

Privacy Commissioner's Submission to the Primary Production Committee on the Organic Products Bill (221-1)

1. I am pleased to provide a submission on the Organic Products Bill (the Bill). The Bill proposes a regime to regulate products that claim to be organic and the businesses that make them. The Bill's objectives are to:
 - increase consumer confidence in purchasing organic products
 - increase certainty for businesses making claims that their products are organic (**organic claims**), and
 - facilitate international trade in organic products.
2. My comments on the Bill relate to clauses 39 – 42, which require that the Chief Executive of the Ministry for Primary Industries keep and maintain a public register of all approved organic producers. The register must contain the producers' names and contact details and any other information prescribed. The Chief Executive must remove a producer from the register if their status as an organics producer expires or if the producer surrenders or withdraws their approval as an organics producer.
3. Clause 41 provides that the Chief Executive may direct that a person's address must not be available for inspection or otherwise disclosed if the Chief Executive is satisfied, on the person's application that the disclosure would be prejudicial to the safety of the person or their family.
4. Consistent with such provisions in other legislation, such as section 239 of the Land Transport Act 1998, I **recommend** that clause 41 be amended to read:

“The chief executive may direct that a person's address must not be available for inspection or otherwise disclosed if the chief executive is satisfied, on the person's application, that the disclosure of the person's physical address (as entered in the register) would be prejudicial to the privacy or safety of the person or the person's family.”
5. I trust my comments are of use to the Committee in its consideration of the Bill. I do not seek to be heard on my submission but am happy to appear before the Committee if that would be of assistance.



John Edwards
Privacy Commissioner

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