

Labelling Logic

Review of Food Labelling
Law and Policy (2011)

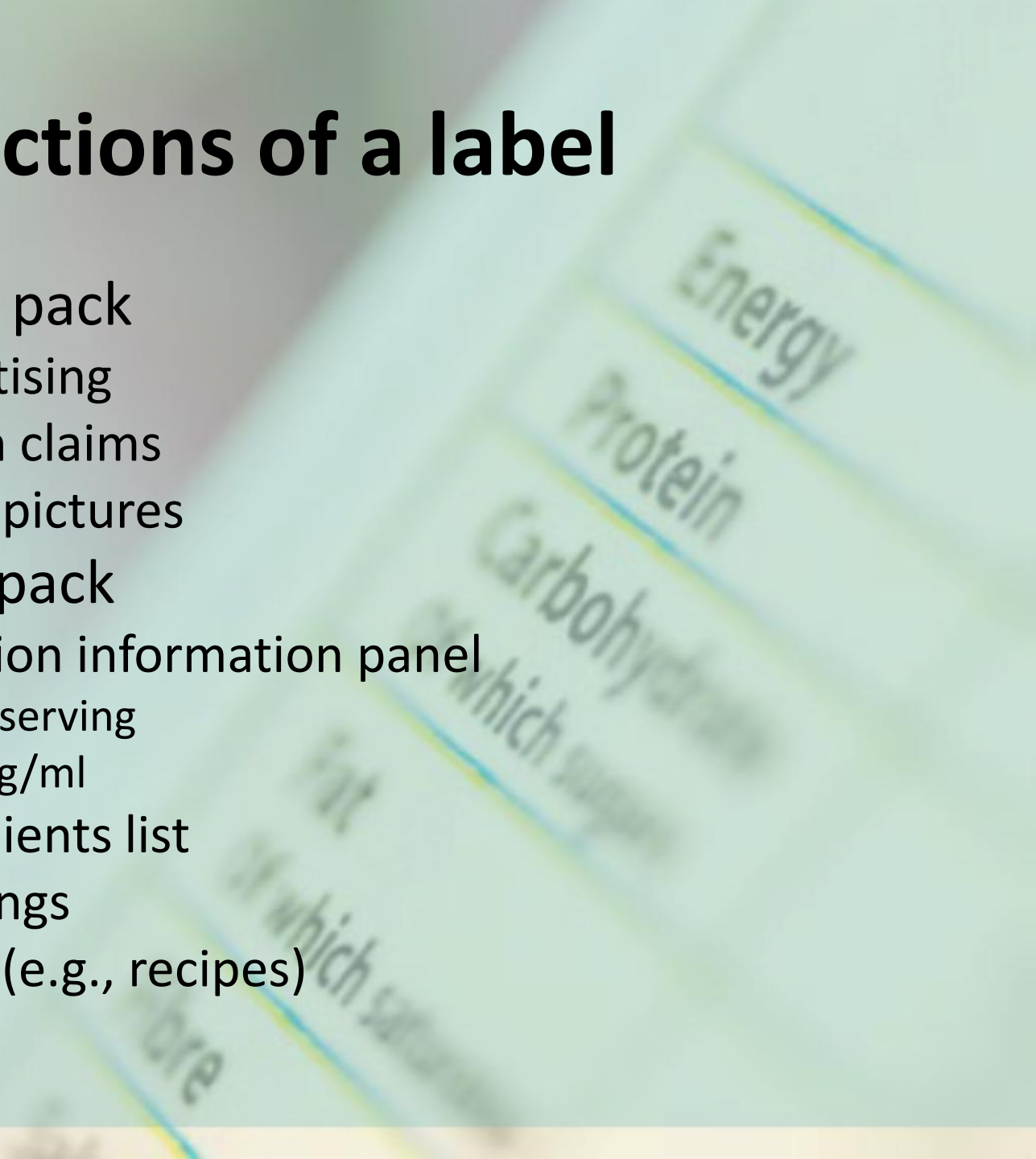
Panel Members:

Neal Blewett AC (Chair)
Nick Goddard
Simone Pettigrew
Chris Reynolds
Heather Yeatman

Professor Simone Pettigrew
UWA Business School
University of Western Australia

Sections of a label

- Front of pack
 - Advertising
 - Health claims
 - Text + pictures
- Back of pack
 - Nutrition information panel
 - Per serving
 - 100g/ml
 - Ingredients list
 - Warnings
 - Other (e.g., recipes)



Where did the product come from?

