read that some abattoirs in Australia have permission to conduct religious slaughter without prior stunning, which of course would be extremely distressing and painful for the animals. Cutting the throat first and then stunning, as per common practice, is completely unacceptable, as no living thing should suffer the pain of a physical injury like this while conscious. And reversible stunning is not really much better; it is estimated to take 15-45 seconds (variably reported) for the stun to wear off and the animal becomes conscious. The length of time it takes for the animal for bleed out to death is the concern here. The EFSA Journal 2004 published that cattle can take up to 2 minutes to become insensible, and up to 2.5 minutes in poultry and 15 minutes or more in fish. These animals wake up only to find they are bleeding to death, I can hardly imagine that terror. This just cannot go on, pre-stunning is the only way, and it cannot be reversible. There are too many variables to go wrong for the animals, as the arteries need to be severed properly and it has to be done very rapidly. I have seen footage of ritually slaughtered animals hung up on racks after their throats were slit, and they are bleeding out and are jerking and writhing as they die fully conscious. I find this extremely distressing, and cannot stand by and let it happen without trying to be a voice for these animals.⁶⁵

3.89 However, other submitters questioned the premise underlying opposition to religious slaughter and the sincerity of those opposing religious slaughter on animal welfare grounds:

63 See for example Mr Burnie Riley, *Submission 514*, p. 2; National Sikh Council, *Submission 234*, p.1; Mr Jurgen Oehme, *Submission 457*, p. 2; Mr Craig Litchfield, *Submission 485*, p. 1; Ms Lesley Anne Sullivan, *Submission 209*.

64 Name withheld, *Submission 1282*, p. 2.

65 Name withheld, *Submission 919*, pp 2–3.

At what point does an act of violence, an act of cruelty, or the process of slaughter, become acceptably or unacceptably inhumane? To draw the line between one type of slaughter, and another which at most results in six seconds of additional pain, seems arbitrary in the extreme.⁶⁶

Even if halal slaughter was especially cruel, is it the claim that there is a clear line between that cruelty and lesser cruelty that is defined by reasoning? Is it a coincidence that those who oppose halal slaughter also happen to oppose (Islamic) immigration to Australia; or even to reject Indigenous land rights; or in many cases even the place of Jewish people in Australia?

The answer is no. The opposition to halal slaughter is discriminatory because the proponents selectively concern themselves with animal rights when the abusers happen to be of the race or religion they demonise, rather than also seeking to promote animal welfare elsewhere in Australian society.⁶⁷

3.90 Considering the importance of halal and kosher-compliant slaughter to people of the Islamic and Jewish faiths respectively, objectivity is important when evaluating slaughter methods from an animal welfare perspective. The committee therefore broached the subject with representatives of both the Jewish and Muslim communities with expertise in religious certification.

3.91 Mr Wasim Raza, representing the Australian Federation of Islamic Councils (Muslims Australia), confirmed that stunning 'has to be reversible or 'not permanent' to be accepted as halal.'⁶⁸ He added:

They (abattoirs) work in conjunction with RSPCA, so they use their stunning procedures. Our concern is mainly: is this stunning reversible? If the animal were left alone for a minute or two, would the animal regain consciousness? If that is the case, then we have no problem with the stunning.⁶⁹

3.92 The committee, however, understands that Islamic organisations are divided on the question of whether any form of stunning is appropriate.⁷⁰

3.93 Rabbi Mordechai Gutnick confirmed that kosher slaughter of livestock does not permit any form of pre-stunning.⁷¹ Rabbi Moshe Gutnick expanded:

The exemption for not having pre-stunning is a longstanding one for many years. It also falls into best practice of animal welfare as well. If we are talking about lamb, which are the smaller animals, the slaughter is done

66 Mr Andre Bosch, *Submission 571*, p. 2.

67 Mr Andre Bosch, *Submission 571*, p. 3.

68 Mr Wasim Raza, Manager, Australian Federation of Islamic Councils (Muslims Australia), *Proof Committee Hansard*, 3 November 2015, p. 2.

69 Mr Wasim Raza, Manager, Australian Federation of Islamic Councils (Muslims Australia), *Proof Committee Hansard*, 3 November 2015, p. 2.

70 See discussion, *Proof Committee Hansard*, 3 November 2015, p. 2.

71 Rabbi Mordechai Gutnick, Rabbinic Administrator, Kosher Australia Pty Ltd., *Proof Committee Hansard*, 21 August 2015, p. 19.

with a very special knife in a very special way so that the animal falls into unconsciousness within seconds. A cow takes a bit longer to fall unconscious and that is why there is an immediate post-stun. The actual cut itself is not considered a breach of animal welfare principles, and this has been shown by Professor Temple Grandin, who is a world-known expert in animal welfare. The actual slaughter cut done in kosher is as appropriate, and fulfils animal welfare guidelines in the same manner, as any other method of slaughter. This has basically been accepted by Australian animal welfare authorities as well.⁷²

3.94 The committee did not receive input from animal welfare organisations, and did not have the necessary evidence to make a firm judgement on this issue. The committee notes, however, that religious slaughter methods are compliant with Australian animal welfare legislation:

All animals slaughtered for human consumption in Australia, including those slaughtered as halal, must be produced in accordance with the Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption. This Standard stipulates requirements for animal welfare including a required outcome of ‘the minimisation of the risk of injury, pain and suffering and the least practical disturbance to animals’.⁷³

Committee view

3.95 The committee is of the view that individuals and organisations who believe the slaughter methods employed are sub-par or even cruel should engage constructively and positively with Australian Muslim and Jewish communities. Norms evolve over time; the committee is not aware of any reason for religious requirements and animal welfare to be mutually exclusive.

Recommendation 7

3.96 The committee recommends that meat processors clearly label products sourced from animals subject to religious slaughter.

Conclusion

3.97 While the committee sought to publish the bulk of submissions received, it is cognisant of the pronounced anti-Islamic tenor permeating a regrettably large portion of these. Many Australians, Muslim and non-Muslim alike, may have been justifiably confronted by the vitriolic nature of some of the published submissions. The committee therefore again stresses that the decision to publish much of this material was not taken lightly.

72 Rabbi Moshe Gutnick, Rabbinic Administrator, Kashrut Authority Inc., *Proof Committee Hansard*, 21 August 2015, p. 19.

73 Department of Industry and Science, *Submission 1413*, p. 11. See also Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, *Proof Committee Hansard*, 21 August 2015, p. 34.

3.98 At the same time, it was open to all to make a contribution to this inquiry. Engaging with the process is the best way to have your voice heard.

3.99 It is an inescapable fact that halal certification is poorly understood and arguably under-regulated, certainly in the domestic market. This compromises the integrity of the system and has allowed the proliferation of questionable conduct by certifiers of questionable expertise and intent. This has in turn contributed to tainting public sentiment and, in the committee's view, amplified the perceived seriousness of what shortcomings may exist. As with many commercial endeavours, improvements can no doubt be made—but the committee stresses that calling for reform is vastly different from advocating abolition.

3.100 The committee reiterates that the international market for halal-certified food is considerable. There is every reason for Australian food businesses to seek to increase their share in this market; doing so can only be of benefit for Australia.

3.101 There is a risk, however, that problems with public perception domestically could pose a threat to Australia's ability to take advantage of the abundant economic opportunities available through export. The committee is persuaded by evidence indicating that shortcomings in Australia's halal certification system must be overcome if we are to capture a larger share in this growing overseas market.

3.102 Implementing the recommendations contained in this report would strengthen Australia's halal certification system and position our food producers, manufacturers and related businesses to be more competitive globally. The lack of a broadly recognised and respected halal certification standard internationally provides a tremendous opportunity for Australia to establish itself as a world leader in the field. For this to happen, Australian businesses, halal certification professionals and government agencies must work together to design, implement and oversee an authoritative, consistent and transparent standard and system for certification. The committee hopes that this opportunity will not be missed.

Senator Chris Ketter
Chair

Senator Sam Dastyari
(Chair until 22 October 2015)

Additional Comments

Senator Cory Bernardi

1.1 The aim of this inquiry was to obtain the facts about food certification in Australia, amid the uncertainty voiced by businesses and consumers.

1.2 The 1492 submissions received illustrate the level of public concern about third party certification of food. As mentioned in the committee's report, Australians particularly had questions and concerns about halal certification.

1.3 Some submitters who were critical of halal certification also made the point that they accepted and supported Muslims being able to access halal certified food. In many cases, submitters were not calling for a complete removal of halal certification; just more information so that they could choose whether or not to buy halal certified products. This reflects the committee's view that "calling for reform is vastly different from advocating abolition."¹

1.4 I support the committee's recommendations and most of the conclusions made by the committee; however, there are a number of points the report did not address and areas where the report didn't go far enough.

Inquiry welcomed

1.5 This inquiry was welcomed by a broad cross-section of the Australian food community, including the Australian Food and Grocery Council (AFGC), the Organic Standards and Certification Council, the Executive Council of Australian Jewry, Food SA² and Australian Organic.³

1.6 Robert Goot, the President of the Executive Council of Australian Jewry said "we don't see the inquiry as a threat. It might even provide an opportunity to dispel some misconceptions, and thereby encourage greater understanding and respect for our religious beliefs."⁴

1.7 Indeed, even Mr Abdul Ayan, who had been critical of the inquiry's establishment initially, told the committee in November that he valued the work of the

1 Committee report, Chapter 3.

2 Audio file attached to the following story: Anna Vidot, 'Food industry back Senate certification inquiry, hopes to address 'misinformation' about halal', ABC Rural, 14 May 2015, <http://www.abc.net.au/news/2015-05-14/senate-to-hold-inquiry-into-halal-other-food-certification/6470112>, (accessed 15 May 2015).

3 Australian Organic Twitter account, <https://twitter.com/AustOrganic/status/599075725413457920>, (accessed 15 May 2015).

4 As quoted in Gareth Narunsky, "Kashrut probe not a threat", Australian Jewish News online, 21 May 2015, <http://www.jewishnews.net.au/kashrut-probe-not-a-threat/41983>, (accessed 25 November 2015).

inquiry and he hoped “that this inquiry will be productive and beneficial for Australia’s trade and commerce in halal products and services.”⁵

1.8 The AFGC considered it a “good thing” if the inquiry “can put to bed” the claims and misinformation, and establish the facts, particularly around halal certification.⁶

1.9 This inquiry was possibly one of the best opportunities that certifiers had to debunk misconceptions and to counter suspicions with truth.

Halal certifiers ignored opportunity

1.10 The total number of halal certifiers in Australia is not known in any official capacity. There are at least 22 halal certifiers involved in our export markets⁷, and an unknown number that serve the domestic market.

1.11 Yet very few certifiers took up the opportunity to contribute to the inquiry and I share the committee’s dissatisfaction with this lack of participation. If certifiers are worried about being misunderstood or misrepresented, they were given a chance to present their views to politicians, the parliament and the public.

1.12 This inquiry was an opportunity for certifiers to allay misconceptions and community anxieties, and to detail the benefits of certification to the Australian community.

1.13 The fact that so many refused to do so suggests that people have a right to be concerned.

Mohamed El-Mouelhy

1.14 Mr Mohamed El-Mouelhy, head of the Halal Certification Authority (a halal certifier), made a submission but chose to not appear before the committee at a hearing.

1.15 Mr El-Mouelhy has taken every opportunity on social media and on TV to broadcast his views on halal certification, yet when offered the chance to do so at a Senate committee hearing, he refused to appear.

1.16 On Facebook he called the inquiry an “exercise in bigotry”⁸. He insulted other submitters as bigots⁹. He claimed – incorrectly - that the inquiry wanted to destroy the halal certification industry, and that the government had ‘shut down’ the inquiry.¹⁰

5 Abdul Ayan, Answers to questions on notice, 3 November 2015 hearing, p. 20.

6 Anna Vidot, ‘Food industry back Senate certification inquiry, hopes to address ‘misinformation’ about halal’, ABC Rural, 14 May 2015, <http://www.abc.net.au/news/2015-05-14/senate-to-hold-inquiry-into-halal-other-food-certification/6470112>, (accessed 15 May 2015).

