

Response ID ANON-JN9Z-F83X-M

Submitted to P1062 - Defining added sugars for claims

Submitted on 2023-10-06 15:41:22

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Contact person:

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

Other (please specify)

If other, please specify:

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What is the name of your organisation?

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

Australian Dental Association

What is your position title?

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

[REDACTED]

Are you the contact person for your organisation?

Yes

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:

Email address:

Telephone:

Position title:

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?:

We consider the proposed approach problematic because we foresee circumstances in which a high-sugar food, e.g. honey, is labelled by promoters as containing 'no added sugar(s)', and this is likely to contribute to consumer misunderstanding and detrimental oral health outcomes.

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)?:

We gather that the list above is not comprehensive, i.e. that a food displaying a 'no added sugar(s)' claim must not contain certain ingredients, such as fruit products listed under question 5.

When we eat or drink foods or drinks containing sugar, the bacteria in our mouths feed on the sugar and produce acids as a waste product. These acids can attack the enamel of teeth, leading to cavities. Bacteria in the mouth do not discriminate because of the origin of the sugar present. These facts guide our commentary on sugars generally.

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?:

We are not very familiar with the hexose monosaccharide D-tagatose, but are inclined towards all low energy sugars being included in the definition of 'added sugar'.

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?:

We think there should be consistency between 'no added sugar' and 'unsweetened' claims and that foods containing low energy sugars should not be permitted to display 'no added sugar' or 'unsweetened' claims.

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?:

We recommend inclusion in the definition above of a broader range of fruit products, i.e. we don't see a reason for whole, cut or chopped dried fruit to be excluded.

Dried fruit can contain up to 66% sugar content, and freeze-dried fruit can contain up to 71% sugar content. This is about 3-4 times more sugar than fresh fruit.

Dried fruit is high in sugar, sticky, and acidic. These characteristics mean it can have negative effects on teeth. The effects of dried fruit on teeth include tooth decay, plaque formation, and enamel erosion.

We understand there are products available that themselves consist of 100% fruit (such as fruit straps, fruit bites, and baked fruit pieces) which undergo extensive processing and contain higher sugar levels relative to conventionally dried fruit.

Also, canned and frozen fruit contain higher sugar content than fresh fruit. We suggest inclusion of canned and frozen fruit be considered.

Lemon and lime fruits are much less sweet, but their acidic profile is detrimental to oral health. Lemon and lime fruits contain a pH level of between 2 – 2.3 which is well below the buffering capacity of tooth enamel at 4.5-5.5. The ensuing chemical erosion of tooth enamel is irretrievable leading to permanent destruction of tooth material.

In relation to fruit juice, we recommend inclusion in the definition above of a broader range of products, i.e. we are not convinced of the basis for canned fruit or frozen fruit being excluded. We also think that reference to fruit juice should clearly state that blended, reconstituted, full strength and diluted juices are all captured.

We understand that certain vegetable products, such as beet juice concentrate, which can contain up to 10% sugar content, are not proposed to be included, and we suggest reconsideration of this approach.

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?:

We are concerned that allowing fruit products, other than whole fresh fruit, to carry a 'no added sugar' claim could tend to influence consumer behaviour in ways that aren't conducive to oral health – such as where the product is high in sugar.

Fruit juices, for example, contain sugars and acids, which are detrimental to teeth. These juices are often sold in package sizes that exceed Australian Dietary Guidelines recommendations. Many consumers view juice as a healthier alternative to sugary drinks like sodas and energy drinks, even though they contain similar sugar levels.

We support the proposal that legumes, fungi, herbs, nuts and spices are not considered fruits for any definition of added sugar or for 'no added sugar' claim conditions.

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?:

We support restriction on 'no added sugar(s)' claims where the concentration of sugars in the food is increased from the hydrolysis of carbohydrates during food manufacture.

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?:

We support maintaining the existing condition that a food displaying an 'unsweetened' claim must meet the conditions for a 'no added sugar(s)' claim.

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?:

We support the position that a product containing sweeteners should continue to be unable to carry an 'unsweetened' claim.

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?:

From a public health perspective, we'd like to see appropriate changes made as expeditiously as possible.

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)?

Yes

If yes, please upload your file here.:

Question 11.docx was 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)?

Yes

If yes, please upload your file here.:

Question 12.docx was 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.:

No file uploaded

Feedback

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

Satisfied

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

No

If yes, please provide details.:

Question 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)?

The ADA is aware of the following:

7.9% of products (n=125) in the dairy yoghurts category carried no added sugar claims, Illawarra area of NSW, 2020¹.

On sugar-containing beverages in South Australian supermarkets in 2016, 31.7% (n=300) products contained no added sugar claims. Additionally, 7.9% (n=75) carried Naturally sweetened/sugar from fruit claims and 0.3% (n=3) carried unsweetened claims².

On ready-to-use infant food pouches in Sydney retailers (supermarkets, chemists and department stores) in 2019, 59% (n=164) carried no added sugar claims, and the proportion was higher in products aimed at younger ages (e.g. 70% of those aimed at 4 month olds, 72% of those aimed at 6 month olds)³.

On infant and toddler foods available in South Australian supermarkets in 2019 (n=282), 55% carried a 'no added sugar' claim, and 13% referred to containing 'natural sugar' or sugar from fruit and/or vegetables⁴.

According to the George Institute FoodSwitch dataset, a total of 5.4% of all foods in the food supply carried a 'no added sugar' claim in 2022 (1,613 products out of a total of 29,694).

¹ Wadhwa S-RS, McMahon AT, Neale EP. A Cross-Sectional Audit of Nutrition and Health Claims on Dairy Yoghurts in Supermarkets of the Illawarra Region of New South Wales, Australia. *Nutrients*. 2021;13(6):1835.

² Brownbill AL, Miller CL, Braunack-Mayer AJ. Industry use of 'better-for-you' features on labels of sugar-containing beverages. *Public Health Nutrition*. 2018;21(18):3335-43.

³ Brunacci KA, Salmon L, McCann J, Gribble K, Fleming CAK. The big squeeze: a product content and labelling analysis of ready-to-use complementary infant food pouches in Australia. *BMC public health*. 2023;23(1):656-.

⁴ Simmonds L, Brownbill AL, Zee A, Netting MJ. Health-related marketing messages on product labels of commercial infant and toddler food packaging in Australia: a cross-sectional audit. *BMJ paediatrics open*. 2021;5(1):e001241.

Question 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)?

The ADA is aware of the following:

In an online randomised control trial (RCT)¹, researchers found that various added sugar labels did not consistently influence consumers' choices when it came to high sugar packaged non-alcoholic beverages, breakfast cereals, and yogurts. This suggests that labelling alone may not be sufficient to change purchasing behaviour significantly. Instead, it appears that labels could be more effective when used in conjunction with other strategies to indirectly influence both consumers and manufacturers.

Furthermore, the study revealed that participants were highly supportive of various proposed policy approaches for added sugar labelling. This suggests that governments can likely implement such labelling without facing significant opposition from consumers, especially if it is part of a broader set of complementary food policies. In summary, while labelling alone may not have a strong impact, it can be a valuable component of a comprehensive approach to improving public health and nutrition.

¹ Riesenberg, D., Peeters, A., Backholer, K., Martin, J., Ni Mhurchu, C., & Blake, M. R. (2022). Exploring the effects of added sugar labels on food purchasing behaviour in Australian parents: An online randomised controlled trial. *PloS one*, 17(8), e0271435.