- Made in...
- Product of...
- Grown in...
- Made from local and imported ingredients

Meaning?



Definitions

- **Made in:** For goods that have been substantially transformed in the specified country *and* where 50% or more of the total cost of producing or manufacturing the goods has occurred in that country.
- **Product of/Produce of:** When the specified country was the country of origin of each significant ingredient or significant components of the goods *and* all or virtually all, the production or manufacture happened in that country.
- **Grown in:** Where each significant ingredient or component of the goods was grown in that country *and* all or virtually all, processes involved in production or manufacture happened in that country.
- **Made from local and imported ingredients/Made from imported and local ingredients:** This is a qualified claim that can be used where it is not possible for a 'Made in' claim to be made, either due to uncertainty around the question of substantial transformation and whether 50% costs of production is met or to adjust to seasonal changes in availability of individual ingredients.

Spot the warning statement



Where's the trans fat?

Nutrition information		
Servings per package: (insert number of servings)		
Serving size: g (or mL or other units as appropriate)		
	Quantity per Serving	Quantity per 100 g (or 100 mL)
Energy	kJ (Cal)	kJ (Cal)
Protein	g	g
Fat, total	g	g
saturated	g	g
Carbohydrate	g	g
sugars	g	g
Sodium	mg (mmol)	mg (mmol)
(insert any other nutrient or biologically active substance to be declared)	g, mg, mg (or other units as appropriate)	g, mg, mg (or other units as appropriate)

Source: Adapted from Food Standards Code, *Standard 1.2.8 Nutrition Information Requirements*.

What do we know?

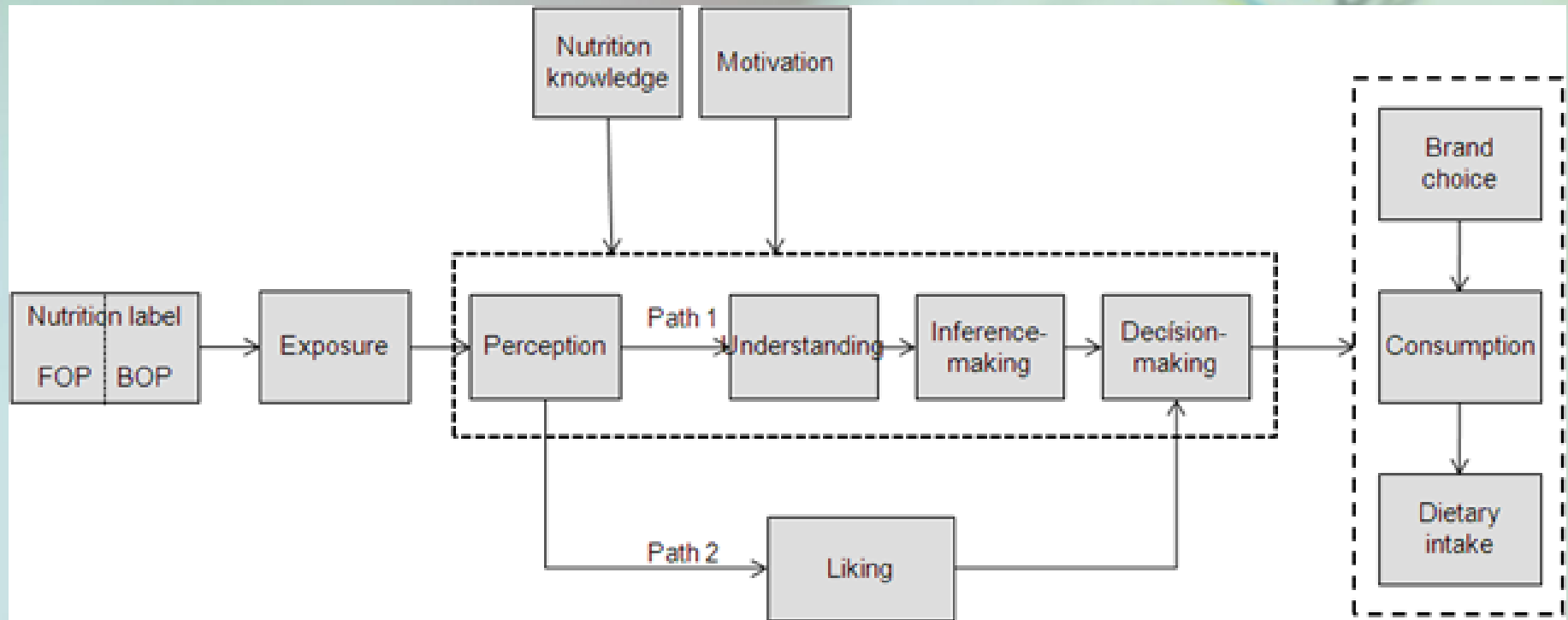
- Price and taste most important
 - *I always look at prices first, and then I go for the label, what's better. So yeah, prices are definitely the first thing I go for and then that. Labels are confusing.*
- Time constraints (4-10 seconds)
 - *I feel like a retard because I'm standing there for so long reading the labels. People must be thinking, 'Why the hell is that woman taking so long?'.*
- First time vs ongoing usage
- Some sub-groups more motivated
 - Diagnosed condition
 - Parents
 - *If I buy juices for the kids, I try to find the one that's got the least sugar in it for the cheapest price.*
 - Women
 - *I read them to see how many calories are in them.*