7 ‘List of recognised Islamic bodies for halal certification of red meat’, Department of Agriculture and Water Resources website, (current as at 2 November 2015), <http://www.agriculture.gov.au/export/food/meat/elmer-3/list-islamic-halal-certification>, (accessed 25 November 2015).

8 Mohamed Elmouelhy Facebook post, 25 August 2015, (accessed 13 October 2015).

1.17 While he has the right to refuse, the committee would have benefited from his appearance to present questions and seek further information about his role in halal certification.

Labelling

1.18 I agree with the committee's conclusions regarding inadequate labelling and the lack of information available to consumers, particularly with halal certified products.

1.19 It cannot be emphasised enough that consumers have a right to make informed decisions –regardless of their motivations. Current labelling practices do not allow them to fully realise this. This is particularly problematic for the Sikh community in Australia whose beliefs prohibit them from consuming halal food.

1.20 The Executive Council of Australian Jewry agreed with improved certification labelling: “We would welcome any tightening of the law to ensure both proper disclosure and truth and accuracy in labelling.”¹¹

1.21 The report maintains that certification does not represent the spread of religion, but that is not always the case. Kosher certification is done on a cost recovery basis but halal certification raises money that is then (in many cases) spent on religious communities and facilities for the proselytization of Islam. Even Islamic organisations with charitable status (like AFIC), that maintain halal certification is done on a cost recovery basis, identify large profits attributable to their certification business in their financial reports. These funds clearly contribute to their organisational aims which include supporting schools, mosques, and other Islamic organisations.

1.22 Further, in respect to halal certification, some certifiers have mentioned supporting Islamic charities which have been associated with extremist Islamic groups whilst AUSTRAC have identified Islamic charities as a major conduit of funds to proscribed or terrorist organisations.

1.23 Also, regardless of people's views on that point, a lack of labelling still means that Australians are unknowingly supporting a cause that they may or may not wish to support.

It's about choice

1.24 A lack of choice was a key concern of most submitters that were worried about halal certification. They made it clear that they had no problem with Muslims accessing foods that fit with their belief systems. That is as it should be. It was the lack of choice that they took issue with.

1.25 They do not appreciate purchasing halal certified food without their knowledge, given that many halal certified products are not labelled as such. Without

9 Mohamed Elmouelhy Facebook post, 9 July 2015, accessed 13 October 2015.

10 Mohamed Elmouelhy Facebook posts, 23 and 25 August 2015, accessed 13 October 2015.

11 *Committee Hansard*, 21 August 2015, p. 17.

a label, consumers cannot easily determine at the point of sale whether a product is halal certified.

1.26 The main purpose of certification is to ensure Muslims that the products are permissible to consume. If Muslims are not able to determine at the point of sale which foods are halal certified, why bother with certification? As one submitter said, it “causes one to ponder what the point of the certification is if the consumers requiring halal certified products do not know it is halal certified.”¹²

1.27 Many submissions were concerned that the cost of halal certification was being passed on to them when they purchased products. While there are those who argue that the costs cannot possibly be passed on to the consumer because the cost is so minimal when spread across millions of products, the point remains that the manufacturer paid money to a halal certifier, and some consumers may not wish to support in any way a manufacturer that has given money to a particular organisation, be it religious or not.

1.28 If companies were paying the Catholic Church for Catholic certification, and then not telling consumers about it, one can imagine that many Australians would be up in arms about it.

1.29 Australians want the freedom to support causes and ideologies of their choosing. They want to support schools, charities and businesses that represent their concerns and they want to be able to make informed choices.

1.30 That means proper and transparent labelling and a clear indication of how money collected through any certification scheme is utilised.

1.31 Another consideration is where certification revenue goes. Some Australians may prefer not to support companies that sell certified products if the certification revenue is sent overseas. For example, an Australian halal certifier – the Islamic Coordinating Council of Victoria (ICCV) – is funding a mosque and orphanage complex in Indonesia, even though the Deputy Chair of the ICCV had initially said that the money stays in Australia.¹³

1.32 Halal certificated products need to be labelled as such on the packaging in order for consumers to make an informed choice at the point of sale. They may still choose to purchase the product or they may not, but the main point is that the choice is theirs to make.

Consumers want information

1.33 Increasingly, consumers want to be informed in detail about the products they purchase. This includes the country-of-origin, fair trade, sustainability, where ingredients were grown and where the product was manufactured, among other considerations.

12 R Smith, *Submission 399*, p. 2.

13 Geoff Thompson, Peter Cronau and Joel Tozer, ‘The Truth About Halal’ transcript, *Four Corners*, Australian Broadcasting Corporation, 7 September 2015.

1.34 Ethical slaughter is an important issue for many Australians. The outrage stemming from the live export trade a few years ago demonstrates that people care about animal welfare and the method of slaughter undertaken. This was also reflected in a number of submissions. These people would like the opportunity to purchase meat that has not been slaughtered in a way that they do not agree with. How many of these Australians are unknowingly purchasing and eating meat that has been slaughtered in a way that they may regard as unethical?

1.35 Therefore, wanting to know about certification is just another piece of information that consumers would like to be able to access easily.

Double standards

1.36 Halal certification has caused a number of people in the community to question why all Australian consumers are expected to support Islamic religious causes in the purchase of their everyday grocery products.

1.37 It seems a legitimate question to ask and yet, for daring to voice that concern, some Australians have been labelled racists and Islamophobes. As Halal Choices argued in their submission, when you choose to buy Australian products, no one labels you a racist. Yet when you choose not to buy halal products, you are labelled a racist and a bigot.¹⁴ The double standard in how consumers are treated is nonsensical.

Confusion for consumers

1.38 With a lack of certification labelling, particularly with halal certification, consumers are left to contact the manufacturer or supermarket directly to confirm whether a product is certified or if a company has paid for certification.

1.39 Astonishingly, it can be hard to find a simple answer to such a simple question.

1.40 Some companies are unwilling to provide confirmation, others do not know the certification status of their products and some provide conflicting information.

1.41 One submitter explained his efforts to find out whether products were halal certified.¹⁵ He contacted different Woolworths stores about their meat products. Staff in the first and second stores were not able to confirm whether meat they sold was halal certified but they believed all chicken products were halal certified. The second store's halal certificate for chicken in the deli had gone missing. Staff in both stores were not able to produce any lamb, beef or chicken products that were guaranteed to not be halal certified.

1.42 At the third Woolworths store, staff said that it was illegal to sell halal products without a logo (which is not the case) so no meat in the store was halal certified except for those with a certification logo. Yet no meat products appeared to have a logo. A deli worker then said that the chicken was halal, but there was no halal certificate.

14 Halal Choices, *Submission 1278*, pp 8–9.

15 Mr Bernard Gaynor, *Submission 1383*, pp 18–21.

1.43 Woolworths customer service gave the consumer even more mixed messages. The first customer representative confirmed via phone that all Woolworths branded meat was halal certified but it was not possible to confirm this for other branded meat products. Then a second customer representative stated via email that Woolworths branded meat was not halal certified while apparently also indicating that Woolworths branded meat is often produced in abattoirs that are halal accredited:

Some of the meat and poultry that is sold at Woolworths comes from abattoirs that are halal accredited and these sites do use pre-stunning as part of the slaughter process. Woolworths is not halal accredited and therefore meat and poultry sold in our stores is not recognised as halal.¹⁶

1.44 Finally, a local independent butcher told the consumer that over 90 per cent of chicken, lamb and beef in Australia was halal slaughtered.

1.45 Such mixed messages do not assist any Australian consumer, be it a Muslim consumer or someone not wishing to purchase halal certified products.

Products that don't require certification

1.46 Halal Australia states that “All foods are considered halal” except for pork/pork by-products, blood, alcoholic drinks, animals improperly slaughtered, carnivorous animals, birds of prey and particular other animals and “foods contaminated with any of the above products including all meat, fat and biproducts such as emulsifier and gelatin.”¹⁷ This includes plants and fish.¹⁸

1.47 So there are a wide range of products that are already permissible (halal) for Muslims to consume without certification being necessary.

1.48 The Australian Federation of Islamic Councils (AFIC), believed to be one of the country's largest halal certifiers, adds that “some products are naturally Halal and do not require verification”. AFIC said that lists are available for Muslim consumers, yet provided no further detail to the committee about where these lists are and how widely they are made available to Muslims in Australia.¹⁹

1.49 The Kashrut Authority indicated that for kosher certified food:

16 Email received from a Woolworth's representative, 30 June 2015, as quoted in *Submission 1383*, p. 20.

17 Halal Australia website, General FAQ page, accessed 29 April 2015.

18 “Products made from the following substances are Halal unless containing or come into contact with a Haram substance: 1. All plant and their products 2. Certified Halal meat, poultry, game birds and animals. 3. All water creatures, fish, crustaceans and molluscs. 4. Egg from acceptable birds only. 5. Rennet from certified Halal slaughtered calves 6. Non animal rennet (NAR, culture) 7. Gelatine produced from certified Halal beef skins and/or bones, 8. Animal ingredients certified Halal” The Islamic Council of Western Australia, ICWA Halal Guidelines, <http://www.islamiccouncilwa.com.au/halal-certification/halal-guidelines/>, (accessed 25 November 2015).

19 Australian Federation of Islamic Councils, Answers to questions on notice, 3 November 2015 hearing.

It is a matter of knowing the facts about the ingredients in the product and how the product is made. Sometimes those factors are so obvious that the product is kosher and we publish that in our guides... We provide that service free to the community.²⁰

1.50 More effort needs to be made by Islamic certifiers and bodies to inform Muslims within Australia that there are a number of products they can consume; and to provide this information freely, without resorting to certification being paid by manufacturers.

Comparison with kosher

1.51 While the kosher system does have the challenge of dealing with fake kosher labels, the kosher authorities in Australia told the committee about its efforts to ensure as many products as possible were accurately labelled, and that Jewish communities were informed of kosher products via apps, websites and printed information.

1.52 In supermarkets in populated Jewish communities (mainly in Melbourne and Sydney), kosher labels appear on the shelves of kosher certified products, if not on the product packaging. Some supermarkets also have a separate kosher section or aisle.²¹

Religious certification

1.53 The committee's report states that no religious ritual is involved in kosher or halal slaughter. The kosher authorities stated that no prayer or words are uttered during kosher slaughter.²² However, the name of Allah is invoked during halal slaughter by the slaughterman when he says "bismillah" ('in the name of Allah') as he cuts the animal's throat. This was confirmed by Mr Wasim Raza, Manager of AFIC.²³ There is clearly a religious connotation to this so to deny any religious element during halal slaughter is not accurate.

1.54 While there are those, such as Mr El-Mouelhy's Halal Certification Authority,²⁴ who say there is no discrimination and claim that Islam allows women to perform halal slaughter, the reality is different. Mr Raza (from AFIC) confirmed that no females take part in it at all:

All I can say at this stage is that currently there are no females, in Australia or overseas or in Muslim countries, that are involved in this practice.²⁵

1.55 The exclusion of women and non-Muslims from participation in the slaughter process in many of our major abattoirs raises questions of discrimination, particularly when evidence suggests the majority of meat consumed domestically by non-Muslims is slaughtered in accordance with halal requirements.

20 Rabbi Moshe Gutnick, Kashrut Authority Inc, *Committee Hansard*, 21 August 2015, p. 22.

21 *Committee Hansard*, 21 August 2015, p. 21.

22 *Committee Hansard*, 21 August 2015, p. 22.

23 *Committee Hansard*, 3 November 2015, p. 3.

24 Halal Certification Authority Australia, *Submission 1437*, p. 9.

25 *Committee Hansard*, 3 November 2015, p. 3.

Halal certification: lack of regulation, transparency, accountability

1.56 The committee heard examples of a lack of regulation and transparency in halal certification systems, and improvements that could be made in both the export and domestic markets.

