

# Canterbury

District Health Board

Te Poari Hauora o Waitaha

## Submission to Proposal P1050: Pregnancy warning labels on alcoholic beverages

**To:** Food Standards Australia New Zealand

**Submitter:** Canterbury District Health Board

Community and Public Health  
C/- Canterbury District Health Board  
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**Proposal:** FSANZ has assessed a proposal to consider a mandatory pregnancy warning label on packaged alcoholic beverages and has prepared a draft food regulatory measure. Pursuant to section 61 of the Food Standards Australia New Zealand Act 1991 (FSANZ Act), FSANZ now calls for submissions to assist consideration of the draft food regulatory measure.

## **SUBMISSION ON PREGNANCY WARNING LABELS ON ALCOHOLIC BEVERAGES**

### **Details of submitter**

1. Canterbury District Health Board (CDHB).
2. The Ministry of Health requires the submitter to reduce potential health risks by such means as submissions to ensure the public health significance of potential adverse effects are adequately considered during policy development.

### **Details of submission**

3. We welcome the opportunity to comment on Proposal P1050- Pregnancy warning labels on alcoholic beverages. The future health of our populations is not just reliant on hospitals, but on a responsive environment where all sectors work collaboratively.
4. Health creation and wellbeing (overall quality of life) is influenced by a wide range of factors beyond the health sector. The most effective way to maximise people's wellbeing is to take these factors into account as early as possible during decision making and strategy development. Initiatives to improve health outcomes and overall quality of life must involve organisations and groups beyond the health sector, such as central government if they are to have a reasonable impact<sup>1</sup>.

### **General Comments**

5. The CDHB supports the introduction of mandatory pregnancy warning labels for alcoholic beverages. Effectiveness of warning labels depends upon their ability to make consumers consciously aware of the issue, see and understand the warning, accurately recall the message, allow the message to shift attitudes and result in changes to their behaviour and choices<sup>2</sup>. Achieving such a purpose requires a standardised and consistent approach which can only be achieved through regulations pertaining to placement, size, pictogram and message used.

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<sup>1</sup> McGinnis JM, Williams-Russo P, Knickman JR. (2002). The case for more active policy attention to health promotion. *Health Affairs*, 21(2): 78 - 93.

<sup>2</sup> Thomas, G et al. (2014). The effectiveness of alcohol warning labels in the prevention of Fetal Alcohol Spectrum Disorder: A brief review. *The International Journal of Alcohol and Drug Research*, [S.l.], v. 3, n. 1, p. 91-103, mar. 2014. ISSN 1925-7066. Available at: <<http://ijadr.org/camh/index.php/ijadr/article/view/126/237>

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

Item	Comments																				
E. Consumer testing of warning statements (section 3.1.2)	<p>The CDHB notes that the most important outcome of the consumer testing of warning statement is summarised in Table 6 and in section 3.1.2.4.5 “Across both countries more than 50% of both women and those in the proximate pregnant category selected Any amount of alcohol can cause lifelong harm to your baby as the statement that best conveys the public health message (range from 52.4% to 54.1%)”. The differences in preference for this statement above the others tested are very marked e.g. for proximate pregnant responders and Māori study participants more than twice as many chose this statement over ‘Any amount of alcohol can cause harm to your baby’.</p>																				
F. Pictogram (section 3.2.2.2)	<p>The CDHB supports the proposed mandatory pictogram featuring the silhouette of a pregnant woman in black with a red circle and red diagonal strikethrough.</p> <p>Consistency and interpretation also applies to pictograms. Inconsistent design, in particular the colour, can cause confusion regarding the message. The majority of consumers surveyed, did correctly interpret a red pictogram as a warning.<sup>3</sup></p> <p>Chart 16: Colour association with warning</p> <table><thead><tr><th>Color</th><th>Total (%)</th><th>Young women (%)</th><th>Women with children (%)</th></tr></thead><tbody><tr><td>Red</td><td>97</td><td>97</td><td>98</td></tr><tr><td>Grey</td><td>1</td><td>2</td><td>1</td></tr><tr><td>Green</td><td>1</td><td>0</td><td>0</td></tr><tr><td>Gold</td><td>1</td><td>0</td><td>0</td></tr></tbody></table> <p>Base: All respondents (n=1,488), all women aged 18-34 years (n=387), and all women with children 15 years and under (n=388) Source: Q4a</p> <p>Virtually all consumers associate red with a warning.</p>	Color	Total (%)	Young women (%)	Women with children (%)	Red	97	97	98	Grey	1	2	1	Green	1	0	0	Gold	1	0	0
Color	Total (%)	Young women (%)	Women with children (%)																		
Red	97	97	98																		
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Green	1	0	0																		
Gold	1	0	0																		
G. Warning statement (section 3.2.2.3)	<p>The CDHB recommends that the warning statement ‘Any amount of alcohol can cause lifelong harm to your baby’ be included in the warning label over the proposed “Any amount of alcohol can harm your baby’. The inclusion of the word ‘lifelong’ is supported because:</p> <ul style="list-style-type: none"><li>It is consistent with the consumer research presented, which showed that approximately two-fold more respondents preferred it to convey the public health message accurately (see</li></ul>																				