What do we know?

- FSANZ study:
 - Use-by most commonly used label element
 - Legibility and readability issues
 - Contrast
 - Font

4 point font
6 point font
8 point font
10 point font
12 point font

Consumer Food Label Processing



Inference making

- *I tend to trust the most popular brands. Sanitarium, Uncle Toby's, Nestle, CSR, Brownes are companies I trust the most. I feel that because they are big companies with popular brands, I would expect that they have constant health and safety checks which make their foods more clean and healthy.*
- *The healthy tick is a bit dodge, that's what I think. How on earth did they get the tick?*



Heart Foundation Tick

A healthier choice, with the same great Macca's® taste. Tested and approved by the Heart Foundation Tick.



Tick meal 1



Tick meal 2



Tick meal 3



Tick meal 4



Tick meal 5

home

our food

menu

breakfast

value picks

Favourites

M selections®

dinner

Heart
Foundation
Tick

Happy Meal



Food Labelling Review Panel

November 2009 – January 2011

Matters for Review

The review panel will be required to:

1. Examine the policy drivers impacting on demands for food labelling.
2. Consider what should be the role for government in the regulation of food labelling. What principles should guide decisions about government regulatory intervention?
3. Consider what policies and mechanisms are needed to ensure that government plays its optimum role.
4. Consider principles and approaches to achieve compliance with labelling requirements, and appropriate and consistent enforcement.
5. Evaluate current policies, standards and laws relevant to food labelling and existing work on health claims and front of pack labelling against terms of reference 1-4 above.
6. Make recommendations to improve food labelling law and policy.

Food Labelling Review Panel

Background:

- Chronic disease prevention
 - 62% adults and 25% children overweight/obese
 - Diabetes, heart disease, cancer
- Finite label space
- Consumer ability to assimilate information
- Case-by-case approach to labelling law
- Cost to industry of ad hoc and increasing labelling requirements

Aim: Resolution of these tensions

Process

- Numerous expert consultations
- Industry and general public consultations across Australia and NZ
- 2 calls for submissions: n=7,000+
- Literature review

Submissions summary

- Consumers
 - Genetic modification
 - Trans fats
 - Food allergies
 - Visibility/readability
 - Terminology - free range, organic
 - Country of origin

Submissions summary

- Producers/retailers
 - Cost minimisation
 - Simplicity
 - Avoid consumer alienation
- Government agencies/Health organisations
 - Enforcement issues
 - Potential for long term benefit

Solutions?

