

17 December 2014

Food Standards Australia New Zealand  
PO Box 7186  
CANBERRA ACT 2610

**By email: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)**

Dear Sir/Madam

**Re: Proposal P1035 Gluten Claims about Foods containing Alcohol**

CUB Pty Ltd trading as Carlton & United Breweries ("**CUB**") welcomes the opportunity to respond to the call by Food Standards Australia New Zealand ("**FSANZ**") for submissions into a proposal to permit nutrition content claims about gluten to continue to be made in relation to food containing more than 1.15% alcohol by volume after Standard 1.2.7 – Nutrition, Health & Related Claims becomes mandatory in January 2016 ("**Proposal**").

CUB is an iconic Australian beer company with history dating back to 1824. CUB brews some of Australia's most famous beers, including Victoria Bitter, Carlton Draught, Cascade, Crown Lager, Melbourne Bitter, Pure Blonde, Foster's and Fat Yak, as well as ciders including Strongbow, Mercury, and Bulmers. In 2012, CUB became a wholly owned subsidiary within the SABMiller Group of companies.

CUB has reviewed the contents of the Proposal and fully supports the introduction of the amendment to Standard 1.2.7 of the Food Code that is described in the Proposal.

Specifically, CUB supports the Proposal for the following reasons (which align to the overarching objectives that FSANZ must adhere to<sup>1</sup>):

- **The Protection of Public Health and Safety**

Coeliac disease and wheat intolerance is a growing health concern within the community. With little or no medication available, CUB considers that it will become increasingly important in the coming years for consumers to properly understand the gluten content levels in the products that they consume. Such an understanding will minimise the risk of consumers unintentionally consuming gluten, and conversely will ensure that products with low gluten content are not avoided by those with coeliac disease or wheat intolerance based on a mistaken perception that such products are high in gluten.

- **The Provision of Adequate Information to Enable Consumers to Make Informed Choices**

Similar to the above, CUB considers that the provision of accurate and clear information to consumers regarding the presence of gluten in products will become increasingly important over the coming years to enable consumers make suitable product choices. Consumers with coeliac

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<sup>1</sup> Refer to sections 3(c) and 18(1)(a), (b) and (c) of the *Food Standards Australia New Zealand Act 1991* (Cth)

disease or wheat intolerance should have the ability to make educated choices that enable them to responsibly enjoy alcoholic beverages and this will simply not occur if Standard 1.2.7 is not amended in accordance with the terms of the Proposal. CUB understands that it is members of the coeliac community who have specifically asked for the Proposal to be considered by FSANZ based on concerns about its impact should this information no longer be made available. We understand that the previous Standard 1.2.8 had originally been developed in order to address these concerns from consumers.

- **The Prevention of Misleading or Deceptive Conduct**

CUB understands that there are a number of alcoholic beverages (particularly beer brands) that currently make claims regarding gluten content. The ability to continue to communicate gluten content claims after Standard 1.2.7 becomes mandatory will prevent confusion arising in the minds of consumers, because if those claims are no longer permitted then consumers may wonder whether those products have been reformulated in a way that increases gluten levels (as opposed to understanding that the Food Code has simply changed). CUB therefore considers that a continued ability to disclose more information regarding the characteristics of alcoholic beverages can only help to prevent misleading or deceptive conduct occurring in the minds of consumers.

Additionally, CUB considers that permitting gluten content claims to be made for alcoholic beverages will allow companies like CUB to continue to innovate to provide Australian and New Zealand consumers with differentiated products to meet differentiated needs (we note that CUB was the first Australian brewer to innovate along such lines in the past through our Pure Blonde beer brand which was the first "low carbohydrate" beer on the Australian market).

We would welcome the opportunity to continue to have the ability to communicate gluten content to our consumers if the Proposal was accepted as CUB does not consider that the growing number of Australian and New Zealand residents with coeliac disease or wheat intolerance should be prejudiced by an inability for alcoholic beverage manufacturers to communicate information about gluten content once Standard 1.2.7 becomes mandatory.

CUB also supports the submission provided by the Brewers Association of Australian and New Zealand (of which CUB is a member) into this issue.

We would be happy to provide you with any further information that you may require in order to assess the Proposal, otherwise we look forward to receiving confirmation that the Proposal will be implemented.

Yours sincerely



**General Counsel & Company Secretary**



**Government & Industry Relations Manager**

