Minister for Regulation

Information Release

Regulatory Review: Product Labelling

September 2026

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Documents in this information release

#	Reference	Type	Title	Date
1	EXP-26-MIN-0035	Cabinet minute	Minute of Decision – Regulatory Review: Product Labelling	18/08/2026
2	EXP-26-MIN-0035	Cabinet paper	Regulatory Review: Product Labelling	18/08/2026

Information withheld

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Sections of the Act under which information has been withheld:

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EXP-26-MIN-0035

Cabinet Expenditure and Regulatory Review Committee

Minute of Decision

Regulatory Review: Product Labelling

Portfolio **Regulation**

On 18 August 2026, the Cabinet Expenditure and Regulatory Review Committee:

1 **noted** the contents of the *Product Labelling Regulatory Review: Final Report*, attached under EXP-26-SUB-0035, which sets out the findings and recommendations from the Review;

2 **noted** that, while the Review found that product labelling requirements within the scope of the Review are generally fit-for-purpose, there are areas where the regulatory burden can be reduced;

Establishing a default position of enabling digital labelling

3 **agreed** that the default approach for new or amended product labelling legislative requirements be to enable regulated parties to have the option of using digital labelling to meet legislative product labelling requirements, unless there is a critical reason for the information to be required on the physical product;

4 **agreed** that a Cabinet Office Circular be issued to require agencies subject to Cabinet direction to:

4.1 enable the use of digital labelling to meet legislative product labelling requirements (either in addition to or instead of physical labelling);

4.2 report to the Ministry for Regulation prior to establishing new or amended product labelling legislative requirements that do not enable a digital option, including the critical reason and rationale for not enabling a digital option;

5 **noted** that, in relation to potential changes to the Australia New Zealand Food Standards Code, the decision in paragraph 4.2 above will involve the Ministry for Primary Industries engaging with the Ministry for Regulation prior to New Zealand developing a position on a proposal relating to labelling requirements;

6 **authorised** the Minister for Regulation to make:

6.1 all necessary decisions to prepare and issue a circular, in line with the decisions above;

6.2 additional minor and technical changes;

Developing a standards-led approach to enable digital product labelling

7 **directed** the Ministry of Business, Innovation and Employment and the Ministry for Regulation to co-commission a digital labelling standard that:

7.1 establishes a consistent approach for structuring, identifying and linking product information;

7.2 supports interoperability across businesses, regulators and digital systems;

7.3 aligns or references international standards where appropriate;

7.4 provides a common reference point for businesses, regulators and technology providers;

8 **agreed** that Standards New Zealand will manage an assessment of the most appropriate standards solution for digital labelling, including whether existing international standards are suitable for New Zealand purposes and whether further standards development is required, in consultation with industry, regulators and relevant stakeholders, and following that assessment co-ordinate the implementation of the assessment outcomes;

9 **noted** that while the standard will initially be voluntary, it would support potential future regulatory changes allowing certain product labelling requirements to be met through digital means rather than on the physical product;

10 **noted** that the standard is intended to provide a practical mechanism to support the consistent implementation of digital labelling across regulatory systems and provide regulators with a common reference point for recognising, implementing and monitoring digital labelling approaches;

11 **agreed** that the Ministry of Business, Innovation and Employment will take ownership of the implementation outcomes of the standard;

12 **directed** the Ministry for Regulation to report back to Cabinet two years after implementation of the standard on its effectiveness and whether further policy, guidance and regulatory changes are required, following consultation with Ministry for Business, Innovation and Employment and other relevant agencies as appropriate;

Modernising MPI's role as regulator of food and beverage product labelling

13 **directed** the Ministry for Primary Industries to:

13.1 build on their existing risk-based approach to managing complaints in relation to food labelling, to fully implement a risk-based regulatory approach as the regulator responsible for food and beverage labelling;

13.2 develop guidance material that explains the Australia New Zealand Food Standards Code labelling requirements to regulated parties in a user-focused manner;

14 **directed** the Ministry for Primary Industries to report back to Cabinet on progress in relation to the decision in paragraph 13 by 30 June 2027;