Export market

1.57 I agree with the committee's conclusions that improvements need to be made to the halal certification system of exported products. The current system – where importing countries set the rules – can lead to non-tariff barriers to trade such as monopolistic situations and Australian companies having to get multiple certifications.

1.58 The AFGC said that a number of their members – particularly meat processing companies – have raised these issues with them:

In facilitating trade we should be mindful of avoiding those sorts of monopoly situations, because that can quickly become a barrier or it can quickly impose costs that are unreasonable. That has absolutely been raised with us. A flow-on issue that is raised is that the same company and the same processing plant can be required to get two, three or four different halal certifications.²⁶

1.59 This was echoed by a group meat processors, according to additional documents sent to the committee, which were not mentioned in the committee's report. Their concerns are significant, because these meat processors produce a large majority of beef and are at the forefront of halal export certification in Australia.

1.60 This group of meat processors – including some of the largest processors in the country – state that the current halal certification system is “not transparent...demonstrates inconsistent application of halal standards...is high cost to Australian industry...does not have the confidence of consumers of halal beef” and “is causing market access failures.”²⁷ Further documents illustrate the confusing web of agreements, audits and arrangements that are currently in place.

1.61 They “call on the Australian Government to initiate urgent reform of the system by which Australian beef is halal certified”, including greater oversight by the Australian Government.²⁸

1.62 Making improvements to the export certification system is a sensitive issue, given that it involves overseas governments. However, this should not deter our nation from seeking improvements in this system. Encouraging our government to discuss these matters with other governments, even as part of regular trade negotiations and agreements, could be a possible solution, as suggested by the AFGC and the Export Council of Australia.²⁹

26 *Committee Hansard*, 21 August 2015, p. 8.

27 Additional comments from Australian meat processors.

28 Additional comments from Australian meat processors.

29 *Committee Hansard*, 21 August 2015, pp 4, 7, 9, and 12.

Domestic market

1.63 I agree with the conclusions made by the committee regarding the lack of regulation and potential for exploitation within the domestic halal certification system.

1.64 Mr Wasim Raza said that “the biggest issue that is facing this halal certification is local certification.”³⁰

1.65 Certification relies on the integrity of the certifier and the confidence that consumers have in the certifier’s credentials. Yet very little information is available about the certifiers themselves; and the current domestic system is confusing, lacks structure and transparency, and is unaccountable to any overarching authority or body. None of this helps Muslim and non-Muslim consumers have confidence in halal certification.

Basic questions unanswered

1.66 Even some of the most basic questions about halal certification could not be answered by halal certifiers or other witnesses.

1.67 These included questions as to how many certifiers there are in Australia, how many abattoirs permit halal slaughter, the lower and upper ranges of certification fees and what percentage of meat and non-meat products are certified in the domestic market.

1.68 In contrast to this confusion, the kosher authorities and organic organisations were able to clearly answer most of these questions for their respective systems. For example, after this inquiry, we know how many organic and kosher certifiers there are in Australia yet we still don’t have a number of halal certifiers that serve the domestic market.

1.69 Also, among the Australian Muslim community, there are differences regarding the most basic elements of certification, including the definition of ‘halal’ and whether reversible stunning is permitted under Islam or not.³¹

Lack of transparency

1.70 As mentioned earlier, little is known about many halal certifiers in Australia. Some do make an effort to provide information to the public via websites and other methods, yet overall there is still a lack of information about processes, credentials, audits and accountability.

1.71 The AFGC encouraged certifiers to do more to improve transparency:

30 Mr Wasim Raza, Australian Federation of Islamic Councils, *Committee Hansard*, 3 November 2015, p. 6.

31 For example, evidence presented by AFIC permits reversible stunning of animals before their throats are cut by the halal slaughtermen, yet the Islamic Council of WA states that they are opposed to the stunning of animals before slaughter. See *Committee Hansard*, 3 November 2015, p. 2 and ICWA Halal Guidelines, available on their website at <http://www.islamiccouncilwa.com.au/halal-certification/halal-guidelines/>.

When you are dealing in the consumer space, it is in their interest to take those steps. That would be things like: who they are—are they not-for-profit? Are they a commercial entity? What are the standards, competencies, skills and processes followed?; greater clarity on how the certification is undertaken; and; particularly; if they have charitable status, tax-deductible status, to be quite open about revenue and spending and where the money goes.³²

1.72 For those certifiers who are charities, there should be even more transparency:

If you have a government imprimatur or you have a charitable status confirmed by government, then it is reasonable to say there should be a higher standard of transparency.³³

1.73 Two of what are believed to be the largest halal certifiers are registered charities (AFIC and the Supreme Islamic Council of Halal Meat in Australia).

1.74 Surely in the current environment, more information, rather than less, could help counter any suspicion and confusion in consumers' minds.

Lack of oversight, standards and qualifications

1.75 There is no overarching body that oversees or accredits halal certification in Australia, and there is no national halal standard which certifiers are accountable to.

1.76 In contrast, organic certification has the Organic Industry Standards and Certification Council which oversees the national organic standard.³⁴ The Executive Council of Australian Jewry presented a submission on behalf of kosher certifiers, and the Association of Kashrut Organisations is an international body which ensures its members maintain kosher certification standards.³⁵

1.77 Additionally, Mr Ayan spoke critically of the qualifications of some certifiers and their staff. He said that “most organisations have got a very low educational and professional profile” and claimed that some the leading figures lack the educational qualifications that would normally be expected of business leaders.³⁶

1.78 This again comes down to credibility and accountability. If there is no regulation or standard to follow, what is a halal certifier's performance measured against? If there is no overarching authority, who keeps the certifiers accountable? Indeed, who certifies the certifiers? Taking steps towards more accountability can only improve consumers' confidence in halal certification.

Where does the money go?

1.79 Some organisations were forthcoming about where the revenue from certification goes.

32 *Committee Hansard*, 21 August 2015, p. 9.

33 *Committee Hansard*, 21 August 2015, p. 10.

34 Australian Organic, *Submission 1374*, p. 1.

35 Executive Council of Australian Jewry Inc., *Submission 874*, p. 6.

36 *Committee Hansard*, 3 November 2015, p. 14.

1.80 For the NSW Kashrut Authority, “All income is absorbed in financing operating costs and improving services to kosher consumers.”³⁷ Some of the surplus from Kosher Australia is used to “expand its own operations”. The remainder goes to Mizrahi Nominees for the provision of overheads and in return for “the support it provided for kosher certification services for many years” when Kosher Australia was not able to recover its costs.³⁸ Funds collected by the Kashrut Authority of Western Australia “are used to entirely offset the cost of providing kashrut services.”³⁹ The committee’s report mentions that money from organic certification goes back into operating costs, market access and education.

1.81 Therefore, cost recovery is the main motivation for kosher certification and for some in the organic certification industry.

1.82 The 1982 Royal Commission into the Australian Meat Industry was in favour of halal certification not being “a profit-making venture.” At the time, the Commission reported that “AFIC has expressed general agreement with this principle”.⁴⁰ During the course of this inquiry, AFIC again confirmed its agreement that certification shouldn’t be for profit.⁴¹ This does represent a division within the Islamic community, where some halal certifiers are private companies that operate for profit.

Financial confusion

1.83 In his evidence to the committee Mr Wasim Raza said that “Certification fees are ... mainly to recover expenses incurred by AFIC for certification purposes.”⁴²

1.84 Also, AFIC is a registered charity listed with the Australian Charities and Not-for-profits Commission and therefore receives all the tax exemptions, rebates and concessions that come with that status.

1.85 Despite the declaration that halal certification should not be for profit, AFIC’s own charity status, and Mr Raza’s confirmation that fees are mostly a cost recovery exercise, AFIC’s own financial statements for 2012 and 2014 show significant monies raised from halal certification.⁴³ When ‘halal expenses’ were subtracted from the ‘halal income’ listed over the last four years, the profits raised from halal certification

37 Executive Council of Australian Jewry Inc, *Submission 874*, p. 8.

38 *Ibid.*, p. 9.

39 *Ibid.*

40 Sir A. E. Woodward, Report of the Royal Commission into Australian Meat Industry, Victorian Legislative Assembly, September 1982 (Government printer, Melbourne), p. 235.

41 Australian Federation of Islamic Councils (Muslims Australia), Answers to Questions on notice, 3 November 2015 hearing.

42 *Committee Hansard*, 3 November 2015, p. 1.

43 AFIC Financial Statement for the period ended 31 December 2012, pp. 5-6 and AFIC Financial Statement for the period ended 31 December 2014, available from the Australian Charities and Not-for-profits Commission website.

were as follows: \$489,592 (2011), \$647,722 (2012), \$609,886 (2013) and \$751,009 (2014). As I mentioned in the hearing, that hardly seems like a cost recovery exercise.

1.86 When asked about this during the hearing, Mr Raza was not able to provide a definitive answer, stating that he had not seen the financial statements and that they did “not sound correct” to him.⁴⁴ A few weeks later, Mr Raza explained that:

Halal Income was mentioned separately but all Halal expenses were not accumulated under a separate heading of Halal expenses but were accumulated with all of the AFIC expenses, which gave the impression Halal activity made huge profits.⁴⁵

1.87 No further information was provided as to what the correct figures were.

1.88 Mr Raza also mentioned during the hearing that figures in the financial statements were “revised” and “downgraded”, without providing further information or corrected financial statements.⁴⁶ Such bungling does not imbue confidence in the accounting abilities of one of Australia’s largest halal certifiers. Combine this with the many investigations of AFIC financial mismanagement conducted by police, federal departments and state departments in recent years, and there is reason to be concerned.⁴⁷

1.89 At the very least AFIC needs to improve their financial reporting to make it perfectly clear how much money is raised from halal certification, and where those certification funds go.

Potential funding for extremism

1.90 The committee’s report does not go far enough in detailing the evidence presented regarding the potential for halal certification funds to find their way to radicals. My intention is not to doubt the abilities of the relevant authorities in this matter; I merely wish to present some additional points in the context of this discussion.

1.91 Officials from the Australian Transaction Reports and Analysis Centre (AUSTRAC), while stating that they had no information to indicate halal certification is linked to terrorism, also said that they do not follow certification funds from a certifier to wherever the certifier sends it (for example, to a mosque, school, charity or bookstore).⁴⁸ AUSTRAC also has “much more limited visibility of domestic financial

44 *Committee Hansard*, 3 November 2015, pp 4–5.

45 AFIC, Answers to questions on notice, 3 November 2015 hearing.

46 *Committee Hansard*, 3 November 2015, p. 4.

47 The financial mismanagement of AFIC and its schools has been widely reported in Australian media, particularly by Leo Shanahan at *The Australian*. In 2012, the NSW Government ordered an AFIC school to repay \$9 million that it had received in grants after an investigation found that the school was operating for profit, which goes against conditions of that government funding. The case is currently before the courts.

48 *Committee Hansard*, 24 September 2015, p. 10.

activity”⁴⁹ and is not able to track money overseas once it moves on from its first overseas recipient.⁵⁰

1.92 The Australian Crime Commission said they “have not found any direct links” between halal certification and terrorism funding.⁵¹ Yet it’s logical to conclude that funding derived from halal certification could be directed to Islamic charities and objectives. AUSTRAC’s 2014 report *Terrorism Financing in Australia* found that there is a high risk that charities and not-for-profit organisations could be used as channels for terrorism funding; indeed “some Australia-based charities and NPOs have been exploited by terrorist groups”.⁵² Mr El-Mouelhy, for example, boasts that he contributes to Human Appeal International (HAI).⁵³ The overseas branch of HAI has been named as a possible fundraiser for Hamas.⁵⁴

Corruption

1.93 I support the committee’s suggestion that allegations of illegal activity within certification schemes should be presented to law enforcement authorities.