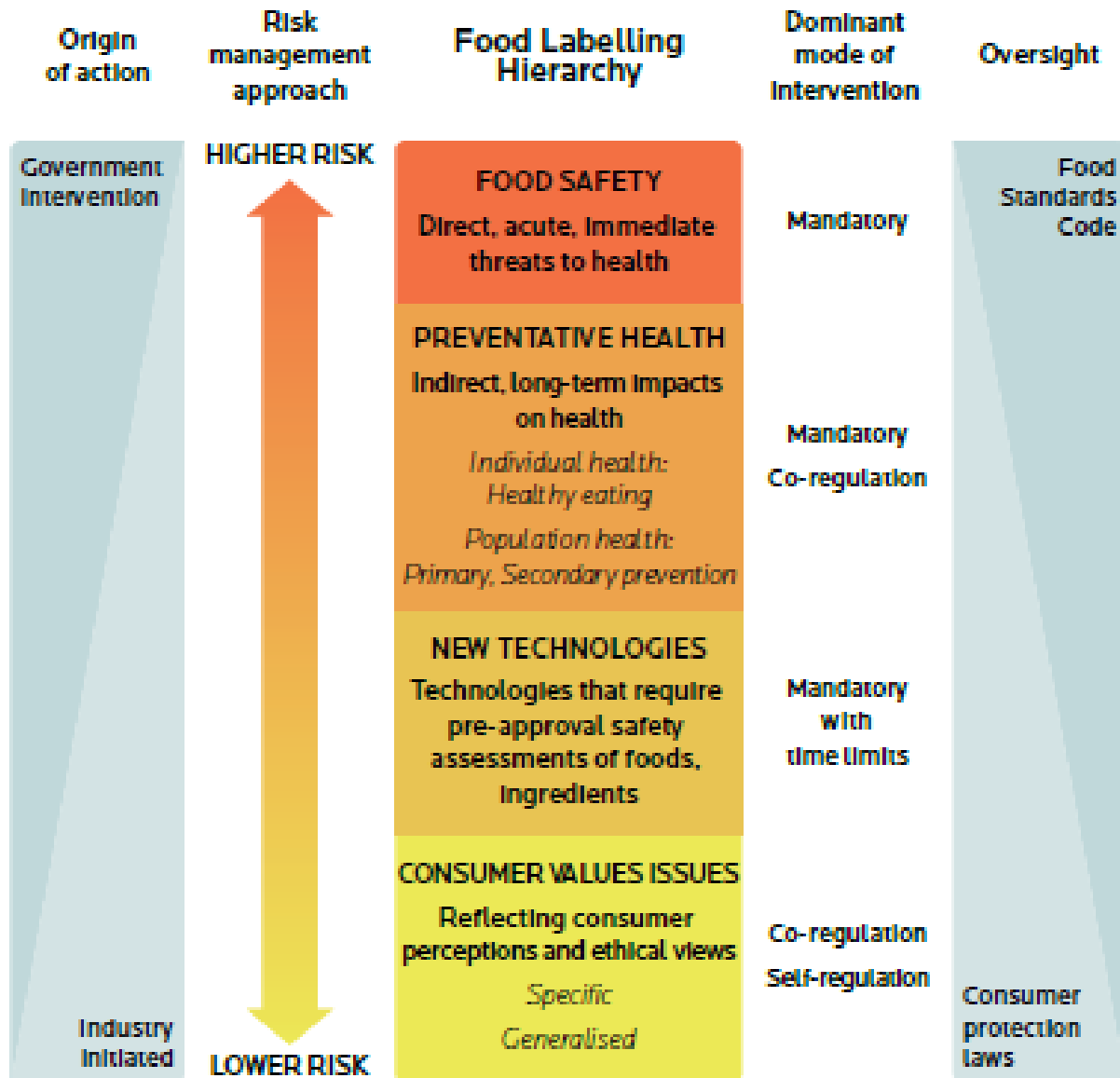
61 recommendations:

- General principles
- Public health and safety
- New technologies
- Consumer values
- Presentation
- Enforcement

Recommendation 2

That food labelling policy be guided by an issues hierarchy in descending order of food safety, preventative health, new technologies and consumer values issues.

Figure 7: Food Labelling Hierarchy: Oversight



Recommendation 3

That once the case for a labelling standard has been established and becomes part of the Food Standards Code, sufficient resources be allocated to ensure that it is effectively monitored and enforced.

