

Home Jurisdiction Rule (HJR)

What is the Home Jurisdiction Rule?

The Home Jurisdiction Rule (HJR) is a process where food regulators in Australia and New Zealand coordinate responses to food standards matters across borders to prevent duplication and facilitate communication.

The home jurisdiction is the state or territory in which a food business is based or, in the case of a national chain, where the home company's head office is located. The home jurisdiction is responsible for investigating potential breaches of food legislation including complaints and undertaking any necessary compliance or enforcement action in relation to the business. In the case of a business chain, the response will also rely heavily on the jurisdiction in which the place of manufacture or import is located – as this can sometimes differ from the location of the head office. Typically the home jurisdiction will also take a lead role in coordinating any investigation that involves other state and territory enforcement agencies.

Issues dealt with include: investigating food safety issues and potential breaches of food legislation including complaints, providing advice to businesses on food legislation and food safety issues including whether food needs to be recalled, compliance and enforcement actions.

What is the purpose of the HJR?

The HJR rule was introduced to:

- provide a framework for food enforcement agencies to manage issues of legislative noncompliance or complaints about foods made in one state or territory and sold, transported or traded to another
- facilitate and support efficient communication between food enforcement agencies on cross-jurisdictional matters
- reduce duplication of enforcement actions in more than one state or territory.

The HJR makes it simpler for consumers because they can make a complaint about a food product to any food regulator regardless of where the food is produced. It also assists business because they don't have to deal with different food enforcement agencies in relation to a single issue.

Communicating with one food enforcement agency means businesses should avoid receiving contradictory advice and compliance action should not be duplicated by another enforcement agency.

Who does it apply to?

It applies to all Australian food enforcement agencies: Queensland Health, the New South Wales Food Authority, South Australian Health, the Victorian Department of Health and Human Services, the Northern Territory Department of Health, the Tasmanian Department of Health and Human Services, the Western Australia Department of Health, ACT Health and the New Zealand Ministry for Primary Industries.

An example of how the HJR works?

Company ABC produces food in Queensland and sells it nationally. A customer in Victoria makes a complaint to the Victorian Department of Health. The complaint would then be directed to Queensland Health for investigation and any necessary compliance action.

The HJR forms part of the [Australia and New Zealand Food Regulation Compliance, Monitoring and Enforcement Strategy](#) prepared by the Implementation Subcommittee for Food Regulation.

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