1.94 However, it is still crucial to at least mention the claims of corruption and allegations of misconduct involving Australian halal certifiers. The scope of allegations alone raises concerns that the confusion and lack of transparency surrounding halal certification leaves it open to such behaviour. This is in stark contrast to the kosher and organic certification certifiers, who presented little evidence of misconduct in their systems.

1.95 Numerous examples of alleged corruption were presented to the committee, in addition to reports from the media. These examples included allegations of bribery, conflicts of interest, intimidation, suspect certification practices and fraudulent certificates, in both the domestic and overseas halal certification systems.

1.96 Mr Ayan documented a number of claims of corruption and misconduct in his submission, his evidence at the hearing and in documents he tabled with the committee. Not all of them are explored here but a few examples are given below.

Allegations of bribery

1.97 Mr El-Mouelhy, an Australian halal certifier, admitted on national television that he paid bribes to Indonesia halal officials in order to access the Indonesia market.

49 *Committee Hansard*, 24 September 2015, p. 9.

50 *Committee Hansard*, 24 September 2015, p. 10.

51 *Committee Hansard*, 24 September 2015, p. 14.

52 AUSTRAC, *Terrorism financing in Australia 2014*, 2014, p. 15.

53 Mohamed El-Mouelhy Facebook post, 22 March 2015 and ‘The Truth About Halal’ transcript, *Four Corners*, ABC, 7 September 2015.

54 ‘The Truth About Halal’ transcript, *Four Corners*, ABC, 7 September 2015, and Nick McKenzie, ‘Claim money from Aust sent to organisations linked to terrorism’, *7.30 Report*, ABC, 24 June 2003, and ‘Jonathan Harley, ‘Concern charity channelling funds to Hamas’, *Lateline*, ABC, 22 September 2003.

He was asked by ABC's Four Corners about paying \$28,000 in cash and travel costs to Indonesian officials visiting Australia nine years ago:

Geoff Thompson: And in your mind, that was a bribe?

Mohamed El-Mouelhy: In my mind, ah- in er-er, you know, as a, as a, as an after-fact: yes, it is a bribe.

Geoff Thompson: But you paid it nevertheless.

Mohamed El-Mouelhy: I paid something, yes.⁵⁵

1.98 Mr El-Mouelhy repeated this story to Indonesia's *Tempo* magazine – presented to the committee as evidence - which included in its article a copy of a statutory declaration signed by Mr El-Mouelhy in 2012 attesting to the payments he made to Indonesian officials.⁵⁶

1.99 *Tempo* also mentions evidence of alleged money transfers (ranging from \$3000 to \$10,000) from a different Australian halal certifier to an individual within the Indonesian Council of Ulama (MUI) in March 2013, in an effort to stop MUI from revoking that certifier's authorisation to certify products for the Indonesian market.⁵⁷

1.100 Fairfax Media offered further information:

Fairfax Media has established a Melbourne whistleblower wrote to three Australian government departments including the Federal Police in March telling them of corruption allegations between the MUI and Australian halal certifiers trying to firm up the lucrative export market in Indonesia.

The allegations include bribes paid to the MUI. Fairfax Media has seen an MUI contract sent to Australian certifiers requiring them to “contribute in activities for the halal product service in Indonesia.”⁵⁸

1.101 And the ABC concludes:

Four Corners has learned that there is a global pattern of complaints about the MUI expecting payment from halal certifiers.⁵⁹

1.102 Professor Azyumardi Azra, a key religious adviser for the Indonesian halal authority, admitted there are problems with the certification system between his country and Australia:

...need to clean up all this mess. Not to use these halal certificates for personal enjoyment like visiting Australia on business class Singapore Airlines for instance...This is the case. I check. The person visit Australia

55 *Four Corners* transcript, ‘The Truth About Halal’, ABC, 7 September 2015.

56 Bagja Hidayat, Kartika Candra and Asmayani Kusri, ‘The High Cost of Halal Labels’, *Tempo*, 2 March 2014, p. 17.

57 *Ibid*, and Abdul Ayan, Answers to questions on notice, 3 November 2015 hearing, p. 9.

58 Chris Johnston, ‘Knives come out in halal food fight’, *Sunday Canberra Times*, 28 December 2014.

59 *Four Corners* transcript, ‘The Truth About Halal’, ABC, 7 September 2015.

with their wife and asked for business class airline ticket. So I think it's not credible. It's not accountable. So we need to put this in order.⁶⁰

Claims of intimidation and misuse of certificates/labels

1.103 The committee was presented with allegations of intimidation by halal certifiers. Kirralie Smith and Abdul Ayan included examples of this behaviour by halal certifiers in their submissions and tabled documents. Mr Ayan summarised:

Some of them do not hesitate to exert, sometimes with impunity, their market power and influence to extract concessions or unfair or illegal advantages...This manifests itself sometimes in the form of threats and intimidation of halal establishments who do not cooperate to become willing clients.⁶¹

1.104 The misuse of certificates and labels is another problem within the halal certification system; an issue that was raised by the Royal Commission into the Australian Meat Industry in 1982.⁶² More recently, there are claims that some companies display other companies' certificates on their premises, create fake certificates and use labels without permission in order to avoid paying for certification.⁶³ Last year, the Federal Court heard the case of two kebab shops and a wholesaler that were involved in using fake halal certificates.⁶⁴

1.105 When I spoke of what Senator Dastyari described as "con men" and what I termed "opportunists" within the domestic certification market, Mr Raza, replied: "I would agree with the senator and yourself."⁶⁵

Conclusion

1.106 I agree with the committee's conclusion that improving the halal certification system would bring benefits for Australian businesses in our export markets. However, this shouldn't be the only reason why this inquiry advocates for improvements. There is an additional reason that the committee failed to mention in these final paragraphs. Ensuring that Australian consumers have access to more information about the products they purchase, so that they can make informed choices, is also of paramount importance and should be a driving force behind change in the halal certification system.

1.107 Consumers have a right to know what they are supporting when they purchase products, whether that is organic farming, the Jewish community or Islamic causes.

60 Professor Azyumardi Azra, Sky News, 8 September 2015.

61 Abdul Ayan, Answers to questions on notice, 3 November 2015 hearing.

62 Sir A. E. Woodward, Report of the Royal Commission into Australian Meat Industry, Victorian Legislative Assembly, September 1982 (Government printer, Melbourne), pp 228–229.

63 Halal Certification Authority Australia, *Submission 1437*, p.14.

64 *Ibid*, and John Hannebery and Penn Glenn, 'Federal Court awards additional damages for flagrant infringements of Halal Certification trade mark', Davies Collison Cave Intellectual Property website, 10 September 2014.

65 *Ibid*.

There are no concerns about consumers exercising their choice when they purchase products with the Heart Tick or products that don't contain palm oil. Such attitudes should also extend to religious certification.

1.108 This inquiry has attempted to shed light on certification in Australia. I am grateful that those who participated did take the opportunity to put facts on the table.

1.109 However, it is disappointing that more answers were not forthcoming, particularly with regard to halal certification.

1.110 We know more than we did at the start of this process but many questions remain unanswered due to the lack of cooperation by those directly involved in the halal certification industry.

1.111 Hopefully the recommendations in this report will lead to improvements in certification across the board and increased transparency and certainty for Australian consumers.

Senator Cory Bernardi

Liberal Party of Australia, SA

APPENDIX 1

Submissions and additional information received by the committee

Submissions

- 1 Name Withheld
- 2 Ms Florence Corneloup
- 3 Ms Paula Knight
- 4 Ms Karen Fuller
- 5 Ms Paula Mariel Cianciarulo
- 6 Name Withheld
- 7 Ms Nadene Morrell
- 8 Ms Carol Peirce
- 9 Mr Richard Crew
- 10 Mr Paul Webley
- 11 Mr and Mrs Joseph and Irene Cosgrove
- 12 Mr Paul Galea
- 13 Mr Nate Bentley
- 14 Ms Pamela Williams
- 15 Ms Erica Grace
- 16 Mr Jim Heath
- 17 Ms Kaye Greaves
- 18 Mr Andy Otes
- 19 Mr Rodney Morrison
- 20 Ms Ruth Green
- 21 Mr Barry Anstey
- 22 Ms Eunice Austin
- 23 Mr Grzegorz Dzierbicki
- 24 Name Withheld
- 25 Mr Scott Phillips
- 26 Mr David Segal

- 27 Ms Lindsay Townsend
- 28 Ms Debra Jordan
- 29 Ms Judy Rochester
- 30 Mr Michael Lang-Davis
- 31 Ms Ann Grocott
- 32 Mr Nick de Vries
- 33 Mr Kenneth George Evans
- 34 Ms Christine Scott
- 35 Ms Lesley Willing
- 36 Mr Wayne Warren
- 37 Name Withheld
- 38 Restore Australia
- 39 Ms Kat Headford
- 40 Mr Robert Pearce
- 41 Ms Wendy Carter
- 42 Ms Kimberly Furst
- 43 Name Withheld
- 44 Name Withheld
- 45 Name Withheld
- 46 Ms Lynda Kelley
- 47 Mr Albert Riester
- 48 Dr Peter Gilet
- 49 Mr Dean Addison
- 50 Name Withheld
- 51 Name Withheld
- 52 Name Withheld
- 53 Name Withheld
- 54 Mr Stephen Szatmary
- 55 Name Withheld
- 56 Mr Nigel Basson
- 57 Name Withheld
- 58 Name Withheld
- 59 Mr Peter Stockel

60 Mr Graeme McIntyre
61 Ms Joan Gray
62 Ms India Hubbard
63 Y Crean
64 Confidential
65 Mr John Hanley
66 Name Withheld
67 Name Withheld
68 Confidential
69 Mr James Sternhell
70 Ms Sue Groves
71 Ms Judy Kennedy
72 Mr and Mrs S and Louise Zollo
73 Ms Jan Brandt
74 Ms Sue Davies
75 Mr Scott Sneesby
76 Mr David Hammelwang
77 Name Withheld
78 Ms Gale Sommers
79 Ms Leanne Davies
80 Mrs Veronique Induni
81 Name Withheld
82 Name Withheld
83 Ms Anne Young
84 Mr Garry Chambers
85 Name Withheld
86 Name Withheld
87 Name Withheld
88 Name Withheld
89 Mr Charles Mollison
90 Ms Megan Ansley
91 Mr Dale Broughton
92 Ms Michelle Hall

93 Name Withheld
94 Mr Peter Astridge
95 Ms Tanya Jonas
96 Mr Colin Russell
97 Mr Syd Ellis
98 Mr Richard Bartolo
99 Mr P K Clarkson
100 Ms Rachael Courtnell
101 Mr Michael Rose
102 Mr Kevin Freer
103 Mr David Roberts
104 Name Withheld
105 Ms Michelle Cooper
106 Name Withheld
107 Confidential
108 Mr John Marsh
109 Name Withheld
110 Name Withheld
111 Mr David Jones
112 Mr Ziggy Moroz
113 Mr Paul Myers
114 Mr M Heath
115 Ms Sandra Ferguson
116 Ms Caroline Letton
117 Mr Geoffrey McMaster
118 Mr James Orton
119 Name Withheld
120 Confidential
121 Ms Rhonda Blogg
122 Ms Susan Henderson
123 Mr David Wilson
124 Name Withheld
125 Name Withheld

126	Mr Neville Manser
127	Mrs Elizanbeth Burge
128	Mrs Sally Green
129	Mrs Elizabeth Norton
130	Mr Brian Stokes
131	Warren Brown
132	Mr Michael Nelson
133	Name Withheld
134	Name Withheld
135	Mrs Gwenda Miller
136	Mr Maurice McGahey
137	Mr Peter Meadows
138	Mr Dave Atfield
139	Mr Bob Pitt
140	Mr Owen Nugent
141	Name Withheld
142	Mr Norman Hodgkinson
143	Ms Bronwyn McLay
144	Mr Kenny Walther
145	Ms Karen Antrobus
146	Mr Ray Johns
147	Name Withheld
148	Ms Margo Kennedy
149	Mr Andy Semple
150	Ms Suzi Perryman
151	Mr Patrick McGrath
152	Ms Julie Hoskin
153	Mr Duncan Willis
154	Mr Iain Robertson
155	Mr Kevin James
156	Ms Kylie Neumann
157	Confidential
158	Ms Krista Etheridge