Update country of origin requirements for food and beverage products

15 **noted** that Ministry for Business, Innovation and Employment has completed its review on the recommendations made by the Regulations Review Committee in June 2023 in relation to the Consumer Information Standards (Origin of Food) Regulations 2021 and that the Minister of Commerce and Consumer Affairs has agreed to maintain the current regulatory settings and not pursue amendments at this time;

Over-the-counter medicines

16 **agreed** to:

16.1 amend Regulation 2(1) of the Medicines Regulations 1984 to broaden the types of containers that may be used as a safety container to align with Australia's regulatory settings;

16.2 amend Regulation 15(1)(b)(iii) of the Medicines Regulations 1984 to increase the minimum volume of a "small container" from 20ml to 25ml;

16.3 amend Regulation 13(m) of the Medicines Regulations 1984 to broaden the terms that can be used to describe a batch number;

17 **authorised** the Associate Minister of Health (Hon David Seymour) to make decisions, consistent with the decision in paragraph 16 above and the recommendations in the Review, on any issues that arise during the drafting process;

18 **noted** that the Ministry for Regulation will publish the Review report, the paper under EXP-26-SUB-0035, and other relevant review documentation on its website following Cabinet decisions, subject to appropriate redactions, and the that published report will include all recommendations from the Review, not only those being progressed through the above decisions.

Sam Moffett
Committee Secretary

Present:
Hon David Seymour (Chair)
Rt Hon Winston Peters
Hon Paul Goldsmith
Hon Louise Upston
Hon Mark Mitchell
Hon Brooke van Velden
Hon Casey Costello
Hon Cameron Brewer
Hon Mike Butterick
Hon Andrew Hoggard

Officials present from:
Office of the Deputy Prime Minister
Officials Committee for EXP

In Confidence

Office of the Minister for Regulation

Cabinet Expenditure and Regulatory Review Committee

Regulatory Review: Product Labelling

Proposal

1 This paper seeks Cabinet's endorsement of selected recommendations from the Product Labelling Regulatory Review (the Review). The Review Report is attached as **Appendix One**.

Relation to government priorities

2 The Ministry for Regulation (the Ministry) undertook the Review as part of the Government's commitment to carry out regulatory sector reviews. The recommendations also support the Government's priority of building a stronger, more productive economy.

Executive Summary

3 Product labels support consumer safety and informed choice, but the current system has not kept pace with digital commerce and innovations. Based on the findings of the Review, I am seeking Cabinet agreement to progress reforms in four areas:

3.1 digital labelling – New Zealand lacks clear rules for when digital labels can be used; the Review recommends a default position of enabling the option of digital labelling, and a national digital labelling standard;

3.2 food and beverage labelling – modernise the Ministry for Primary Industries' approach and improve guidance for businesses.

3.3 over-the-counter medicines – update specific requirements to better align with Australia; and

3.4 s 9(2)(f)(iv) [redacted]

These reforms will make New Zealand's product labelling system simpler, more modern, and better able to support innovation, trade, and consumer safety. They reinforce the need for all agencies to ensure that they are not taking a 'set and forget' approach to regulatory systems that they administer. The reforms proposed are expected to deliver $111 million in net benefits over 10 years.

Background

4 In July 2025, Cabinet agreed to a review of product labelling (the Review) [CAB-25-MIN-0234.01 refers]. Cabinet also noted that the Review was intended to evaluate the effects of current product labelling regulations on prospective entrants to the

supermarket sector, provide recommendations to remove product labelling barriers, and improve retail grocery competition.

5 Product labelling requirements affect most goods in New Zealand. These regulations are in place to: mitigate information asymmetries (e.g. so that consumers are informed about a product's ingredients); lessen negative externalities (e.g. public health issues arising from the over-consumption of certain products); protect health and safety (e.g. allergen warnings); and ensure specific batches of a product can be identified if required (e.g. during a product recall).

6 The Ministry engaged with industry, regulators and government agencies to confirm the priority areas that should be included in the scope of the Review. In September 2025, I approved the Terms of Reference for the Review, which included consideration of enabling digital labelling, food and beverage labelling, over-the-counter medicines, dietary supplements, and the effects of product labelling on supermarket competition and prospective entrants to the grocery sector.

Analysis

The Review found that while product labelling requirements are generally fit-for-purpose, there are areas where regulatory burden can be reduced. The full Review Report is attached (Appendix One).

