

**SUBMISSION ON**                      **Proposal P1050 – Pregnancy warning labels on alcoholic beverages**

**To:**                                      **Food Standards Australia New Zealand (FSANZ)**

**Details of Submitter:**           **The Southern District Health Board**

**Address for Service:**           **Public Health South**  
   **Southern District Health Board**  
   **Private Bag 1921**  
   **DUNEDIN 9054**

**Contact Person:**

**Our Reference:**                    **19Oct05**

**Date:**                                  **25 October 2019**

---

### **Introduction**

Southern District Health Board (Southern DHB) presents this submission through its public health service, Public Health South. Southern DHB delivers health services to a population of 322,653 and has responsibility under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities. It seeks to promote equity and to reduce adverse social and environmental effects on the wellbeing of people and communities.

This submission begins with a general comment and then follows the format of the supplied submission template.

### **General Comment**

Southern DHB is pleased to support the proposal for mandatory pregnancy warning labels on alcoholic beverages. The benefits to our communities, including the reduced potential future costs to the health, education, and legal systems, outweigh the financial costs to industry in making the proposed change. Enabling more unborn babies to develop without the influence of this toxin cannot be over-valued.

Fetal Alcohol Spectrum Disorder (FASD) can occur from alcohol exposure at any point during ante-natal development, and is not curable. This is a brain injury that stays for life. The effect of this disorder is felt throughout many communities, in many government systems and by numerous individuals and whanau.

Although Southern DHB would prefer that the warning labels are required to be on the front of products, the proposal is a fair and pragmatic solution that incorporates the evidence regarding effective warning labels.

Southern DHB recommends that consumer testing of all elements of the label are completed with Māori before the design is finalised.

### **Specific Comments (as per supplied template)**

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

This appears to have been a thorough review of relevant literature. Southern DHB is unaware of any relevant research that would add to this review, although we have not completed a full review ourselves.

#### **E. Consumer testing of warning statements (section 3.1.2)**

Māori and Pacifica were included within the consumer testing of warning statements (as reported in supporting document 2). However, it was a relatively small sample size, there was no weighting completed to accurately reflect these populations and these two populations were grouped together. Normal practice is to over sample the Māori population in order to ensure that a robust analysis can be completed for tangata whenua.

Given New Zealand's responsibilities under Te Tiriti o Waitangi, specific consultation and testing with Māori should be completed. This would aim to ensure equitable outcomes. Inequitable outcomes could occur if the label is more effective for non-Māori than Māori, and results in more non-Māori taking heed of the warning by directly preventing alcohol exposed pregnancies and/or creating more awareness in non-Māori communities of the risk alcohol consumption during pregnancy poses.

#### **F. Pictogram (section 3.2.2.2)**

Southern DHB supports the inclusion of a pictogram, although this should be consumer tested with Māori for the reasons discussed in the previous comment.

#### **G. Warning statement (section 3.2.2.3)**

Southern DHB supports the choice of "Any amount of alcohol can harm your baby" as long as it is as effective or more effective for Māori than non-Māori.

#### **H. Design labelling elements (section 3.2.2.4)**

Southern DHB recommends that the label is required to be on the front of the packaging as this is what the evidence supports (Supporting document 1). While the "Call for Submissions" notes that it is possible that this would contravene the wine-free trade agreement, Southern DHB submits that it is also possible that it would not.

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

Consideration has been given to the effectiveness and suitability of the pictogram, and the comprehension, believability, credibility, persuasiveness and personal relevance of the warning statement. Consequently, Southern DHB believe the warning label will successfully educate and remind the general population that any amount of alcohol can harm your baby. As mentioned previously, consumer testing with Māori should be undertaken to ensure equitable outcomes.

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

Southern DHB agrees the pregnancy warning label should only be required on products with more than 1.15% ABV as these are the drinks that are usually categorised as alcoholic beverages. Requiring the label on lower strength products could cause confusion.

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

Southern DHB agrees with table 11 (pg. 38).

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

Southern DHB agrees with the proposal in the summary box (pg. 41).

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

Southern DHB agrees the potential future financial and social savings to health, education and the legal systems, and for New Zealand communities and whanau, outweigh the financial costs.

**N. Transitional arrangements (section 4.1 of CFS)**

No comment.

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

Southern DHB supports the draft and recommends the addition of a clause regarding the consequences of non-compliance or a reference to the document where the consequences are discussed.

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

Southern DHB recommends that FSANZ requires the warning statement “This product may contain alcohol” on all brewed beverages with 1.15% or lower ABV in order to inform pregnant women.

Yours sincerely