- 159 Confidential
- 160 Confidential
- 161 Christian Traders
- 162 Mr Phillip Cole
- 163 Mr Eddie Fennell
- 164 Mr Ron Sandilands
- 165 Mr Douglas Molloy
- 166 Mr Ron Raab OAM
- 167 Mr Don Frommer
- 168 Mr Bruce McDonald
- 169 Ms Pamela Krause
- 170 Mr Steven Busch
- 171 Name Withheld
- 172 Ms Heather Sanchez
- 173 Mr and Mrs Ron and Ellie Schnieider
- 174 Mr Steve Prentice
- 175 Ms Clover Melville
- 176 Mr Douglas Ward
- 177 Ms Holly Snell
- 178 Mr and Mrs Barry and Anne Mulquin
- 179 Mr Mark Hall
- 180 Mr and Mrs Michael and Diane Richardson
- 181 Ms Susan Heinrich
- 182 Mr and Mrs Peter and Cynthia Laffrey
- 183 Mr Denis Mouttet
- 184 Mr John Band
- 185 Mr and Mrs Glen and Fran McKenna
- 186 Mr Craig Kennedy, Sea Life Charters
- 187 Secure Australia Party
- 188 Mr J Cannon
- 189 Mr John Gibbon
- 190 Ms Maida Baldwin
- 191 Mr Hugh Scrine

192 Mr Ian Kilminster
193 Mr Dan Russell
194 Ms Jessica Collins
195 Mr John Richter
196 Mr David Appleby
197 Mr Edwin Adamek
198 Name Withheld
199 Mr John Schwerdt
200 Mr Mark Shay
201 Mr Bernard Einoder
202 Mr John Sullivan
203 Ms Julie McDonald
204 Mrs Jane McIntosh
205 Mr Abdul Ayan
206 Ms Julie Rook
207 Mr Kev Gilchrist
208 Ms Cheryl Rudd
209 Ms Lesley Anne Sullivan
210 Mr Craig Masterton
211 Mr Paul Ryan
212 Name Withheld
213 Name Withheld
214 Mr Errol Nilson
215 Name Withheld
216 Mrs H Miller
217 Name Withheld
218 Name Withheld
219 Confidential
220 Name Withheld
221 Name Withheld
222 Name Withheld
223 Mr Stuart Fish
224 Mrs Katie Squire

225 Name Withheld
226 Name Withheld
227 Name Withheld
228 Name Withheld
229 Name Withheld
230 Mr Greg McKay
231 Miss Lisa Clayton
232 Mr Cameron Evers
233 Mr Rick Morris
234 National Sikh Council
235 Mr Peter Nunn
236 Mr Klaas Wolters
237 Mr Dale Francis
238 Dr F.R. Grigg
239 Mr Walter Kapcejevs
240 Name Withheld
241 Name Withheld
242 Ms Patricia Cook
243 Name Withheld
244 Mr and Mrs Albert and Maureen Kidd
245 Mr David Caddie
246 Society of Australia Inc
247 Mr Peter Kubler
248 Mr and Mrs Robert and Carol Colman
249 Name Withheld
250 Mr Stewart Parkinson
251 Confidential
252 Mr Barry Jameson FCA
253 Mr Alan Biggs
254 Mr Mark Breed
255 Mr Roger Harrison
256 Mr and Mrs Glenda & Gary Watson
257 Mr Hos Jacob

258 Ms Fiona Cahill
259 Mr Gordon Egan
260 Mr Peter Beissmann
261 Name Withheld
262 Mr and Mrs Paul and Anna O'Hare
263 Ms Rosalind Jones
264 Mr Ted Gaida
265 Mr Michael Bowden
266 Confidential
267 Mr Peter Cavanagh
268 Mr Brian Haselum
269 Name Withheld
270 Mr Michael Lawson
271 Mr Dragan Grujic
272 Name Withheld
273 Mr Dan O'Keefe
274 Mr James Mader
275 Mr Brian Lamprell
276 Mrs Lucy Biggs
277 Mr David Clark
278 Mr John Walden
279 Name Withheld
280 Keely Worth
281 Confidential
282 Mr John Rodgers
283 Confidential
284 Sikh Khalsa Mission Incorporated
285 Name Withheld
286 Mr and Mrs Joe and Marion Bryant and Hercock
287 Mr Gordon Cimiratic
288 Mr Paul Clifford
289 Ms Elizabeth Butler
290 Ms Heather Hogan

291 Mr Colin Rixon
292 Mr Marc Guttenberg
293 Ms Kaye Bonato
294 Ms Margaret Bishop
295 Confidential
296 Mr Colin Perchnock
297 Mr Ralph Cerminara
298 Mr Alex Portnoy
299 Mr and Mrs Sandeep and Rajani Shriyan
300 Ms Milda Pezereckas
301 Mr and Mrs Geoff and Lois Gellert
302 Ms Heidi Gellert
303 Mr Robert Bourke
304 Ms Shay Holmes
305 Mr Harvey Davies
306 Mr Alec Reid
307 Ms Vicki Hohenhaus
308 Name Withheld
309 Name Withheld
310 Dr Noel Jackson
311 Name Withheld
312 Mr John Burge
313 Mr Mark Bailey
314 Ms Kathryn Sullivan
315 Mr Troy Holt
316 Name Withheld
317 Name Withheld
318 Name Withheld
319 Mr Wayne Keough
320 Ms Ethel Yarwood
321 Ms Pauline Pantsdown
322 Mr Wayne Karlen
323 Name Withheld

324 Mr Robert Harrison
325 Mr David Hanison
326 Mr Farhan Zia
327 Name Withheld
328 Name Withheld
329 Mrs Iris Tisdale
330 Mr Mukhtiar Singh
331 Confidential
332 Mr Zachary Martinez
333 Ms Judy Crane
334 Confidential
335 Mr Garry Nevins
336 Confidential
337 Name Withheld
338 Confidential
339 Name Withheld
340 Mr Gavin Thobaven
341 Midwest Legal
342 Mr Alan Parry
343 Mr Marten Forrestal
344 Mr Julian Sortland
345 Mr Ray Tomkinson
346 Name Withheld
347 Mr Ahsan Majeed
348 Name Withheld
349 Dr Geoff Forbes
350 Ms Susan Hanison
351 Name Withheld
352 Mr and Mrs Bruce and Penny Hambour
353 Name Withheld
354 Mr John Walden
355 Dr Robert Cortis-Jones
356 Mr Donald Kilpatrick

357 Mr and Mrs Joan and Martin Hiscock
358 Mr Graeme Robinson
359 Mr Graham Poulsen
360 Mr John Field
361 Name Withheld
362 Mr Peter Croft
363 Mr Michael Conlon
364 Mr J Carter
365 Mr A S Randhawa
366 Mr Colin Robertson
367 Mr Ken Brookes
368 Ms Kim Rayner
369 Mr and Mrs Matthew and Sarahjane Cromarty
370 Mr Barry Rumpf
371 Mr Arthur Walters
372 Ms Julie Liddle
373 Mrs Denise Ravizza
374 Confidential
375 Mr William McCauley
376 GMO ID Australia
377 Mr Robert Harris
378 Mr Ian Brookes
379 Mr Rob Avery
380 Confidential
381 Mr Victor Evans
382 Mr Justin Seabrook
383 Ms Kerry Marks
384 Ms Fay Christie
385 Ms Alison Stanley
386 Ms Andra Blanchard
387 Robin Swinbourn
388 Name Withheld
389 Mr Maurice Holstein

390 Ms Valerie Carr
391 Ms Jessica Dirks
392 Ms Susan Clarke
393 Mr Phillip Hall
394 Norther Suburbs Veterans Support Centre
395 Mr and Mrs John and Mary McGinnis
396 Ms Janice Ginder
397 Mr Stephen Chase
398 Ms Anne Lacy-Herbert
399 Mr R Smith
400 Mr Adam Beaven
401 Ms Pat Formston
402 Mr Peter Askerow
403 Name Withheld
404 Mr David Heal
405 Mr Wilfred Parmar
406 Mr John Harris
407 Salome Argyropoulos
408 Elif Yilmaz
409 Name Withheld
410 Mrs Ronnie Harris
411 Name Withheld
412 Ms Judith White
413 Name Withheld
414 Name Withheld
415 Name Withheld
416 Ms Lyn Smolarek
417 Name Withheld
418 Name Withheld
419 Name Withheld
420 Name Withheld
421 Mrs Joan Davidson JP
422 Ms Amelia Scully

423 Mr Neville Davidson
424 Mr and Mrs John and Sue Faust
425 Mr Steven Watson
426 Ms Diane Hughes
427 Ms Tricia Cook
428 Mr Scott Meyer
429 Mr Richard Tallents
430 Ms Dianne McNair
431 Mr Charles Schwab
432 Mr Tony Lucas
433 Ms Kaye Russell
434 Ms Kerrie-Ann Nicholls
435 Mrs Goldie Chong
436 Mr Dylan Boyd-Tomlinson
437 Mrs Margaret Walus
438 Mr Les Catterwell
439 Ms Sharon Benedict
440 Mr Warwick Robertson
441 Name Withheld
442 Name Withheld
443 Name Withheld
444 Ms Leslie Elliott
445 Miss Sonia Wieckowski
446 Ms Colleen Clair
447 Confidential
448 Name Withheld
449 Mr Paul Snell
450 Mrs Jacqueline Hedges
451 Name Withheld
452 Name Withheld
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456 Name Withheld
457 Mr Jurgen Oehme
458 Mr Bryan McLennan
459 Mr Peter Snowdon
460 Ms Wendy Miller
461 Name Withheld
462 Name Withheld
463 Name Withheld
464 Miss Kylie Howsan
465 Name Withheld
466 Mrs Bronwyn Murphy
467 Mr Richard Sibthorpe
468 Confidential
469 Ms Annette Hollingsworth
470 Ms Sue Crowe
471 Ms Linda Gilmore
472 Mr and Mrs Barry and Lesley Ward
473 Mr Barry Tideswell
474 Mr Jason Kettles
475 Confidential
476 Ms Doris Hicks
477 Name Withheld
478 Name Withheld
479 Ms Marie Matthews
480 Ms Shirley Hollister
481 Mr and Mrs Tom and Jane Soderborg
482 Mr and Mrs Christopher and Cassandra Hamel
483 Ms Johanna Munut
484 Mr Philip Griffin
485 Mr Craig Litchfield
486 Rob and Chris Nicholls
487 Ms Traci Koppen
488 Name Withheld

489 Mr Mark Brown
490 Ms Sandra Street
491 Ms Christine Randle
492 Mr Jon Matthews
493 Mr and Mrs Donald and Ester Baker
494 Mr David Cartledge
495 Mr and Mrs Keith and Joan Drake
496 Name Withheld
497 Mr Peter Olney
498 Mr Russell Gomez
499 Name Withheld
500 Ms Tamsin Crutch
501 Ms Pamela Melville
502 Name Withheld
503 Name Withheld
504 Mr Brian Brent
505 Name Withheld
506 Mr Justin Wyllie
507 Ms Leeanne Smith
508 Mr Wayne Druce
509 Mr Mark Newton
510 Mr Andy Leahy
511 Name Withheld
512 Ms Sonia Bertram
513 Mr David Hollis
514 Mr Burnie Riley
515 Name Withheld
516 Mrs Bronwyn Sfiligoj
517 Oigle O'Reilly
518 Ms Cheryl Chifley
519 Ms Selina Bowers
520 Ms Beverley Sternhell
521 Mr Andrew Molesworth

