



**Response to Proposal P293
Draft Standard 1.2.7 Nutrition, health and related claims
Feb 2012 Consultation Paper**

Prepared on behalf of Avocados Australia

29th March 2012

This submission was authorised by David Chenu, General Manager Marketing, Horticulture Australia Limited on behalf of Avocados Australia.

Avocados Australia is the peak industry body for the Australian avocado industry. Avocados Australia is a "not for profit" membership based organisation with members including avocado growers and associated businesses. Avocados Australia seeks to work with all parts of the chain, from production through to the consumer to continually improve the ability of growers to provide a healthy, profitable and safe product for all customers. As part of this continual improvement, an industry Research and Development Program and a Promotional Program for the Australian avocado industry is managed in conjunction with Horticulture Australia and a range of external service providers.

Avocados Australia is pleased to provide the following comments on the February 2012 P293 Nutrition, Health and Related claims draft standard consultation paper.

Correspondence

Lisa Yates, Advanced Accredited Practising Dietitian consulting to Avocados Australia
7 Forest Way Frenchs Forest NSW 2086
Mob: 0422 735 718
Email: lisagyates@hotmail.com

Part 1 Question 1

Does the revised drafting accurately capture the regulatory intent as provided in Attachment B? Please consider the clarity of drafting, any enforceability issues and the level of "user friendliness".

Page 39 Schedule 2 Conditions for permitted health claims Part 2 vitamins – folic acid (but not folate)

Avocados Australia requests clarity around the dietary context (column 4 of Schedule 2) that makes reference to "a) diet containing food folate".

Background

In the current Transition Standard 1.1A.2 Avocados are one of the few primary foods which contain folate (144ug per 120g serve NMI 2010 analysis results or 70ug NUTTAB 2010) and permitted to use the folate and neural tube defect claim provided the serving size contains at least 40 micrograms of folate. With the current guidelines and wording conditions required we developed the following claim:

"Women of child bearing age need to consume at least 400 micrograms of folate per day at least the month before and three months after conception. A diet rich in folate including avocado may reduce the risk of foetal neural tube defects. Half an avocado contains 144 micrograms of folate 36% of the RDI for folate."

With regards to the new draft Standard 1.2.7 (P293) this health claim is now only permitted for folic acid and not folate which means only those formulated foods which contain folic acid as an additive will be able to make this claim and not natural whole foods such as avocado as they contain folate.

We are also concerned that if the wording conditions for the dietary context must include a reference to "a diet containing food folate" or words of similar import using both folic acid and folate in the same claim may be confusing to consumers.

We are also unsure if a reference to the RDIs is still necessary in the claim as the Schedule to Standard 1.1.1 Indicates the regulatory RDI is for folate with folic acid as a permitted form and the RDI is set at 200ug. Using our example above we have tried to construct such a claim:

*“Women of child bearing age need to consume at least 400 micrograms of **folic acid** per day at least the month before and three months after conception. A diet rich in **folate** including Product X may reduce the risk of foetal neural tube defects. A serve of Product X contains Y micrograms of **folic acid** X% of the RDI for **folate**.”*

Avocados Australia requests further guidance or perhaps an example of an appropriate claim be included in the standard and/or explanatory documents.

Part 2 - Fat Free and % Fat Free claims

While fat free and %fat free claims are not relevant to avocado given they contain about 20% fat, Avocado Australia is concerned by the negative emphasis on the nutrient “fat” by these claims. Fat free and % fat free claims imply there is a health risk associated with consuming any fat and that a little fat as possible is desirable. Avocado Australia supports the position of the Australian Tree Nut Industry.

Chan and colleagues in 2005 (1) found that a small study of 33 Australian consumers were sceptical of fat claims yet still relied on them to make purchasing decisions. Fat free claims were considered by this group to be misleading since the NIP indicated the presence of some fat. Others felt low fat claims gave them license to eat more of the product. The authors stated:

“Of the fat claim formats, participants preferred ‘X% Fat Free’ because its accuracy could be checked easily against the NIP. Claims of ‘X% less fat’ were least understood and many participants were unsure about what the relevant reference products were. Participants preferred fat claims to be carried only on foods that they would normally expect to be high in fat, such as cheese, mayonnaise, milk and ice cream.”

Generally however “fat” was seen as a negative nutrient by these study participants.

A New Zealand study in 2010 (2) found that “up to 75% of Māori, Pacific, and Asian shoppers assumed that if a food carried a ‘97% fat free’ claim it was therefore a healthy food. Similarly, low-income shoppers were significantly more likely than medium- or high-income shoppers to assume that the presence of a claim meant a food was definitely healthy.”

If %fat free claims confuse consumers and they are used as a measure of the overall healthiness of a food (without considering the level of negative nutrients and ingredients: added sweeteners, refined starches and sodium/salt), Avocados Australia believes the option of removing “fat free” and “% fat free” claims from Standard 1.2.7 should also be considered. This is similar to the removal of “cholesterol free” claims from the standard due to the risk of misleading consumers. Fat free and %fat free claims also have that same inherent risk.

When unsaturated fats are required for cholesterol lowering and heart health, the promotion of *replacing* saturated fat with unsaturated fat instead of *limiting all fat* is preferred. In order to overcome the “fat” phobia and re-educate consumers that not all fats are unhealthy the low in saturated fat claims will help this education process.

References

- 1) Chan C et al. Australian consumers are sceptical about but influenced by claims about fat on food labels. *EJCN* 2005; 59:148–151
- 2) Gorton D, Mhurchu CN, Bramley D, Dixon R. Interpretation of two nutrition content claims: a New Zealand survey. *Aust N Z J Public Health*. 2010 Feb;34(1):57-62. doi: 10.1111/j.1753-6405.2010.00474.x.