

A. Name and contact details (position, address, telephone number, and email address);

Managing Director

Agnew Wines Pty Ltd.

576 De Beyers Road POKOLBIN NSW 2320

B. For organisations, the level at which the submission was authorised.

Board Level

Comments to specified sections of P1050 Call for Submissions (CFS) report:

C. Summary (optional but recommended if the submission is lengthy)

I'm writing to forward my family business' submission in relation to the pregnancy warning labelling of alcoholic beverages

We are medium-sized, family-owned and operated wine business, based in the Hunter Valley of New South Wales employing up to 60 people – mostly regionally based.

We have reviewed the proposed label that has been forwarded in response to this program and are very concerned that the proposed wording of the warning label is inaccurate and misleading.

It is our understanding that the purpose of this warning label is to raise awareness in pregnant mothers that the consumption of alcohol during pregnancy poses a risk to their unborn child.

Before we go further, we felt obliged to raise in this submission that it is almost inconceivable currently for any pregnant mother to be unaware of the risks posed to their foetus through the consumption of alcohol whilst pregnant.

Be that as it may, we do not want to encourage pregnant women to consume our wine, and so we are happy for some standardised warning to be provided going forward.

D. Literature review on the effectiveness of warning labels (section 3.1.1 of CFS)

We support the statements made by Australia Grape and Wine.

E. Consumer testing of warning statements (section 3.1.2)

We support the statements made by Australia Grape and Wine.

F. Pictogram (section 3.2.2.2)

We support the statements made by Australia Grape and Wine.

G. Warning statement (section 3.2.2.3)

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Firstly, we note that the wording of the statement - in particular, the use of the words “any amount of alcohol” – suggests that consumption of even near trace elements of alcohol will cause harm.

This is seriously misleading and deeply confusing.

For instance, how then does this attend to alcohol that is generated naturally within the body from fermenting sugars and carbohydrates, along with alcohol in beverages and foods such as kombucha and sauerkraut, or the naturally occurring alcohol found in other table fruits? What about alcohol in medicines?

Is the current proposal such that all these beverages and food products will also carry the same warning? Will pregnant mothers be advised that eating certain food may cause alcohol to be fermented in their body? Are we placing warning labels on unpasteurised cheese or raw fish for that matter?

Is it proposed to place similar warning labels on wine lists in restaurants for instance? When ordering wine by the glass, will the glass itself bear a warning label? What about bottle shops?

Secondly, the statement that alcohol “can harm your baby” seems to extend beyond the actual concerns relating to pregnancy – implying that consumption of any alcohol may harm any child - born or unborn.

The combination of these two fundamental inaccuracies in this otherwise simple statement, speaks of a lack of understanding and consideration of the issue at best, through to a decidedly subversive campaign to irreparably damage the alcohol beverage industry in this country at worst.

H. Design labelling elements (section 3.2.2.4)

We support the statements made by Australia Grape and Wine.

I. Summary of proposed pregnancy warning label design (section 3.2.2.5)

We fail to see why the existing DrinkWise warning cannot not simply be mandated.

J. Beverages to carry the pregnancy warning label (section 3.2.3)

See comments above at ‘I’

K. Application to different types of sales (section 3.2.4)

See comments above at ‘I’

L. Application to different types of packages (section 3.2.5)

The universally accepted practice with regards to food and beverage labelling is to present all pertinent product information in a “single field of vision”. In practice, this information, including the producer’s name and address and other corporate details, level of alcohol and any other notable additives to the wine – such as sulphur, eggs, fish products et cetera, all appear on the back label.

It would be completely inconsistent and confusing to have this warning label applied anywhere but there.

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M. Consideration of costs and benefits (section 3.4.1.1 of CFS)

Further to the statements made by Australia Grape and Wine, we submit that there is also very real cost implication for small and medium producers who would need to increase their packaging costs significantly or otherwise reduce the amount and/or legibility of information that could otherwise provide consumers help in their choice of product by insisting on a perversely large format for this warning on the back label. This would be especially so if colours were also required, as is proposed.

N. Transitional arrangements (section 4.1 of CFS)

Should only apply to products labelled after the commencement date.

O. Draft variation to the Australia New Zealand Food Standards Code (Attachment A of CFS)

We support the statements made by Australia Grape and Wine.

P. Other comments (within the scope of P1050 – see section 1.5 of the CFS)