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20 March 2023

Food Standards Australia New Zealand
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Tēnā koe,

Proposal P1059 – Consultation paper: Energy labelling on alcoholic beverages

The Public Health Agency welcomes the opportunity to provide comment on FSANZ's proposal P1059 – energy labelling on alcoholic beverages - and acknowledges the comprehensive analysis and engagement FSANZ has undertaken to inform this proposal.

Please find enclosed the Public Health Agency's submission on proposal P1059. If you would like to discuss this submission please contact [REDACTED] at [REDACTED]

Nāku noa, nā

[REDACTED]

Public Health Agency submission on Proposal – P1059 Energy labelling on alcoholic beverages

The Public Health Agency

The Public Health Agency (PHA) was established on 1 July 2022 and sits within Manatū Hauora (the Ministry of Health) in New Zealand. The PHA provides public health leadership across the health and disability sector and beyond and influences the wider determinants of population health to enable people, their whānau and environments to be healthy and improve their wellbeing. We welcome the opportunity to support and shape FSANZ's proposal 1059 – energy labelling on alcoholic beverages - from a public health and equity perspective.

Summary of submission

Overall, the PHA supports the mandatory provision of energy information on alcoholic beverages, the prescribed format for energy content information, and listing energy content per 100mls. The PHA in addition recommends that a) there is sufficient consumer testing prior to implementing the prescribed format and b) per container total energy content labelling for products that are designed for single use consumption such as beer, craft beer and cider cans and bottles and Ready-to-Drink (RTD) beverages as they may contain more than one standard drink.

The PHA does not support the *voluntary* provision of a nutritional information panel, displaying percentage of daily energy intake, and *only* requiring energy content information on one layer of packaging.

The PHA is concerned about the recommendation to provide energy content per serving as FSANZ is not proposing to prescribe serving sizes and producers will have the flexibility to determine what a 'normal' serving size is for an alcoholic product.

The provision of energy content information on alcoholic beverages

The PHA supports FSANZ's proposal to amend the Code to require the provision of energy content information on alcoholic beverages. As noted in FSANZ's review of the evidence, alcohol is energy dense, contributes to a considerable proportion (16%) of Australia and New Zealand adults' energy intake on days consumed, and consumers generally have a poor understanding of the energy content in alcoholic beverages and would value energy content information. This proposal is therefore a positive step towards helping consumers to make more informed choices about the alcoholic beverages they consume, to more carefully consider their total alcohol intake, and to manage their daily energy intake.

We are pleased to see that FSANZ recognises that consumer education is important to support consumer awareness and use of the proposed energy labelling. We recommend

consumer education should particularly focus on communities that are more likely to experience alcohol-related inequities, such as Māori, Pacific and young people, and communities with low levels of health literacy. This will help to ensure all communities can benefit from the energy information.

Mandatory approach for the provision of energy content information

The PHA supports the proposal for a mandatory approach for the provision of energy content information on alcoholic beverages. This would ensure greater coverage and enable consumers to make informed choices.

Prescribed format for energy content information

The PHA is generally supportive of the proposed standardised tabular format for the provision of energy content information. This format is similar to how energy content information is displayed on foods and non-alcoholic beverages and, therefore, will already be familiar to consumers.

The PHA however strongly recommends consumer testing of the standardised tabular format prior to implementation, especially with population groups that are more likely to experience alcohol-related inequities and have low levels of health literacy. This will help to ensure that information is presented in a manner that is helpful to consumers and lessens the risk of any unintended consequences.

The PHA is supportive of providing energy content per 100mls. This approach is already familiar to consumers and will help consumers more easily compare energy intake across different products. The PHA is however concerned about providing energy content per serving as FSANZ is not proposing to prescribe serving sizes and producers will have the flexibility to determine what a 'normal' serving size is for a product.

The PHA recommends that energy content per container should be listed for packages that are designed to be consumed in a single instance, such as RTDs and bottles and cans of beer and cider. This is more likely to be a useful measure for consumers and would be consistent with alcohol content information which is also shown on a per container basis.

PHA notes that alcohol content must either be shown as an alcohol by volume percentage (ABV%) or millilitres per 100 millilitres (ml/100mls). Alcohol content is also shown as number of standard drinks per container. The PHA is concerned that labelling will become confusing for consumers if energy both per 100mls and per serving (a different measure from standard drinks) are added to existing alcohol content information, resulting in three different measures on one label. Consumer testing as recommended above may assist with ensuring confusion is limited, however the PHA considers it is timely to review the standard drinks labelling at the same time as the energy labelling is being considered.

Standard drinks do not represent usual serving sizes (for example one can of an RTD can be 1.4 standard drinks) and consumers are left having to figure out how many serving

sizes will put them over the limit. Once energy labelling is added, confusion will be even greater.

The PHA does not recommend showing energy by standard drink but does recommend reviewing the standard drinks labelling to help consumers more clearly understand how many usual serving sizes (for example how many single serve containers) will put them close to drink driving limits.

Displaying energy content information on only one packaging layer

The PHA does not support the proposal to require energy content information to be displayed on only one layer of packaging. For example, this would exempt individual cans of beer in a six pack from labelling requirements if the outer six-pack packaging contains the energy label. This will limit people's ability to make informed decisions about the alcohol they consume in settings, such as informal events and gatherings, where they are only offered a can of beer.

We recommend instead that both the outer layer of packaging which is visible to the consumer at point of purchase and the individual products/cans display energy content information. This would provide consumers with energy content information *both* at the point of purchase and point of consumption.

Voluntary Nutritional Information Panel

The PHA does not support the *voluntary* provision of a Nutritional Information Panel (NIP) on alcoholic beverages. Alcoholic beverages generally have minor nutritional significance (except for energy and alcohol levels) and many of the values in the NIP are likely to be zero. The inclusion of NIP may inadvertently mislead consumers by implying that an alcoholic beverage is a 'healthy' option for consumption and is not a useful tool for consumers when comparing between alcohol and non-alcoholic beverage options.

Percentage daily intake

The PHA does not support permitting the inclusion of percentage daily energy intake on alcoholic beverages. We would be concerned this would imply that alcoholic beverages can safely be part of consumers 'daily intake' and would encourage daily consumption. We are also concerned that the display of a low percentage of daily energy intake may inadvertently encourage more consumption of alcohol as people may feel that it can be well managed within their daily energy intake.

Legibility requirements

We are comfortable with extending the generic legibility requirements that apply to food and non-alcoholic beverages to alcoholic beverages.

3-year transition period

No comment.

Cost benefit and break-even analysis

No comment.