<sup>3</sup> Rout, J. & Hannan, T. (2016). Consumer Awareness and Understanding of Alcohol Pregnancy Warning Labels. Colmar Brunton, HPA: New Zealand  
<https://www.hpa.org.nz/sites/default/files/Consumer%20awareness%20alcohol%20pregnancy%20warning%20label%20report%20FINAL.pdf>

	<p>item E above).</p> <ul style="list-style-type: none"> <li>• It is more closely aligned with the principles listed by the WHO (i.e. identifying the problem and conveying the information) which were also quoted as the foundation for decision making by FSANZ</li> <li>• Its presence would make little difference to the size of the statement and have no effect on overall warning label size. Therefore brevity being the major basis for making a decision on the preferred wording option is groundless.</li> <li>• It provides more information from an authoritative source, as part of the proposed broader education package. In the face of those who attempt to minimise risks and outcomes of prenatal alcohol exposure it is incumbent on government to provide the information needed. A recent publication highlights the disparity between messaging from the alcohol industry and from government and public health sources<sup>4</sup>. In Australia the alcohol industry funded DrinkWise programme has been forced to withdraw some of its publicity material because it conveyed incorrect and misleading information on the risks of drinking in pregnancy. As quoted in P1050 the use of authoritative sources can increase the credibility of warnings.</li> </ul>
<b>H. Design labelling elements (section 3.2.2.4)</b>	<p>The CDHB supports the proposed use of the colour red to clearly signal a warning and that legibility is supported by the high contrast of a black warning statement on a white background.</p> <p>The CDHB supports requiring a border to separate the warning label from other design elements.</p> <p>The CDHB recommends that warning labels should be required to be printed horizontally, as past experimental studies have found text warnings draw more attention when they are printed this way, as opposed to vertically.<sup>5,6,7</sup></p>
<b>I. Summary of proposed pregnancy warning label design (section 3.2.2.5)</b>	<p>The CDHB recommends that the full warning label (pictogram plus health warning message) be required on all single containers (and each layer of packaging) and outer packaging for alcoholic beverages with volumes over 100 ml, instead of the proposed 200 ml. Given that containers in the 100 ml to 200 ml size range may contain at least two standard drinks (in the case of wine) or more for fortified alcohol products, it is important that the full</p>

<sup>4</sup> Lim AW, Van Schalkwyk May CI, Hessari NM and Petticrew MP. (2019). Pregnancy, Fertility, Breastfeeding, and Alcohol Consumption: An Analysis of Framing and Completeness of Information Disseminated by Alcohol Industry. *J. Stud. Alcohol Drugs*, 80, 524–533.

<sup>5</sup> Godfrey, S. S., Laughery, K. R., Young, S. L., Vaubel, K. P., Brelsford, J. W., Laughery, K. A., et al. (1991). The new alcohol warning labels: How noticeable are they? Proceedings of the Human Factors and Ergonomics Society Annual Meeting, 35(6), 446-450.

<sup>6</sup> Malouff, J., Schutte, N., Wiener, K., Brancazio, C., & Fish, D. (1993). Important characteristics of warning displays on alcohol containers. *Journal of Studies on Alcohol*, 54(4), 457-461.

<sup>7</sup> Laughery, K. R., Young, S. L., Vaubel, K. P., & Brelsford Jr, J. W. (1993). The Noticeability of Warnings on Alcoholic Beverage Containers. *Journal of Public Policy & Marketing*, 12(1), 38–56.

