

Response ID ANON-JN9Z-F8CT-Z

Submitted to P1062 - Defining added sugars for claims
Submitted on 2023-10-04 12:20:21

Complete your submission

Your details

What is your name?

Contact person:

[REDACTED]

What is your email address?

Email address:

[REDACTED]

What is your telephone number?

Telephone:

Which one of the following groups do you most affiliate with?

Government

If other, please specify:

What is the name of your organisation?

Please write N/A if this does not apply.:

SA Health

What is your position title?

Please write N/A if this does not apply.:

[REDACTED]

Are you the contact person for your organisation?

No

If you are not the contact person for your organisation, please provide an alternative contact and details. If not applicable, please leave blank.

Contact person's name:

[REDACTED]

Email address:

[REDACTED]

Telephone:

Position title:

[REDACTED]

Have you read the P1062 – Defining added sugars for claims call for submission paper?

Yes

Confidential information

All submissions will be published, including redacted versions of confidential submissions. We will not publish material that we accept as confidential. Does your submission contain confidential information?

No. My submission does not contain confidential information.

Proposed changes to 'no added sugar(s)' claim conditions

1 FSANZ proposes to continue to set 'no added sugar(s)' claim conditions based on the addition of ingredients to foods (see section 5.2 of the Call for submissions document).

Do you have any comments on this approach?:

2 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain an 'added sugars' as an added ingredient including an ingredient of a compound ingredient. FSANZ proposes defining 'added sugars' for this claim condition (see section 5.2.1.4 of the Call for submissions document).

Do you have any comments on this approach or the defined added sugars (see below)?:

3 FSANZ proposes 'no added sugar(s)' and 'unsweetened' claims are not permitted on foods containing the hexose monosaccharide D-tagatose, as an ingredient, consistent with existing claim conditions in the Code. As D-tagatose is a hexose monosaccharide, it is captured in the definition of 'added sugars' (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

4 FSANZ proposes foods containing low energy sugars (mono- and disaccharides), as ingredients, listed in subsection S11—2(3) of Schedule 11 not be permitted to display 'unsweetened' claims (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

5 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain the fruit products listed below as an added ingredient (including as an ingredient of a compound ingredient). FSANZ proposes to exempt fruit products which are lemon or lime fruit (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach or the fruit products listed?:

6 FSANZ proposes a fruit product which is the food for sale (e.g. fruit juice) be permitted to make a 'no added sugar(s)' claim. This includes when the food is sold as a singular fruit (e.g. apple juice) or a blend of different fruits (e.g. blend of fruit juices), providing the food contains no 'added sugars' or other products identified in claim conditions, as added ingredients. A blend or combination of different fruit products (e.g. fruit juice and fruit purée) will not be permitted to make the claim. FSANZ also proposes to clarify that fruit does not include legumes, fungi, herbs, nuts and spices for the purpose of the claim conditions (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach?:

7 FSANZ proposes 'no added sugar(s)' claims are not permitted when the concentration of sugars in the food is increased from the hydrolysis of carbohydrates during food manufacture, except when the sugars concentration in cereal-based plant milks made using hydrolysis is $\leq 1.5\%$ (and the product otherwise meets claim conditions) (see section 5.3.2 of the Calls for submissions document).

Do you have any comments on this approach?:

8 FSANZ proposes to maintain the existing condition that a food displaying an 'unsweetened' claim must meet the conditions for a 'no added sugar(s)' claim, noting that the amended 'no added sugar(s)' claim conditions will apply (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

9 FSANZ proposes to maintain the existing condition for intense sweeteners, sorbitol, mannitol, glycerol, xylitol, isomalt, maltitol syrup or lactitol. FSANZ proposes a food containing low energy sugars (mono- and disaccharides) listed in subsection S11—2(3) of schedule 11, as an ingredient (including an ingredient of a compound ingredient), not be permitted to display an 'unsweetened' claim (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

10 FSANZ is proposing a two-year transition period to allow producers, manufacturers and importers time to make any required labelling changes for products carrying 'no added sugar(s)' or 'unsweetened' claims to comply with the new claim conditions (see section 7 of the Call for submissions document).

