

Application A1104

Voluntary Addition of Vitamins & Minerals to Nut- & Seed-based Beverages

General Procedure

Summary

The NSW Food Authority and the NSW Ministry of Health are generally supportive of the Application. The intention to increase the micronutrient content (especially calcium content) of nut and seed based beverages to levels similar to that found in cow's milk has the potential to provide those consumers seeking an alternative to cow's milk with a product that is nutritionally superior to an unfortified product. The Application would also allow a consistent approach to fortification for all dairy milk substitutes.

However the Food Authority and the NSW Ministry of Health note that the Application will not result in a product that is nutritionally equivalent to cow's milk, given the differences in macronutrient content between cow's milk and nut and seed based beverages (protein and fat). The requirement for an advisory statement for products lower in protein or fat than full cream milk in relation to young children will go some way to mitigating these concerns. In addition, we recognise that these concerns are also the case for cereal and legume-based beverages and that any changes to address these would need to be managed consistently for all dairy alternatives.

NSW would also like to note that the previous permissions for the fortification of legume and cereal-based beverages have created a precedent for fortifying specific products that provide little or no nutritional value such as rice milk. The category of dairy beverage alternatives is an increasingly heterogeneous category with soy based alternatives, nut and seed based alternatives and rice based alternatives some key examples of products already in the market. Should there be an opportunity to review this category of products (i.e. dairy alternatives) in the future, NSW would suggest that the review should place nutritional equivalence to the reference food (i.e. dairy milk) as a prerequisite to what permits a product to title itself 'milk' as opposed to 'beverage'.

Specific Issues

NSW comments relate to the application of the Policy Guideline specific order principles as follows:

Specific order policy principle	NSW response to FSANZ proposal
To enable the nutritional profile of specific substitute foods to be aligned with the primary food (through nutritional equivalence)	NSW agrees that permitting these beverages to be fortified with vitamins and minerals as per current permissions for legume and

	<p>cereal-based beverages has the potential to improve the micronutrient intake of non dairy milk consumers. However NSW has concerns about the lower protein content of these beverages, particularly as the FSANZ report indicates that protein intakes of non dairy consumers could be 17-22% lower than the general population. The report suggests that the protein content could be increased through product reformulation without regulatory approval but provides no evidence for this. The data in Table A1.1 would suggest that this has not occurred in practice for the low protein rice milks. It is also our understanding that it is technically difficult for manufacturers of cereal-based beverages to achieve higher protein content. However NSW acknowledges that the change proposed in the draft variation to the Food Standards Code, (Schedule 9, 3a) to support the sourcing of protein to from a combination of legumes, cereal, nut and seed-sources rather than a single source as in the current Schedule, could help manufacturers to achieve a higher protein level for these products.</p>
<p>The permitted fortificant has the potential to address the deficit to deliver the benefit to a population group that consumes the fortified food according to it's reasonable intended use</p>	<p>NSW would support the FSANZ response with the exception of protein as per the comments above.</p>
<p>Permission to fortify should not promote consumption patterns inconsistent with the nutrition policies and guidelines of Australia and New Zealand.</p>	<p>NSW generally supports that fortification of these beverages would be consistent with the Australian Dietary Guidelines recommendation to choose calcium-fortified dairy alternative beverages for those unable to consume dairy milk. However NSW is concerned that the consumption of a coconut milk as a sub-category of products is not consistent with the Australian Dietary Guidelines regardless of fortification. While the coconut milk relevant to this Application is considerably lower in saturated fat than canned coconut milk or cream used in cooking, it is not made specifically clear that canned coconut milk will be excluded from foods that may be fortified. NSW understands that canned coconut milks and canned coconut creams are food ingredients and not beverages and will not be captured under this application. NSW suggests that FSANZ provide specific clarity to this effect to ensure that industry and consumers are clear on what may be fortified should the application be approved.</p>

<p>Permission to fortify should not promote increased consumption of foods high in salt, sugar or fat, or foods with little or no nutritional value that have no other demonstrated health benefit.</p>	<p>NSW does not agree with the FSANZ statement that unfortified nut and seed-based beverages have minimal fat. As above, the coconut milk relevant to this Application has a significantly higher saturated fat content of around 2g/100g (Table A1-1) than other dairy beverage alternatives. It is recognised that the saturated fat content of full fat milk is similar. However there is strong evidence for a health benefit of dairy foods (at a range of fat levels) including milk and limited evidence for a health benefit for coconut milk. The coconut milk relevant to this Application could be considered to be a beverage of “little or no nutritional value”.</p> <p>It is noted rice milk which has already been permitted to be fortified would also be considered to be a beverage of “little or no nutritional value”.</p>
<p>Permissions to fortify should ensure that the added vitamins and minerals are present in the food at levels which will not have the potential to result in detrimental excesses or imbalances of vitamins and minerals in the context of total intake across the general population</p>	<p>NSW supports the FSANZ response</p>
<p>The fortification of a food, and the amounts of fortificant in the food, should not mislead the consumer as to the nutritional quality of the fortified food.</p>	<p>NSW agrees that the micronutrient fortification of nut and seed-based beverages has the potential to improve the nutritional quality of these products so that they are more equivalent to dairy milk. However as noted previously, their nutritional quality will tend to be inferior that dairy milk regardless mainly because of the protein content. NSW also notes that while the original positioning of dairy beverage alternatives were for people with allergies to milk, a number of companies are promoting these products as a more generic healthier alternative to milk. For example: So Good almond milk makes a claim “1/3 less calories than lite milk” which is technically correct but does not tell the full story of the product also being lower in protein, calcium and other micronutrients. It is hoped that the Application will go some way to addressing some of these claims that are currently on unfortified products by improving the nutrition quality via fortification.</p>
<p>Labelling – There should be no specific labelling requirements for fortified food, with the same principles applying as to non-fortified foods. An added vitamin or mineral is required to be listed in the Nutrition Information Panel only if a claim is made about it and the vitamin or mineral is present</p>	<p>NSW supports the use of a Mandatory warning statement on these products to alert parents that they are not suitable as a complete milk replacement for children under 5 and 2 years.</p>

at a level for which a claim would not be misleading. An added vitamin or mineral must be listed in the ingredient list under current labelling requirements	
Monitoring/Review - A permission to voluntary fortify should require that it be monitored and formally reviewed in terms of adoption by industry and the impact on the general intake of the vitamin/mineral	NSW supports the suggested approach and will include a question on consumption of dairy alternative beverages in our regular NSW Population Health Survey so that we can monitor reported intake of these products in children and adults.

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.