Recommendation 9

- That a comprehensive Nutrition Policy be developed that includes a framework for the roles of the food label.
 - Information and education
 - Encouraging a healthy food supply
 - Nutrient criteria + dietary guidance
 - Social research

Recommendation 13

That mandatory declaration of all trans fatty acids above an agreed threshold be introduced in the Nutrition Information Panel if manufactured trans fatty acids have not been phased out of the food supply by January 2013.

Nutrition information		
Servings per package: (insert number of servings)		
Serving size: g (or mL or other units as appropriate)		
	Quantity per Serving	Quantity per 100 g (or 100 mL)
Energy	kJ (Cal)	kJ (Cal)
Protein	g	g
Fat, total	g	g
saturated	g	g
Carbohydrate	g	g
sugars	g	g
Sodium	mg (mmol)	mg (mmol)
(insert any other nutrient or biologically active substance to be declared)	g, mg, mg (or other units as appropriate)	g, mg, mg (or other units as appropriate)

Source: Adapted from Food Standards Code, *Standard 1.2.8 Nutrition Information Requirements*.

Recommendation 17

That the declaration in the Nutrition Information Panel of amount of nutrients per serve be no longer mandatory unless a daily intake claim is made.

Nutrition information		
Servings per package: (insert number of servings)		
Serving size: g (or mL or other units as appropriate)		
	Quantity per Serving	Quantity per 100 g (or 100 mL)
Energy	kJ (Cal)	kJ (Cal)
Protein	g	g
Fat, total	g	g
saturated	g	g
Carbohydrate	g	g
sugars	g	g
Sodium	mg (mmol)	mg (mmol)
(insert any other nutrient or biologically active substance to be declared)	g, mg, mg (or other units as appropriate)	g, mg, mg (or other units as appropriate)

Source: Adapted from Food Standards Code, *Standard 1.2.8 Nutrition Information Requirements*.

Recommendation 18

That declaration of energy content of standardised food items on the menu/menu boards or in close proximity to the food display or menu be mandatory in chain food service outlets and on vending machines. Further, information equivalent to that provided by the Nutrition Information Panel should be available in a readily accessible form in chain food service outlets.

Recommendation 21

That applications for trade names and trademarks be scrutinised by the relevant agencies to identify and reject words and devices that have the effect of inferring health implications that are otherwise prohibited under the Food Standards Code.

Alcohol Recommendations

Recommendation 24: That generic alcohol warning messages be placed on alcohol labels but only as an element of a comprehensive multifaceted national campaign targeting the public health problems of alcohol in society.

Alcohol Recommendations

- **Recommendation 25:** That a suitably worded warning message about the risks of consuming alcohol while pregnant be mandated on individual containers of alcoholic beverages and at the point of sale for unpackaged alcoholic beverages, as support for ongoing broader community education.

France: “Drinking alcoholic beverages during pregnancy even in small quantities can have grave/serious consequences for the health of the baby”

OR



United States

- Combined message
 - ***“GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems”.***



Lion Nathan to adopt recommendation for health warnings on alcohol labels | News.com.au - Windows Internet Explorer

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Lion Nathan to adopt recommendation for health warnings on alcohol labels

January 28, 2011 5:45pm

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New health messages to appear on beer

Alcohol is not good for your health - report

And fatty foods may carry warnings too

LABELS on some of Australia's biggest beer brands will soon carry warnings of health risks, including during pregnancy

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"We believe this is the right thing to do," Lion Nathan managing director James Brindley said yesterday.

But winemakers complained that the changes recommended by former health minister Neal Blewett, including the health warnings, a kilojoule count and a full list of ingredients, would cost the industry \$9 million a year.

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"I think we need a little common sense here," Winemakers Federation chief executive Stephen Strachan said yesterday.

"Consumers choose their wine for enjoyment. I have never heard of a visitor to a cellar door asking what a wine's salt content is or how many carbs it contains."

The Blewett review - commissioned by federal, state and territory governments last year - has called for simpler "traffic light" labelling on food packaging, with red, orange or green dots to show how healthy it is.

Fast-food outlets and vending machines would be required to display the energy content of each product at the point of sale.

"Research shows that consumers may change their orders after exposure to nutrition information at the point of sale, especially when purchasing meals for children," the report says.

The Blewett review says food labels should show which fats, sugars and vegetable oils have been

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Alcohol Recommendations

Recommendation 26: That energy content be displayed on the labels of all alcoholic beverages, consistent with the requirements for other food products.