Do you have any comments on this approach?:

Data and evidence

11 Do you have any data or are you aware of published data on the number of products with 'no added sugar(s)' or 'unsweetened' claims in Australia and/or New Zealand (see data used for this proposal at section 3.1 of the Call for submissions document)?

No

If yes, please upload your file here.:

No file uploaded

12 Do you have any evidence or are you aware of published literature on consumer understanding of and responses to 'no added sugar(s)' or 'unsweetened' claims on food products (see evidence used for this proposal at section 3.2 of the Call for submissions report and Supporting Document 1)?

No

If yes, please upload your file here.:

No file uploaded

13 Do you have any data or know of any published data on the costs of labelling changes per stock keeping unit or package type (see data used for this proposal at Attachment E to the Call for submissions document)?

No

If yes, please upload your file here:

No file uploaded

Additional comments

Comments and other input

Additional comments and input:

Please upload additional files here.:

SA HEALTH - Submission to Proposal P1062.docx was uploaded

Feedback

What is your level of satisfaction with using this platform to complete your submission?

Very satisfied

Do you have any feedback you would like to provide to FSANZ regarding this new platform?

No

If yes, please provide details.:

SA HEALTH – Submission to Proposal P1062 Defining Added Sugars for Claims, October 2023

SA Health welcomes the opportunity to provide comment to Food Standards Australia New Zealand on the call for submissions for *Proposal P1062 – Defining Added Sugars for Claims*.

The Food Safety and Regulation Branch of SA Health supports in principle the proposed definition of added sugars.

The proposed definition of added sugar includes:

- Hexose monosaccharides and disaccharides, including dextrose, fructose, sucrose and lactose;
- Starch hydrolysate;
- Glucose syrups, maltodextrin and similar products;
- Products derived at a sugar refinery, including brown sugar and molasses;
- Icing sugar;
- Invert sugar;
- Fruit sugar syrup;
- Honey
- Malt, or malt extracts
- Concentrated fruit juice, including powdered
- Deionised fruit juice

Plus, no added sugar claims cannot be made if:

- The following foods are added as an ingredient
 - fruit juice (except when added to canned fruit),
 - dried fruit paste,
 - fruit pulps,
 - fruit purees,
 - fruit powders, fruit extracts or isolates
- Hydrolysis during manufacture increases sugars concentration in the food, except cereal-based plant milks where the concentration is $\leq 1.5\%$.

General comments and concerns

- Standard 1.2.7 and Schedule 4 of the Food Standards Code outlines the criteria for a product making a 'no added sugar claim'. However, there are many sources of sugar employed by food manufacturers to enhance a product's sweetness that are not captured in this schedule.
- An updated definition of added sugar is required to ensure 'no added sugar' claims are not misleading and align with the Australian and New Zealand dietary guidelines.

OFFICIAL

- Both the Australian and New Zealand dietary guidelines recommend limiting the intake of foods and drinks containing added sugars, as well as saturated fat and added salt. Both guidelines also recommend limiting or avoiding fruit juice due to the high energy content.
- There is concern regarding the omission of single-ingredient fruit juice from the proposed definition. This could lead to a situation where 100% fruit juice can make a 'no-added sugar' claim, while a juice diluted with water cannot, despite having a lower total sugar content. This has the potential to confuse consumers and is not in line with the *Ministerial Policy Guideline on Food Labelling to Support Consumers to Make Informed Choices*.
- Nevertheless, it is acknowledged that incorporating 100% fruit juice as a single ingredient food in the definition of added sugar may be difficult to justify, especially considering a small serve (125ml) can occasionally count as a serving of fruit in accordance with the Australian Dietary Guidelines.
- Consequently, South Australia strongly supports the prioritisation of work to explore alternative labelling approaches that take a more holistic approach in the context of what is already being used, such as the Nutrition Information Panel and Health Star Rating. This includes the establishment of criteria for what constitutes a 'high' sugar content.

Thank you for the opportunity to provide comment on this submission.

Kind Regards,
Food Safety and Regulation Branch, SA Health