	<p>warning is displayed.</p> <p>The CDHB recommends that for alcoholic beverages under 100 ml that the pictogram be required to be at least as big as the standard drinks logo and the recycle logo for containers of that size.</p>
<b>J. Beverages to carry the pregnancy warning label (section 3.2.3)</b>	<p>The CDHB recommends that Option 2, which would require beverages containing 0.5% ABV or more to carry the warning label, be adopted instead of the proposed Option 1. The reasons being all those raised in 3.2.3.4 Stakeholder views, namely:</p> <ul style="list-style-type: none"> <li>Option 2 more closely aligns with the evidence that there is no known safe level of drinking alcohol during pregnancy</li> </ul> <p>As the warning clearly states “Any amount of alcohol can harm your baby”, it would be more consistent to have the pregnancy warning label on all beverages containing 0.5% ABV or more as these already acknowledge that there is some alcohol present. A lack of warning label may falsely give the impression that beverages containing between 0.5% and 1.15% ABV are therefore a safe option for alcohol consumption for women who are pregnant. As there is no known safe limit for drinking alcohol while pregnant, the Ministry of Health, and the New Zealand College of Midwives advise that women should stop drinking alcohol throughout their entire pregnancy and while planning a pregnancy<sup>8,9</sup>. As noted in the DRIS, the primary objective of pregnancy warning labels on packaged alcoholic beverages is to <i>provide a clear and easy to understand trigger to remind pregnant women, at both the point of sale and the potential point of consumption, to not drink alcohol</i>. Drinking beverages with 0.05% ABV is consuming alcohol.</p> <ul style="list-style-type: none"> <li>Option 2 is more consistent with the requirement for certain beverages to display alcohol content and standard drinks</li> </ul> <p>Beverages containing 0.5% ABV or more are already required to have standard drink labelling under Standard 2.7.1 of the Australia New Zealand Food Standards Code.</p> <ul style="list-style-type: none"> <li>Option 2 acknowledges the risk that products such as brewed soft-drinks with an alcohol content, may be consumed frequently or in higher concentrations during pregnancy.</li> </ul> <p>There have also reportedly been large discrepancies in the alcohol content in drinks like kombucha between any alcohol on the label and later tests, with some samples recorded at least 3% alcohol instead of the ‘not more than 1.15%’ listed on the label.<sup>10</sup> There is</p>

<sup>8</sup> Ministry of health. 2016. Taking Action on Fetal Alcohol Spectrum Disorder. <https://www.health.govt.nz/system/files/documents/publications/taking-action-on-fetal-alcohol-spectrum-disorder-2016-to-2019.pdf>

<sup>9</sup> New Zealand College of Midwives. 2009. Consensus Statement: Alcohol and Pregnancy. <https://www.midwife.org.nz/pdf/resources/1%20Alcohol%20and%20Pregnancy.pdf>

<sup>10</sup> Wannan, O. (2019). ‘Kombucha: How much alcohol is in it?’ *Consumer NZ*. 19 June. Accessed 22 October 2019

	no standard test for alcohol content in kombucha. Alcohol is a natural result of the fermentation process and these drinks can often contain more than 0.5% ABV. As these brewed soft drinks are often marketed as healthy alternatives to other beverages, they may be consumed more frequently during pregnancy.
<b>N. Transitional arrangements (section 4.1 of CFS)</b>	The CDHB recommends that a one year transition period be adopted rather than the proposed two year period. As noted in Table 12: FSANZ responses to industry concerns about the cost of changing labels 'most packaging companies store label stock for a maximum of four months'. As the proposed approach already includes an exemption for alcoholic beverages packaged and labelled before the end of the transition period from having to carry the pregnancy warning label, the CDHB believes that one year is ample time for the industry to comply, especially given the delays already experienced in introducing these requirements. The relatively small cost of updating their labels are justified compared to the cost of the harm their products incur to the health system and society.
<b>O. Draft variation to the Australia New Zealand Food Standards Code (Attachment A of CFS)</b>	No comments, subject to changes recommended above.
<b>P. Other comments (within the scope of P1050 – see section 1.5 of the CFS)</b>	<p>The CDHB supports FSANZ undertaking promotion and education activities to support the introduction of the pregnancy warning labels, especially to consumers. In addition to the proposed webpages, the CDHB recommends that resources for organisations and community groups be developed and wide-reaching public awareness campaigns be part of this approach.</p> <p>The CDHB also supports the resourcing of monitoring and evaluation to measure the noticeability, understanding of and impact of the pregnancy warning labels.</p>

## Conclusion

- Thank you for the opportunity to submit on Proposal P1050- Pregnancy warning labels on alcoholic beverages. In summary, while the CDHB strongly supports the introduction of the pregnancy warning labels, it recommends that the word 'lifelong' be included in the warning statement, that the full written warning appear on all bottles with a volume of 100ml or more and beverages containing 0.5% ABV, and for industry to be given 12 months to comply with the new mandatory system.

**Person making the submission**

Date: 24/10/2019

**Contact details**

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