I am seeking Cabinet's agreement to progress some of the Review's recommendations, which are set out below. A summary of Review recommendations in relation to Cabinet recommendations is provided in Appendix Two.

Digital labelling

Establish a clear expectation that digital labelling be enabled as an option to meet regulatory product labelling requirements, unless there is a critical reason for information to remain on a physical label

7 Internationally, a growing number of jurisdictions, including the EU and China, are using digital labelling in a more flexible and efficient way. In some jurisdictions, digital labelling can be used either instead of, or alongside, physical labelling. However, New Zealand product labelling regulations do not explicitly enable use of digital labelling.

8 The Review found that digital labelling is constrained not by any single regulatory prohibition, but by the absence of a consistent cross-government approach and supporting implementation framework. As a result, regulators apply different requirements and formats, businesses often need to reproduce the same information multiple times, and digital labelling approaches vary across sectors.

9 To address these issues, I am proposing the following actions:

9.1 Establish, via a Cabinet Circular, a clear expectation that government agencies enable digital labelling as the default approach when administering, developing, or reviewing product labelling regulations, unless there is a critical reason for information to be required on the physical product.

9.2 Support implementation through a standards-led approach. I propose that the Ministry for Regulation and the Ministry of Business, Innovation and Employment co-commission the assessment and development of a digital labelling standard, with Standards New Zealand. This would involve coordinating an assessment of the most appropriate standards solution, including whether existing international standards are suitable for New Zealand purposes and whether any further standards development is required. This will be done in consultation with industry, regulators and other stakeholders. Following that assessment, Standards New Zealand will manage development and publication of the standard.

10 The digital labelling standard would provide a common approach for linking physical products to digital information. It could cover matters such as unique product identifiers, common information fields, and how information is accessed through technologies such as Quick Response (QR) codes. This would help ensure that businesses, consumers and regulators can access and interpret product information consistently across different sectors and systems, reducing duplication and supporting greater confidence in the use of digital labelling. The standard could be in the form of adopting international standards, or be developed with reference to relevant international standards, helping ensure New Zealand's approach is consistent with international practice and does not create unnecessary barriers to trade or innovation.

11 The digital labelling standard would initially be voluntary and provide a practical mechanism for implementing digital labelling in a consistent way across regulatory systems, while providing regulators with a common reference point for recognising, implementing and monitoring digital labelling approaches. Establishing the standard first would allow regulators and industry to test adoption, build confidence in the approach, and assess its effectiveness before any further policy or regulatory intervention is considered. Following implementation, the Ministry for Regulation, in consultation with Ministry for Business, Innovation and Employment (MBIE), would review uptake and implementation and report back to Cabinet on whether any further policy, guidance or regulatory changes are required.

Food and beverage product labelling requirements

12 The Joint Food System was established under the Australia-New Zealand Joint Food Standards Treaty. Joint standards for food composition and labelling are agreed by New Zealand and Australian states, territories and the Commonwealth government. Joint standards are published in the Australia New Zealand Food Standards Code (Food Standards Code).

13 The role of the MPI as regulator within the system would benefit from further modernisation by developing:

13.1 a food safety regulatory strategy that addresses how it will manage labelling risks at a systems level - MPI currently relies on complaints to direct its product labelling enforcement activities; and

13.2 an improved user-friendly guide to make it easier for businesses to understand labelling requirements - many small- and medium-sized businesses struggle to navigate and interpret the Food Standards Code, due

to the legal style and length (over 750 pages). Regulated parties report they have to employ a consultant just to understand the regulatory requirements.

14 Parliament's Regulations Review Committee recommended that the Government consider amending Regulation 10 of the *Consumer Information Standards (Origin of Food) Regulations 2021* (Origin of Food Regulations) to prevent labelling practices that may confuse consumers about the origin of the food they are purchasing. Since the completion of the Review, MBIE has reviewed this issue and concluded that the current regulatory settings should be retained. The Minister of Commerce and Consumer Affairs has agreed to maintain the status quo.

Supermarket competition, with a focus on product labelling issues

15 The Review considered whether product labelling requirements represent a significant barrier to grocery competition. While relabelling and over-stickering requirements can impose additional costs on importers, the evidence gathered through the Review did not identify product labelling requirements as a significant barrier to supermarket competition.