Alcohol Facts	
 Contains 5 Servings	Calories per Serving: 98 Alcohol by Volume: 13% Alcohol per serving: 0.5 oz
Serving Size: 5 fl oz	
U.S. Dietary Guidelines advice on moderate drinking: no more than two drinks per day for men, one drink per day for women.	

Alcohol Recommendations

- **Recommendation 27:** That drinks that are mixtures of alcohol and other beverages comply with all general nutrition labelling requirements, including disclosure of a mandatory Nutrition Information Panel.



GM

- **Recommendation 29:** That only foods or ingredients that have altered characteristics or contain detectable novel deoxyribonucleic acid (DNA) or protein be required to declare the presence of genetically modified material on the label.
- **Recommendation 30:** That any detection of an adventitious genetically modified event be followed by a period of monitoring and testing of that food or ingredient.

Recommendation 35

That Food Standards Australia New Zealand and other relevant bodies develop as a matter of urgency a standard for regulating the presence of nanotechnology in the food production chain.

Recommendation 42

- Grown in Australia
- ‘Made of Australian Ingredients’: at least 80% by weight (excluding water) of all ingredients or components of Australian origin.
- ‘Made of Australian and Imported Ingredients’: at least 50% by weight (excluding water) of ingredients and components of Australian origin.
- ‘Made of Imported and Australian Ingredients’: less than 50% by weight (excluding water) of ingredients and components of Australian origin.

Text

Recommendation 44: That a minimum font size of 3.5mm in an open font style in mixed case be applied for mandated information, with the exception of small package sizes where the minimum font size should be 1.5mm.

4 point font
6 point font
8 point font
10 point font
12 point font

Text

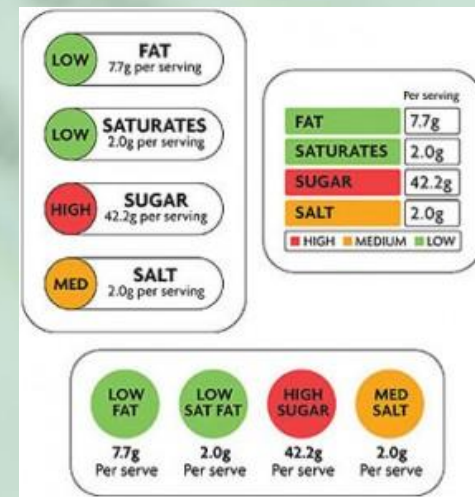
Recommendation 46: That a minimum contrast level of 70% for mandated information be stipulated in the Food Standards Code.



Traffic lights

Recommendation 51: That a multiple traffic lights front-of-pack labelling system be introduced. Such a system to be voluntary in the first instance, except where general or high level health claims are made or equivalent endorsements/trade names/marks appear on the label, in which case it should be mandatory.

— Dixon et al. 2011



Traffic lights

Recommendation 52: That government advice and support be provided to producers adopting the multiple traffic lights system and that its introduction be accompanied by comprehensive consumer education to explain and support the system.

- Sacks et al. 2011

Traffic lights

Recommendation 54: That chain food service outlets across Australia and New Zealand be encouraged to display the multiple traffic lights system on menus/menu boards. Such a system be mandatory where general or high level health claims are made or equivalent endorsements/trade names/marks are used.

Bureau

- **Recommendation 61:** That a new and effectively resourced entity in the form of a trans-Tasman Food Labelling Bureau be established under the Food Standards Australia New Zealand Act 1991 to undertake the functions as specified in this Report and more generally to:
 - be the primary contact for, and source of, food labelling information and advice;
 - undertake research into food labelling issues;
 - undertake a general educational role in relation to food labelling issues and requirements;
 - assist industry to comply with labelling requirements;
 - act as a clearinghouse for complaints and facilitate compliance and the resolution of complaints;
 - monitor and report on food labelling compliance; and
 - monitor consumer values issues claims on labels and liaise with consumer protection agencies in relation to confusing, misleading or deceptive food labelling.

What's next?

- Government response by December 2011
- Continued interest group lobbying
 - Greenpeace – Truefood Network
 - Choice and Cancer Council Vs AFGC
- Research opportunities