



16 November 2022



[REDACTED],

**APPLICATION A1256 - COLOUR OF PREGNANCY WARNING LABELS FOR CORRUGATED CARDBOARD PACKAGING (CCC)**

The George Institute for Global Health thanks Food Standards Australia New Zealand (FSANZ) for the opportunity to provide input to the consultation on Application A1256.

The George Institute is a leading independent global medical research institute established in Sydney, Australia. It has major centres in China, India, and the UK, and an international network of experts and collaborators. Our mission is to improve the health of millions of people worldwide by using innovative approaches to prevent and treat the world's biggest killers: non-communicable diseases (NCDs) and injury.

Our work aims to generate effective, evidence-based, and affordable solutions to the world's biggest health challenges. We research the chronic and critical conditions that cause the greatest loss of life and quality of life, and the most substantial economic burden, particularly in resource-poor settings.

Our food policy team works in Australia and overseas to reduce death and disease caused by alcohol and diets high in salt, harmful fats, added sugars, and excess energy. The team conducts multi-disciplinary research with a focus on generating outputs that will help government and industry deliver a healthier food environment for all. Our alcohol research covers the domains of marketing and supply restrictions, harm-reduction campaigns, and industry's efforts to influence policy.

The George Institute joins other public health and consumer colleagues in submitting the following written feedback for consideration.

Affiliated with



## SUPPORT FOR PROPOSAL P1050

The George Institute supports the requirements of Proposal P1050 'Pregnancy warning labels on alcoholic beverages' as incorporated into the Australia New Zealand Food Standards Code (the Code), including the scope, application, size, and colour requirements of the warning labels. This was agreed to by a majority of state and territory governments in Australia and New Zealand. As per our previous correspondence and research, alcohol is a 'teratogen', a known substance that can cause birth defects, and we strongly believe that mandatory pregnancy labels are an effective and evidence-based health policy.

Our research has demonstrated that presentation modifications, and in particular the effective use of colour, can make a significant difference to the way consumers respond to and retain information regarding foods and beverages (1) (2). The George Institute has serious concerns that the FSANZ draft food regulatory measure responding to Application A1256 may compromise the objectives of P1050, and represent a weakening of this important policy that helps prevent alcohol harm during pregnancy, including Fetal Alcohol Spectrum Disorder (FASD).

The incorporation of Proposal P1050 into the Code applies to all packaged alcoholic products (with more than 1.15% alcohol by volume) available for retail sale. The only exception is when the beverage is packaged in the presence of the purchaser (such as wine or beer served in a glass at a restaurant or bar). There are no exceptions provided in the Code for products with packaging that has different technical, printing, or cost requirements, and no exceptions for low or unknown volumes of packaged products.

These requirements are supported by the evidence (including technical, printing, and costing evidence) considered by FSANZ during the P1050 consultation process. This evidence showed alcohol packaging should use prescribed colours (particularly red), that achieve a consistent high contrast label, that is legible and noticeable and clearly indicates the hazard being communicated. In the review of P1050, FSANZ also determined that changing the colour requirements of the warning, particularly the removal of the colour red, would undermine the label's effectiveness in reducing the prevalence and severity of FASD (3). This speaks to the importance of colour in the label, as was intended by P1050.

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(1) <https://onlinelibrary.wiley.com/doi/full/10.1111/1753-6405.12952>

(2) <https://www.cambridge.org/core/journals/public-health-nutrition/article/role-of-colour-and-summary-indicators-in-influencing-frontofpack-food-label-effectiveness-across-seven-countries/5AC052DC2CB91E5AFE4C35D471BAD65>

(3) Food Standards Australia/New Zealand (FSANZ) (2019) Pregnancy warning labels on packaged alcohol: A review of recent literature



## CONCERNS WITH APPLICATION A1256 AND THE FSANZ DRAFT REGULATORY RESPONSE

Page numbers below refer to Application A1256.

- 1. Measure objective relies on full implementation.** The Application says that “poorly registered pregnancy warnings undermine their effectiveness” (p. 25) and “a properly registered pregnancy warning in contrasting colours is more likely to be effective than an improperly registered pregnancy warning in 3 colours” (p.23). This is simply stating the fact that the measure not being fully implemented will undermine the effectiveness of the measure, (rather than supporting the Application). It is equally true to say ‘a pregnancy warning in three colours will be more effective than a pregnancy warning in black and white’.
- 2. FSANZ evidence established and accepted.** The Application says it “is not challenging the findings of FSANZ in relation to P1050” (p. 28). However, it also states this amendment would “have only a very minor impact on potential attention to the pregnancy warning” (p. 6). This is questioning the evidence previously accepted by FSANZ regarding the colour red, as already outlined above. The statement following that this “is offset by the gain in consistency and comprehension against the status quo” (p. 6) is incorrect as this proposed amendment would not be an improvement on the status quo of P1050, but a compromise of it.
- 3. Point-of-sale equally important.** The Application statement that there would be “no impact at the point of consumption” (p. 7) is not relevant, as the FSANZ P1050 decision made clear that the measure was targeted at both Retail Point-of-Sale, as well as Point-of-Consumption.

## ALTERNATIVE OPTIONS

The Application says that the Applicant “believes that there are no viable alternatives” (p. 11). However, the Application outlines the technical processes required to implement P1050 (p. 17), implying that the substantive issue is the cost of implementation, rather than technical capability. The following three options all meet the original P1050 requirements and objectives. They are not mutually exclusive and could all be offered in response to this application:

**Option 1.** Retain the design and colours defined in P1050. Industry invests in the technology (pre-print or higher quality post-print – see p. 17) required to implement P1050 fully in its original form.

**Option 2.** Require the printing of “NOT FOR RETAIL DISPLAY” label on all post-printed CCCs. This should be combined with gathering data to accurately measure how well retailers follow this notice. Noting that a product labelled ‘not for retail sale’ may still be legally considered suitable for retail sale, this option should retain the requirement to print the larger, single colour warning as per the FSANZ draft response as backup until compliance data is established.

For further queries about this submission, please contact