16 s 9(2)(f)(iv)

Over-the-counter (OTC) medicine labelling requirements

17 The Medicines Act 1981 and the Medicines Regulations 1984 provide the detailed requirements for the labelling of OTC medicines, and Medsafe's *Guidelines on the Regulation of Therapeutic Products in New Zealand* provides supplemental guidance on operationalising those requirements.

18 This legislation is outdated and has not kept pace with changes to the system and technology advances (such as the internet and other digital technologies). The absence of modern and comprehensive regulation makes it slow and cumbersome to update labelling rules. The Associate Minister of Health (Hon Casey Costello) is progressing work on a new Medical Products Bill. The Bill and related regulations will consider the Review's recommendations, particularly in relation to enabling digital labelling.

19 In the interim, the Review recommends that the Medicines Regulations 1984 are amended to:

19.1 align the definitions for a safety container with Australia's legislative settings;

19.2 increase the size of a small container from 20mls to 25mls to align with Australia's legislative settings; and

19.3 broaden the terms that can be used as batch numbers on a label.

20 The recommendations for OTC medicine labelling will lower compliance costs for manufacturers and importers by aligning New Zealand's requirements more closely with Australia. This is particularly important for a small market like New Zealand.

s 9(2)(f)(iv) [redacted]

21 s 9(2)(f)(iv) [redacted]

Net benefits of recommendations in this paper

22 The reforms proposed in this paper are expected to deliver net benefits. The monetised benefits from enabling digital labelling are estimated at $111 million over 10 years, provided regulators adopt the proposed Cabinet Circular and supporting digital labelling standards. Other non-monetised benefits include lower compliance costs for manufacturers and importers of OTC medicines arising from greater alignment with Australia. This is expected to support greater regulatory alignment, support greater product variety, and benefit consumers through increased choice. s 9(2)(f)(iv) [redacted], improving their ability to compete in overseas markets and access new export opportunities.

Cost-of-living Implications

23 The recommendations in this paper are expected to reduce costs for businesses, with potential flow-on benefits for consumers.

Financial Implications

24 There are no fiscal implications arising from these proposals. Implementation of the recommendations will be met from within agency baselines.

Legislative Implications

25 This paper seeks agreement to amendments to the Medicines Regulations 1984 to implement the recommendations of the Review.

Regulatory Impact Statement

26 The Ministry for Regulation has determined that recommendations in relation to proposed changes to labelling requirements for OTC medicines are exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts. Where future

Cabinet policy proposals in relation to digital labelling are made, they will be supported by impact analysis.

Climate Implications of Policy Assessment

27 The Climate Implications of Policy Assessment (CIPA) team has confirmed that CIPA requirements do not apply to this paper, as the threshold has not been met.

Population Implications

28 The regulatory reforms outlined in this paper will be of interest to many groups. Their views were considered during the Review.

Human Rights

29 The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Use of external resources

30 A contractor developed an initial draft of the report and Cabinet paper.

Consultation

31 The Ministry consulted with Ministry of Health (MoH) (including Medsafe), MBIE, Ministry for Foreign Affairs and Trade, MPI, the Ministry of Justice, New Zealand Trade and Enterprise, the Office of the Privacy Commissioner (OPC), the Commerce Commission, the Environmental Protection Authority, The Treasury, the Department of Prime Minister and Cabinet, the Office of the Government Chief Digital Officer, Parliamentary Counsel Office and WorkSafe to prepare this paper.

32 **MoH, MPI and OPC** provided feedback on digital labelling implementation. Key themes included health and safety information, ensuring alignment with existing food labelling through Food Standards Australia New Zealand (FSANZ) and the Australia New Zealand Food Standards Agreement and protecting consumer privacy. A number of factual, technical and drafting changes have been incorporated in response to this feedback.

33 **The Cabinet Office** considers that the proposal to use a Cabinet Office Circular to establish a default position of enabling the option of digital labelling does not meet the criteria for a Cabinet Office Circular. Cabinet Circulars should be relevant to a wide public sector audience, relate to government operations, and meet a significance threshold (ie. Impacting on the day-to-day business of government). A Circular is an additional information dissemination tool, but should not replace the communications from the agency. This proposal relates to a specific area that is not widely applicable to the public sector; Cabinet Office therefore consider that the requirements would be best communicated via the agency's website.