522 Mr Daryl French
523 Mr George Kratsas
524 Confidential
525 Name Withheld
526 Ms Robyn Harris
527 Ms Virginia French
528 Ms Claire Johnson
529 Ms Barbara Legg
530 Confidential
531 Mr Graeme Hancock
532 Mr Trevor Crump
533 Ms Ruth Conradie
534 Mr Peter Conradie
535 Mr Paul Chapman
536 Mr Roy Bishop
537 Ms Katrina Patrickson
538 Name Withheld
539 Name Withheld
540 Name Withheld
541 Name Withheld
542 Mrs Leanne Cole
543 Name Withheld
544 Name Withheld
545 Mr David Drummond
546 Name Withheld
547 Mr Greg Edwards
548 Confidential
549 Name Withheld
550 Name Withheld
551 Name Withheld
552 Ms Narelle Doran
553 Name Withheld
554 Mr Edward Page

555 Name Withheld
556 Name Withheld
557 Name Withheld
558 Mr Mark Parham
559 Ms Annette Atkins
560 Mr Wayne Atkins
561 Ms Fay Magner
562 Ms Shirley O'Malley
563 Mr Joseph Zammit
564 Mr Stewart Terras
565 Mr Gary Varney
566 Mr Keith Scott
567 Ms Jen Jones
568 Mr Grant Rowan
569 Confidential
570 Ms Sue Newman
571 Mr Andre Bosch
572 Mr David Skerritt
573 Mr Charles Ellem
574 Mr Damian Callery
575 Mr Jim Fox
576 Mr Denis Colbourn
577 Name Withheld
578 Mr and Mrs Malcolm and Rosemary Pryor
579 Mr Percy Collins
580 Name Withheld
581 Name Withheld
582 Name Withheld
583 Mr Andrew Sanders
584 Ms Karen Milburn
585 Ms Christine Bunny
586 Mr Tony Woods
587 Mrs Glenda Fawbert

588 Name Withheld
589 Name Withheld
590 Name Withheld
591 Name Withheld
592 Name Withheld
593 Dr Bob Hoskins
594 Mrs Rachel Batterham
595 Name Withheld
596 Mr Philip Murphy
597 One Nation (NSW Division)
598 Mr John Rodda
599 Name Withheld
600 Confidential
601 Name Withheld
602 Name Withheld
603 Name Withheld
604 Rev. Dr. Lynn Fowler
605 Name Withheld
606 Name Withheld
607 Mr John Oliver
608 Mr Alan Ball
609 Mr Timothy Keyzer
610 Mr Peter Raymond
611 Ms Elizabeth Arnold
612 Mr R A Vladich
613 Ms Judy Mathews
614 Name Withheld
615 Australians for Australia
616 Name Withheld
617 Mr Phil Green
618 Carin Timo
619 Name Withheld
620 Name Withheld

621 Mr John Heriot
622 Mr Milton Caine
623 Name Withheld
624 Mr Damian Vella
625 Ms Lana Kanevsky
626 Name Withheld
627 Name Withheld
628 Name Withheld
629 Mrs Carol Ordish
630 Mr Michael Norris
631 Name Withheld
632 Name Withheld
633 Name Withheld
634 Name Withheld
635 Name Withheld
636 Name Withheld
637 Name Withheld
638 Name Withheld
639 Mr Drew Koppe
640 Mr Garry Brown
641 Mrs Elspeth Marshall
642 Mr Doug Askin
643 Confidential
644 Mrs Helen Buckle
645 Confidential
646 Name Withheld
647 Mr. Anthony Crook
648 Mr Paul Fordyce
649 Name Withheld
650 Mr Shaun Clay
651 Mr Warren Davis
652 Name Withheld
653 Name Withheld

654 Confidential
655 Confidential
656 Mr Lance Kerr
657 Mr Greg Barlow
658 Mr Vincent Byrne
659 Mr Brian Goldsmith
660 Ms Joan Marks
661 Mr Shaun Smith
662 Mr Daryl Roe
663 Name Withheld
664 Name Withheld
665 Ms Erin Livingston
666 Mr Roger Sides
667 Name Withheld
668 Name Withheld
669 Ms Vic Garland
670 Name Withheld
671 Name Withheld
672 Ms Heather Stewart
673 Ms Marina Schubert
674 Equal Cultures United
675 Mr Richard Fisher
676 Mr Vincent Ishwar
677 Ms Rasheeda Layton
678 Mr Ian Paterson
679 Ms Elizabeth Jane
680 Mr Morgan Hicks
681 Mr Peter Dunlop
682 Mr Pete Sullivan
683 Mr David Scott
684 Ms Lindsey Hay
685 Ms Megan Ansley
686 Mr Yousry Sidrak

687 Name Withheld
688 Alex & Ray Hodges & Linkevics
689 Mr Roland Cassar
690 Ms Julie Steepe
691 Ms Karyn Diamond
692 Confidential
693 Mr Stephen Grgurinovic
694 Glennis Howard
695 Mr Peter Hajenko
696 Mr Trevor Adams
697 Mr Raymond Lyne
698 Mr Hardeep Saini
699 Name Withheld
700 Mrs Roslyn Marsh
701 Name Withheld
702 Name Withheld
703 Name Withheld
704 Mr Leo Olsen
705 Mr Richard Henderson
706 Mr Simon Hoyle
707 Mr Andrew Christie
708 Mr Calvin Greenway
709 Name Withheld
710 Mr Glen Vonhoff
711 Name Withheld
712 Mr Christopher Bliss
713 Dr Ivan Schindler
714 Mr Rob de Visser
715 Name Withheld
716 Name Withheld
717 Confidential
718 Mrs Jenny Dunford
719 Mrs Gail Blume

720 Mrs Noelene Ommundson
721 Name Withheld
722 Ms Lynda Beddoe
723 Mr Matthew Jennings
724 Ms Diana Panetta
725 Ms Linda Clark
726 Mr Chris Daniels
727 Mr George Moore
728 Mr Trevor Sullivan
729 Mr Brian Hogan
730 Ms Dianne Wallace
731 Mr Allen Atkinson
732 Name Withheld
733 Ms Nikki Sims
734 Leslie Wheildon
735 Lyn Wheildon
736 Mr Alan Morgan
737 Mr Allan Wilson
738 Ms Kathleen Rajoo
739 Mr Bill Priest
740 Mr Frank Myers
741 Ms Karen Tulk
742 Mr & Mrs Chris Lim & Cindy Chiam
743 Ms Tracey Moynihan
744 Mr H West
745 Confidential
746 Name Withheld
747 Ms Susie Loh
748 Beate Stalph
749 Confidential
750 Mr Brad Gary
751 Viv & Fay Pampling
752 Mr Adrian Gibbs

753 Mr Peter West
754 Mr Les Taylor
755 Lesley Baligod
756 Mr Brian Harold
757 Confidential
758 Mr Brad Kane
759 Mr and Mrs Tony and Janice Gifford
760 Mr Daniel Mendes
761 Mr Phillip Sorby
762 Ms Bessie Jennings
763 Name Withheld
764 Ms Anthea Loton
765 Mr Darryl Davey
766 Mr Robert Law
767 Mr Neville Salvetti
768 Mr Merilyn Wallis
769 Mr Peter Nunn
770 Mr Alan Barnard
771 Mr Roger Bourne
772 Ms Anita Toner
773 Mr Michael Barnes
774 Ms Joanne Jarlett
775 Mr Peter Hallifax
776 Ms Suzanne Strates
777 Mr Edward McCann
778 Ms Elizabeth Colbourn
779 Mr and Mrs Gary and Ursula Bennett
780 Mrs Evelyn Bennett
781 Mr Martin Bunny
782 Mr David Green
783 Mr Raymond Marendaz
784 Gil May
785 Ms Sharon Snoek-Bawden

786 Name Withheld
787 Mr Robert Barrowcliff
788 Mr Steve McNeilly
789 Mr James Dean
790 Mr Duncan Hamilton-Ritchie
791 Mr Steve Goodes
792 Name Withheld
793 Mr Dave Wingrove
794 Mr Frank Reale
795 Name Withheld
796 Mr Wayne McKenzie
797 Mr Phil Retford
798 Mr Peter Macmillan
799 Ms Anna Barker
800 Ms Elizabeth Litster
801 Name Withheld
802 Name Withheld
803 Ms Patricia Allen
804 Name Withheld
805 Mr Grant Chandler
806 Mr Ken Medway
807 Mr Tim McIntosh
808 Confidential
809 Mr Mark Bentley
810 Mr and Mrs Ian & Lyn Sarah
811 Mr and Mrs John & Elaine Smeaton
812 Mr Chris Newman
813 Ms Karen Bisset
814 Mr Phillip Allen
815 Mr Robert Mussett
816 Mr and Mrs Paul & Noelene Gurrier-Jones
817 Mr Peter Teggans
818 Mr Colin Boyle

819 Ms Noeleen Trueman
820 Mr Reginald Speedie
821 Mr and Mrs Kevin & Amanda Jorgensen
822 Ms Karen McCawe
823 Mr Robert Goodwin
824 Confidential
825 Mr Stephen De Venny
826 Ms Jenny Kilroe-Smith
827 Mr Malcolm Hamilton-Ritchie
828 Mr and Mrs Roger and Merrawyn McCauley
829 Endeavour Forum
830 Name Withheld
831 Mr Jason Hall
832 Mr Richard Joyce
833 Name Withheld
834 Name Withheld
835 Name Withheld
836 Name Withheld
837 Ms Paula Giffen
838 Mr Bob Taylor
839 Mr and Mrs Daniel & Gillian Breen
840 Mr Martin Donohoe
841 Ms Wanda Marsh
842 Confidential
843 Ms Debra Smith
844 Mr and Mrs Stephen & Elaine Jurdison
845 Mr Anthony Weil
846 Mr Graham McDonald
847 Name Withheld
848 Ms Debbie Thompson
849 Ms Ann Weatherall
850 Mr Robert Johnston
851 Confidential

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- 852 Mr and Mrs Barry & Anne Mulquin
853 Mr Joel van der Horst
854 Ms Rhonda Murrey
855 Mr and Mrs Murray & Zaharah Lumsden
856 Mr Robert Barr
857 Ms Anne Edgar
858 Mr Giulio di Somma
859 Mr Peter Evans
860 Mrs Lidia Koniuszko
861 Mr Brian Tideman
862 Mr Mark Cosstick
863 Mr Alastair Macdonald
864 Mr and Mrs Ian & Dianne Mullins
865 Mrs Catherine Ahmelman
866 Mr Gordon Gudgeon
867 Mr and Mrs Bert & Tina Devries
868 Mrs Elizabeth Stephens
869 Name Withheld
870 Ms Jennifer Avery
871 Mr Michael Spies
872 Mr Daryl James
873 Ms Valerie Schache
874 Executive Council of Australian Jewry
875 Ms Jennifer Wake
876 Dr Tim Hamilton
877 Mr Peter Sanders
878 Mr and Mrs Barry Fairley
879 Mr Graham Johnston
880 Confidential
881 Mr Des Arcus
882 Mr Rod Shaw
883 Mr Alan Alford
884 Ms Brenda Marchant

885 Ms Elaine Barnes
886 Name Withheld
887 Name Withheld
888 Name Withheld
889 Mrs Sandra Lewis
890 Mr Darrell Bockman
891 Confidential
892 Name Withheld
893 Name Withheld
894 Name Withheld
895 Name Withheld
896 Mr K.L. Williams
897 Confidential
898 Name Withheld
899 Name Withheld
900 Miss Tania Cummings
901 Name Withheld
902 Mr Glen Daly
903 Name Withheld
904 Mr Kevin Filan
905 Mr Richard Harrison
906 Mr James Doogue
907 Ms Ros Barrett-Lennard
908 Name Withheld
909 Mr Marcus Anderson
910 Lesley Keegan
911 Name Withheld
912 Name Withheld
913 Mr Gerard Bourke
914 Mrs Elaine Langley
915 Mr Stafford Renfrew
916 Name Withheld
917 Mrs Alison Carter