34 The Ministry's position is that the proposed Circular meets the criteria set out by the Cabinet Office[1], for the following reasons:

34.1 it intended for a wide audience – over ten agencies have policy or regulatory roles in relation to product labelling

34.2 it relates to government operations

34.3 it meets the significance requirement – as it would communicate Cabinet expectations to agencies on a subject that no one agency is responsible for.

Communications

35 The Review report will be published on the Ministry's website, following Cabinet decisions. I intend to make a media release at the same time.

Proactive Release

36 I intend to proactively release this paper within 30 business days of decisions being confirmed by Cabinet, subject to redactions as appropriate under the Official Information Act 1982.

Recommendations

I recommend that the Committee:

1 **note** the contents of the attached paper *Product Labelling Regulatory Review: Final Report* (**Appendix One**) that sets out the findings and recommendations from the Review;

2 **note** that, while the Review found that product labelling requirements within the scope of the Review are generally fit-for-purpose, there are areas where the regulatory burden can be reduced;

Establishing a default position of enabling digital labelling

3 **agree** that the default approach for new or amended product labelling legislative requirements be to enable regulated parties to have the option of using digital labelling to meet legislative product labelling requirements, unless there is a critical reason for the information to be required on the physical product;

4 **agree** that a Cabinet Office Circular will be issued to require agencies subject to Cabinet direction to:

4.1 enable the use of digital labelling to meet legislative product labelling requirements (either in addition to or instead of physical labelling), and

4.2 report to the Ministry for Regulation prior to establishing new or amended product labelling legislative requirements that do not enable a digital option, including the critical reason and rationale for not enabling a digital option;

[1] Department of the Prime Minister and Cabinet. (2022, November 2). *About Cabinet Office circulars and notices*. New Zealand Government. https://www.dpmc.govt.nz/publications/about-cabinet-office-circulars-and-notices

4.3 **note** that in relation to potential changes to the Australia New Zealand Food Standards Code, recommendation 4.2 will involve the Ministry for Primary Industries engaging with the Ministry for Regulation prior to New Zealand developing a position on a proposal relating to labelling requirements;

5 **authorise** the Minister for Regulation to make:

5.1 all necessary decisions to prepare and issue a circular, in line with the decisions above, and

5.2 additional minor and technical changes;

Developing a standards-led approach to enable digital product labelling

6 **direct** the Ministry of Business, Innovation and Employment and the Ministry for Regulation to co-commission a digital labelling standard that:

6.1 establishes a consistent approach for structuring, identifying and linking product information;

6.2 supports interoperability across businesses, regulators and digital systems;

6.3 aligns or references international standards where appropriate; and

6.4 provides a common reference point for businesses, regulators and technology providers;

7 **agree** that Standards New Zealand will manage an assessment of the most appropriate standards solution for digital labelling, including whether existing international standards are suitable for New Zealand purposes and whether further standards development is required, in consultation with industry, regulators and relevant stakeholders. Following that assessment co-ordinate the implementation of the assessment outcomes;

8 **note** that while the standard will initially be voluntary, it would support potential future regulatory changes allowing certain product labelling requirements to be met through digital means rather than on the physical product;

9 **note** that the standard is intended to provide a practical mechanism to support the consistent implementation of digital labelling across regulatory systems and provide regulators with a common reference point for recognising, implementing and monitoring digital labelling approaches;

10 **agree** that the Ministry of Business, Innovation and Employment will take ownership of the implementation outcomes of the standard ;

11 **direct** the Ministry for Regulation to report back to Cabinet two years after implementation of the standard on its effectiveness and whether further policy, guidance and regulatory changes are required – following consultation with Ministry for Business, Innovation and Employment and other relevant agencies as appropriate;

Modernising MPI's role as regulator of food and beverage product labelling

12 **direct** the Ministry for Primary Industries to:

12.1 build on their existing risk-based approach to managing complaints in relation to food labelling, to fully implement a risk-based regulatory approach as the regulator responsible for food and beverage labelling;

12.2 develop guidance material that explains the Australia New Zealand Food Standards Code labelling requirements to regulated parties in a user-focused manner;

13 **direct** the Ministry for Primary Industries to report back to Cabinet on **Recommendation 12** by 30 June 2027;

Update country of origin requirements for food and beverage products

14 **note** that Ministry for Business, Innovation and Employment has completed its review on the recommendations made by the Regulations Review Committee in June 2023 in relation to the *Consumer Information Standards (Origin of Food) Regulations 2021* and that the Minister of Commerce and Consumer Affairs has agreed to maintain the current regulatory settings and not pursue amendments at this time.

Over-the-counter medicines

15 **agree** to:

15.1 amend Regulation 2(1) of the Medicines Regulations 1984 to broaden the types of containers that may be used as a safety container to align with Australia's regulatory settings;

15.2 amend Regulation 15(1)(b)(iii) of the Medicines Regulations 1984 to increase the minimum volume of a "small container" from 20ml to 25ml;

15.3 amend Regulation 13(m) of the Medicines Regulations 1984 to broaden the terms that can be used to describe a batch number;

16 **authorise** the Associate Minister of Health (Hon David Seymour) to make decisions, consistent with the proposals in **Recommendation 15** and the recommendations in the Review, on any issues that arise during the drafting process;

17 **note** that the Ministry for Regulation will publish the Review report, this Cabinet paper, and other relevant review documentation on its website following Cabinet decisions, subject to appropriate redactions, and that published report will include all recommendations from the Review, not only those being progressed through this Cabinet paper.

Authorised for lodgement

Hon David Seymour

Minister for Regulation

Appendix One: Product labelling regulatory review report

Published separately.

Appendix Two: Summary of Review recommendations in relation to Cabinet recommendations

Review recommendation	Cabinet paper recommendation	Cabinet paper recommendation(s)
Digital labelling		
1. Develop and publish principles for digital product labelling and clear national guidance	1. Establishing a default position that digital labelling will be enabled where appropriate	Recommendations 3 - 5
2. Establish a national framework that connects physical and digital product labels, encouraging interoperable data standards	2. Co-commission assessment and development of a digital labelling standard 3. Standards New Zealand to manage and publish the standard, following assessment 4. MBIE to take ownership of the standard once published	Recommendations 6 - 10
3. Enable country of origin and importer / manufacturer details to be provided digitally	5. Review implementation and consider whether further policy, guidance or regulatory changes are required	Recommendation 11
Food and beverage		
4. MPI should fully implement a risk-based regulatory approach for food labelling that goes beyond an enforcement-based response to complaints		Recommendation 12.1
5. Harmonise the approach to enforcement of health claims under the Code, including the home jurisdiction rule	N/A – not progressing	
6. Amend the requirement for energy information on alcoholic beverage labels to enable digital options	N/A – not progressing	
7. Implement future changes to labelling requirements under the Code on a regular five yearly cycle	N/A – not progressing	
8. MPI to develop and publish additional guidance for businesses on how they should meet their product labelling obligations		Recommendation12.2
9. Pursue mutual recognition of international labelling standards with trusted jurisdictions	N/A – not progressing	
10. Amend the *Consumer Information Standards (Origin of Food) Regulations 2021* to ensure that country of origin markings are clear, prominent and not misleading	For noting as MBIE have progressed review	Recommendation 14

Retail grocery		
11. The Ministry and MPI report back to Ministers on lessons learnt from the digital labelling trial including the development of a process for businesses to apply for an exemption	s 9(2)(f)(iv)	
12. New Zealand to engage with Australia to agree on how departures from the Food Treaty should be approached	N/A – not progressing	
Over-the-counter medicines		
13. Amend the definition of safety container and the size for a small container in the *Medicines Regulations 1984*		Recommendations 15.1 and 15.2
14. Amend Regulation 13(m) of the *Medicines Regulations 1984* to broaden the terms that can be used to describe a batch number		Recommendation 15.3
15. Medsafe to engage with the Australian TGA on its proposal to align Australia's gluten declaration threshold with New Zealand's		Progressing through agency work programme recommendation not required for Cabinet
16. The *Medicines Act 1981* and *Medicines Regulations 1984* should be replaced		Progressing through agency work programme recommendation not required for Cabinet
Dietary supplements		
17. We support MPI's proposal to exempt export-only dietary supplements from restrictions on making therapeutic claims		s 9(2)(f)(iv)