918 Confidential
919 Name Withheld
920 Mr Robert Pepper
921 Name Withheld
922 Name Withheld
923 Name Withheld
924 Name Withheld
925 Ms Kirsten Bradshaw
926 Name Withheld
927 Name Withheld
928 Name Withheld
929 Mr Clinton Brown
930 Confidential
931 Name Withheld
932 Mr Noel Davies
933 Mr Troy Butler
934 Name Withheld
935 Mr Brian Capamagian
936 Mr Matthew Williams
937 Name Withheld
938 Confidential
939 Name Withheld
940 Mr Jim Virtue
941 Mr Ray Tribe
942 Mr Robert Turk
943 Name Withheld
944 Name Withheld
945 Food South Australia
946 Mrs Thelma Cann
947 Mr Geoffrey Crook
948 Name Withheld
949 Mr Desmond Morris
950 Ms Janette Tomkins

951 Name Withheld
952 Name Withheld
953 Ms Deanne Mascord
954 Confidential
955 Mr Timothy Ryan
956 Mr Russell Eames
957 Mr & Mrs Wyndham and Janet Dix
958 Mr Shane Osborne
959 Mr Peter Doyle
960 Name Withheld
961 Name Withheld
962 Name Withheld
963 Mr Phillip Craig
964 Mr Stephen Frost
965 Name Withheld
966 Mrs Heather Huxley
967 Mr Peter Hill
968 Mr William Koppe
969 Confidential
970 Confidential
971 Mr Raymond Newman
972 Name Withheld
973 Name Withheld
974 Name Withheld
975 Mr John Kingsmill
976 Mrs Mariette Blackmore
977 Name Withheld
978 Name Withheld
979 Mr Andrew Copp
980 Mrs Ngaio Morris
981 Bishop Gabrielle Crofts
982 Ms Christine Baughan
983 Mr Gordon Mills

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- 984 Mr Richard Abel
985 Name Withheld
986 Drs Stephen & Dianne Grocott
987 Mr Frank Lethorn
988 Mr and Mrs Aiman & Trudi Aiashi
989 Mr Barrie Ryan
990 Ms Joy Olney
991 Mrs Magdalena Lane
992 Name Withheld
993 Mrs Alison Woskett
994 Mr Krzysztof Kuitkowski
995 Mr and Mrs Tony and Elizabeth Pearse
996 Miss Janet Cowden
997 Mr and Mrs Michael and Jillian Irwin
998 Dr and Mrs Thomas and Suzanne Kalotas
999 Mrs Eirene Bennett
1000 Mr David Forster
1001 Mr Bruce Burger
1002 Mr John Reiffel
1003 Name Withheld
1004 Mr Bruce Peart
1005 Mr Fred Bramich
1006 Name Withheld
1007 Mr Graeme Steer
1008 Ms Jenny Campbell
1009 Mrs Renai Ahlatis
1010 Name Withheld
1011 Ms Lesley Parker
1012 Mr Michael Ellis
1013 Mr Robert Osmak
1014 Mr Andrew Robertson
1015 Dr and Mrs Michael and Katrina Mathai
1016 Mr and Mrs Michael and Sheryl Brady

- 1017 Dr and Mrs Mark and Jenny Harwood
- 1018 Dr and Mrs Christopher and Katharina Hopwood
- 1019 Name Withheld
- 1020 Mrs Rosemary Mack
- 1021 National Alliance of Christian Leaders
- 1022 Mr Ronald Eade
- 1023 Mr Greg Nixon
- 1024 Mr David Biddle
- 1025 Ms Louise Prentice
- 1026 Mr Kenneth Lewis
- 1027 Mr Adam Warhurst
- 1028 Mr Bob Couch
- 1029 Ms Louise Tuck
- 1030 Name Withheld
- 1031 Mr John Shenton
- 1032 Mr and Mrs Leo and Sally Costello
- 1033 Name Withheld
- 1034 Mr Dom Amato
- 1035 Ms Sonja Cover
- 1036 Ms Jan Brophy
- 1037 Mr Robert Butler
- 1038 Ms Leona Duncombe
- 1039 Ms Bethwyn Mills
- 1040 Mr Robert Bagatella
- 1041 Ms Ruth Butcher
- 1042 Mr and Mrs Basil and Kathy Bryan
- 1043 Name Withheld
- 1044 Ms Ann Bacon
- 1045 Name Withheld
- 1046 Mr and Mrs Graeme and Magda Phipps
- 1047 OzUnited
- 1048 Mr Kirk Scott
- 1049 Ms Anne Kretschamnn

1050 Ms Margie Wells
1051 Mr Steve Marshall
1052 Ms Fay Dalton
1053 Ms Gabrielle Lord
1054 Ms Lynn Harrop
1055 Mrs Rosemary Steineck
1056 Ms Claudia Orejuela
1057 Mr and Mrs Jeremy and Rachel Hopwood
1058 Mrs Jill Black
1059 Ms Alicia Brodersen
1060 Mr James Holder
1061 Mr and Mrs John and Dorothy Wheeler
1062 Mr Gary Young
1063 Name Withheld
1064 Mrs Jean Craig
1065 Mr Christian Trentin
1066 Ms Denise Butler
1067 Ms Janelle Patch
1068 Confidential
1069 Mr Michael Andjelkovic
1070 Miss Shirley Dawes
1071 Ms Carollyn Muir
1072 Ms Sandra Goodchild
1073 Name Withheld
1074 Ms Adrienne Hirsch
1075 Mr and Mrs John and Maureen Vincent
1076 Ms Sandra Brown
1077 Mr and Mrs Victor and Crystal Soo
1078 Name Withheld
1079 Name Withheld
1080 Mr and Mrs Lloyd and Pam Campbell
1081 Name Withheld
1082 Confidential

- 1083 Ms Hollie Heywood
- 1084 Ossie Isenegger
- 1085 Mr David Goodwin
- 1086 Ms Dorothy Long
- 1087 Mr John Abbott
- 1088 Mrs Anne Window
- 1089 Ms Danielle Bromley
- 1090 Mr Bill Burns
- 1091 Mr and Mrs Hamish and Anita Henke
- 1092 Mr Rubin Cairns
- 1093 Mr Dean Johnson
- 1094 Mr Greg Latta
- 1095 Mr and Mrs Gaetano and Robyn D'Aprile
- 1096 Mr G H (Gerritt) Schorel-Hlavaka
- 1097 Ms Margaret Genever
- 1098 Mr and Mrs Keith and Kelera Molloy
- 1099 Leigh Edwards
- 1100 Diana and Stacey Johnson
- 1101 Australian Chicken Growers Council
- 1102 Name Withheld
- 1103 Mr Jason Wiseman
- 1104 Confidential
- 1105 Ms Yvonne Millar
- 1106 Name Withheld
- 1107 Name Withheld
- 1108 Mr Bob Norlin
- 1109 Ms Eva Gross
- 1110 Mr John Hunt
- 1111 Ms Annabelle Davey
- 1112 Mr David Evans
- 1113 Ms Lisa Martin
- 1114 Inez Bowker
- 1115 Mr Karl Rasmussen

1116 Mr Wesley Emery
1117 Mr Benn Cox
1118 SEWA Network Australia
1119 Ms Alison Bevege
1120 Confidential
1121 Mr David Weston
1122 Name Withheld
1123 Mr Anton Aldred
1124 Chris Savage
1125 Mr and Mrs Nicholas and Elizabeth Devlin
1126 Ms Lyndell Laws
1127 Name Withheld
1128 Name Withheld
1129 Name Withheld
1130 Ms Wendy Vitali
1131 Mr Daryl Hall
1132 Ms Andrea Wilk
1133 Ms Sally Talati
1134 K Mailer
1135 Ms Suzy Kinsel
1136 Mr Michael Kilderry
1137 Ms Margaret Garnaut
1138 Mr Ian Kirk
1139 Name Withheld
1140 Mrs Ann Harling
1141 Ms Shelley Pinnell
1142 Mr Bob Tainsh
1143 Mr Stuart Krichauff
1144 AusBiotech
1145 Ms Rhonda Oliver
1146 Name Withheld
1147 Mr David Brown
1148 Mr Max Newman

- 1149 Confidential
- 1150 Ms Christina Reynolds
- 1151 Ms Melinda Zahri
- 1152 Robert Balzola and Associates
- 1153 Mr Reg Holmes
- 1154 Q Society of Australia
- 1155 Ms Moira Kirkwood
- 1156 Australian Christians
- 1157 Ms Merinda Hewat-Cameron
- 1158 Mr Elvis Seman
- 1159 Mr and Mrs Geoff and Rose Dickson
- 1160 Ms Valerie Moore
- 1161 Confidential
- 1162 Mr Joel Williams
- 1163 Ms Bev Shean
- 1164 Ms Jan Henzell
- 1165 Sikh Youth Australia Inc
- 1166 Name Withheld
- 1167 Name Withheld
- 1168 Confidential
- 1169 Mr David Jackson
- 1170 Confidential
- 1171 Mr Peter Coventry
- 1172 Mr Daniel Lewis
- 1173 Mr Bruce Carson
- 1174 Ms Peggy Stransky
- 1175 Name Withheld
- 1176 Mrs Helen Phillips
- 1177 Mr Barry Churches
- 1178 Ms Christine Coventry
- 1179 Mr Jonathan May
- 1180 Name Withheld
- 1181 Name Withheld

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- 1182 Ms Helen Green
 - 1183 Mr Murray Peterson
 - 1184 Confidential
 - 1185 Mr Steve Downton
 - 1186 Mr Paul Groves
 - 1187 Name Withheld
 - 1188 Ms Anne McCarthy
 - 1189 Name Withheld
 - 1190 Darilyn Adams
 - 1191 Mr Clive Arnold
 - 1192 Ms Antonia Naarstig
 - 1193 Ms Averill Robinson
 - 1194 Ms Maree Miller
 - 1195 Ms Ruth Rosenberg
 - 1196 Mr David Hastings
 - 1197 Ms Pam Byrne
 - 1198 Pekka Puronpaa
 - 1199 Mr Warren Broadhead
 - 1200 Name Withheld
 - 1201 Ms Lucy Nucifora
 - 1202 Mr Peter Inns
 - 1203 Confidential
 - 1204 Ms Patricia Wells
 - 1205 Lesley Lindsay
 - 1206 Ms Patricia Norman
 - 1207 Rev Warwick Davidson
 - 1208 Australian Food Sovereignty Alliance
 - 1209 Name Withheld
 - 1210 Ms Tanya Campigli
 - 1211 Name Withheld
 - 1212 Mr Ranil Ratnayeke
 - 1213 Lou Teitzel
 - 1214 Mr Peter Warwick

1215 Name Withheld
1216 Name Withheld
1217 Mr Tony Hollick
1218 Mr Frank Perry
1219 Ms Natalie Zadoroznyj
1220 Name Withheld
1221 Ms Anne Robards
1222 Emeritus Professor Kevin Robards
1223 Mr Adrian Dick
1224 Name Withheld
1225 Mr David Maddison
1226 Mr Gordon Fleming
1227 Mr Jeffrey Dutton
1228 Name Withheld
1229 Name Withheld
1230 Ms Jane Smith
1231 Ms Wendy Dillon
1232 Name Withheld
1233 Mr William Atherton
1234 Mr Michael M
1235 Name Withheld
1236 Department of Foreign Affairs and Trade
1237 Confidential
1238 Mr Roger Aldons
1239 Mr Ian Crossing
1240 Mr Tony Clarke
1241 Confidential
1242 Mr Timothy Ireland
1243 Name Withheld
1244 Name Withheld
1245 Name Withheld
1246 Mr David Truman
1247 Ms Lisa Morse

1248 Name Withheld
1249 Name Withheld
1250 Dr Jon Wilson
1251 Name Withheld
1252 Mr Gary Bulley
1253 Mr Joseph Bylhouwer
1254 Name Withheld
1255 Mrs Tanja Grifa
1256 Name Withheld
1257 Name Withheld
1258 Name Withheld
1259 Mr Luigi Rosolin
1260 Name Withheld
1261 Mr Chris Paterson
1262 Confidential
1263 Confidential
1264 Name Withheld
1265 Name Withheld
1266 Confidential
1267 Confidential
1268 Name Withheld
1269 Name Withheld
1270 Mr David Miller
1271 Name Withheld
1272 Confidential
1273 Name Withheld
1274 Mr Glenn Davis
1275 Mr Peter Ranford
1276 Name Withheld
1277 Mr Ethan Smith
1278 Halal Choices
1279 Mr Earl Grady
1280 Mr and Mrs Ross and Helena Kelso

- 1281 Keong Yip
- 1282 Name Withheld
- 1283 Mr Matthew Benger
- 1284 Mr Peter Henery
- 1285 Ms Leah Williams
- 1286 Name Withheld
- 1287 Free Range Egg & Poultry Australia Ltd
- 1288 Ms Denise Nissen
- 1289 Mr James Weeks
- 1290 Mr Adam Alamade
- 1291 Mr Greg Byrne
- 1292 Mr and Mrs Garry and Samantha Allan
- 1293 Mr Bill Knox
- 1294 Sunshine Coast Safe Communities Inc
- 1295 Ms Merlene OMalley
- 1296 Mr Jack Zweig
- 1297 Mr Albert Gobius
- 1298 Mr Michael Mastrantuono
- 1299 Mr and Mrs John and Penny Pittard
- 1300 Mr William Thompson
- 1301 Mr Andrew Zahra
- 1302 Name Withheld
- 1303 Mr Norman McGuire
- 1304 Name Withheld
- 1305 Name Withheld
- 1306 Mr Russell Wheeler
- 1307 Mr Stephen Pilkington
- 1308 Mr Charles Lacoste
- 1309 Mr Kevin Hicks
- 1310 Name Withheld
- 1311 Name Withheld
- 1312 Confidential
- 1313 Confidential

1314 Name Withheld
1315 Name Withheld
1316 Confidential
1317 Name Withheld
1318 Name Withheld
1319 Name Withheld
1320 Name Withheld
1321 Mr and Mrs John and Christine Drew
1322 Name Withheld
1323 Name Withheld
1324 Mr Graham Wines
1325 Ms Lynne Wilding
1326 Name Withheld
1327 Ms Sue Duncan
1328 Mr Trevor Kohler
1329 Organic Federation of Australia
1330 Mr Andrew Millard
1331 Mrs Elaine Reid
1332 Ms Rachel Carr
1333 Name Withheld
1334 Mr Joel Wuttke
1335 Name Withheld
1336 Mr Paul Jeleric
1337 Confidential
1338 Department of Agriculture
1339 Mr Mike Griffin
1340 Ms Ruth Beardsley
1341 Confidential
1342 Name Withheld
1343 Dr Raymond Robinson
1344 Mr Jeff Colby
1345 Confidential
1346 Name Withheld

- 1347 Mr Jonathan Clerke
- 1348 The Secular Party of Australia
- 1349 Mr Matt Wallace
- 1350 Name Withheld
- 1351 Ms Anna Shepherd
- 1352 Mrs Joyce Elais
- 1353 Mr Ken Nicholls
- 1354 Confidential
- 1355 Mr Henry Iglinski
- 1356 Name Withheld
- 1357 Mr Paul Fletcher
- 1358 Confidential
- 1359 Ms Sharon Buckle
- 1360 Name Withheld
- 1361 Ms Paula de Carle
- 1362 Freshcare Limited
- 1363 Produce Marketing Australia
- 1364 Name Withheld
- 1365 Ms Jeane Gearing
- 1366 Rev Spencer Gear
- 1367 Leigh Rhodes
- 1368 Ms Joyce Harris
- 1369 Confidential
- 1370 Mr Ernest Hemmings
- 1371 Name Withheld
- 1372 Confidential
- 1373 Ms Anna Newman
- 1374 Australian Organic Limited
- 1375 Mr David Hall
- 1376 Confidential
- 1377 Ms Diana McDonnell
- 1378 Mr Gerald Hollick
- 1379 Mr Alexander Stewart

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- 1380 Ms Jane Munro
 - 1381 Mr Greg Sermon
 - 1382 Mr Carl Kenner
 - 1383 Mr Bernard Gaynor
 - 1384 Spero Katos
 - 1385 Name Withheld
 - 1386 Name Withheld
 - 1387 Confidential
 - 1388 Name Withheld
 - 1389 Confidential
 - 1390 Ms Denise Singleton
 - 1391 Clr Peter Harle JP
 - 1392 Salt Shakers
 - 1393 Ms Margret Prime
 - 1394 Pastor Peter Barber
 - 1395 Australian Christian Lobby
 - 1396 Ms Helen Aumont
 - 1397 Lesley Nesbitt
 - 1398 Organic Industry Standards and Certification Council
 - 1399 Mr Tim Young
 - 1400 Name Withheld
 - 1401 Ms Theresa West
 - 1402 Mr Keith Clemesha
 - 1403 Name Withheld
 - 1404 Ms Carmel Metcalf
 - 1405 Mr David Lee
 - 1406 Ms Tina Evans
 - 1407 Ms Halyley Hemsworth
 - 1408 Ms Tracey Hajjar
 - 1409 Mr James Arnold
 - 1410 Ms Christine Gabb
 - 1411 Ms Tina Gavel
 - 1412 Australian Food and Grocery Council

1413 Department of Industry and Science
1414 Name Withheld
1415 Mr David Black
1416 Confidential
1417 Ms Sandy Larkin
1418 Mr Christer Bergman
1419 Name Withheld
1420 Jamie Brookfield
1421 Confidential
1422 Ms Raelene Grayden
1423 Mr Michael Parker
1424 Name Withheld
1425 Confidential
1426 Name Withheld
1427 Ms Trudy Lane
1428 Confidential
1429 Mr Reinard van Leishout
1430 Mr and Mrs Kevin and Helen Harwood
1431 Ms Linda Fennell
1432 Name Withheld
1433 Ms Nicole Butcher
1434 Fons and Bronwyn Janssen
1435 Mrs J A Butt
1436 Export Council of Australia
1437 Halal Certification Authority Australia
1438 Mr Ian White
1439 Mr James Tulk
1440 Mr Andrew Shine
1441 Ms Polly Lawson
1442 Ms C Baumgart
1443 Name Withheld
1444 Name Withheld
1445 Name Withheld

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- 1446 Mr and Mrs Paul and Ruth Dawson
 - 1447 Ms Lynneve Smythe
 - 1448 Ms Robyn Murdoch
 - 1449 Name Withheld
 - 1450 Name Withheld
 - 1451 Ms Helen McKelleher
 - 1452 Cattle Council of Australia
 - 1453 Family Voice
 - 1454 Gene Ethics
 - 1455 Australian Consumers Against Halal Certification
 - 1456 Confidential
 - 1457 Confidential
 - 1458 Mr Scott Heaysman
 - 1459 Mr Greg Kenealy
 - 1460 Mr RIchard White
 - 1461 Mr Umberto Ferraro
 - 1462 Ms Brenda Evans
 - 1463 Mr Philip Copland
 - 1464 Ms J Hilbert
 - 1465 Mr and Mrs Alan and Patricia Stevenson
 - 1466 Mr Don Thomas
 - 1467 Mrs K I Devine
 - 1468 L T Long
 - 1469 Name Withheld
 - 1470 Mr Frank D'Alusio
 - 1471 Name Withheld
 - 1472 Ms Lyn Dyne
 - 1473 Mrs Julie Pozzan
 - 1474 Rise Up Australia Party
 - 1475 Name Withheld
 - 1476 Department of Health
 - 1477 Name Withheld
 - 1478 Confidential

- 1479 Eardley Lieversz
- 1480 Name Withheld
- 1481 Name Withheld
- 1482 Mr and Mrs David and Ruth Cummings
- 1483 Name Withheld
- 1484 Mrs Elizabeth McCauley
- 1485 Name Withheld
- 1486 Name Withheld
- 1487 Confidential
- 1488 Ms Megan Trezise
- 1489 Ms J.D. Martin
- 1490 Mr T. Soderborg
- 1491 Name Withheld
- 1492 Name Withheld

Answers to questions on notice

- 1 Answer to a Question on Notice by the Department of Agriculture at a public hearing 21 August 2015, Canberra, ACT
- 2 Answer to a Question on Notice by the Department of Agriculture at a public hearing 21 August 2015, Canberra, ACT
- 3 Answer to a Question on Notice by AFIC, at a public hearing 3 November 2015, Parramatta, NSW
- 4 Answer to a Question on Notice by Mr Abdul Ayan, at a public hearing 3 November 2015, Parramatta, NSW

Tabled documents

- 1 Document tabled at a public hearing in Sydney on 24 September 2015 by Wayne Karlen
- 2 Document tabled at a public hearing in Parramatta on 3 November 2015 by Abdul Ayan
- 3 Document tabled at a public hearing in Parramatta on 3 November 2015 by Abdul Ayan
- 4 Document tabled at a public hearing in Parramatta on 3 November 2015 by Abdul Ayan
- 5 Document tabled at a public hearing in Parramatta on 3 November 2015 by Abdul Ayan
- 6 Document tabled at a public hearing in Parramatta on 3 November 2015 by AFIC

APPENDIX 2

Public hearings

Canberra, 21 August 2015

Committee Members in attendance: Senators Bernardi, Canavan, Dastyari, Ketter.

Witnesses

CHESWORTH, Mr Peter, Head of Division, Sectoral Growth Policy Division, Department of Industry and Science

DAWSON, Mr Gary, Chief Executive Officer, Australian Food and Grocery Council

EVANS, Ms Jo, Deputy Secretary, Department of Agriculture

GUTNICK, Rabbi Mordechai, Rabbinic Administrator, Kosher Australia Pty Ltd

GUTNICK, Rabbi Moshe, Rabbinic Administrator, Kashrut Authority Inc

HAZELTON, Ms Jenny, Acting Assistant Secretary, Preventive Health Policy Branch, Department of Health

HUDSON, Mr Andrew, Director, Export Council of Australia

KAMATH, Ms Gita, Assistant Secretary, Agriculture and Food Branch, Office of Trade Negotiations, Department of Foreign Affairs and Trade

LAMM, Dr Danny, Immediate Past Chairman, Kosher Australia Pty Ltd

MONK, Dr Andrew, Chair, Australian Organic; Australian Certified Organic

PRESTON, Mr Christopher, Director, Legal and Regulatory, Australian Food and Grocery Council

READ, Mr Greg, First Assistant Secretary, Exports Division, Department of Agriculture

SHNIDER, Mr Stephen, Chairman, Kosher Australia Pty Ltd

STUDDERT, Dr Lisa, First Assistant Secretary, Population Health and Sport Division, Department of Health

WAJSBORT, Mr Yankel, General Manager, Kosher Australia Pty Ltd

WERTHEIM, Mr Peter John, Executive Director, Executive Council of Australian Jewry

Sydney, 24 September 2015

Committee Members in attendance: Senators Bernardi, Dastyari, Lambie.

Witnesses

CHADWICK, Dr Richard, General Manager, Adjudication Branch, Australian Competition and Consumer Commission

Gaynor, Mr Bernard William, Private capacity

GREGSON, Mr Scott, Executive General Manager, Consumer Enforcement, Australian Competition and Consumer Commission

HANSFORD, Mr Hamish, National Manager, Strategic Intelligence and Strategy, Australian Crime Commission

JAMIESON, Mrs Angela, National Manager, Compliance, AUSTRAC

KARLEN, Mr Wayne Scott, Private capacity

ROBERTSON, Mr Craig, Acting National Manager, Intelligence, AUSTRAC

SMITH, Mrs Kirralie, Director, Halal Choices Incorporated

Parramatta, 3 November 2015

Committee Members in attendance: Senators Bernardi, Dastyari.

Witnesses

AYAN, Mr Abdul, Private Capacity

RAZA, Mr Wasim, Manager, Australian Federation of Islamic Councils Inc.