

Proposal P1050 – Submission Template

Please use the template below to provide your submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages. Please submit this to FSANZ as a word document (if required, a pdf of the submission may also be provided in addition to the word document).

For information about making a submission, including what your submission should include, visit the FSANZ website at [information for submitters](#).

Submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages

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

FASD Research Australia - a National Health and Medical Research Council (NHMRC) Centre of Research Excellence represented by:

FASD Research Australia (University of Sydney Clinical School, the Children's Hospital Westmead, Locked Bag 4000, Westmead NSW 2145; tel

FASD Research Australia (Telethon Kids Institute, PO Box 855, West Perth WA 6872;

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

Directors, NHMRC Centre of Research Excellence – FASD Research Australia and their organisations, Telethon Kids and University of Sydney

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

We note that:

- Alcohol:
 - is a teratogen and neurotoxin and prenatal alcohol exposure can adversely affect pregnancy outcomes;
 - can harm the developing fetus; and
 - can have adverse consequences for the offspring in childhood and throughout the lifespan.
- FASD is a severe and lifelong consequence of prenatal alcohol exposure and many other significant harms may occur after exposure in the absence of FASD.
- Products containing alcohol should therefore carry a health warning to this effect
- We acknowledge that warning labels increase awareness of harms to the unborn child of alcohol use in pregnancy.
- We believe that the alcohol industry should have no role in dictating the specifications of such an important public health message.

We support:

- *mandated* labelling of alcoholic products
- the proposed coloured pictogram
- the clear, simple and accurate message proposed, with the inclusion of the word 'lifelong', either as:

Alcohol can cause lifelong harm to your baby.

Or

Any amount of alcohol can cause lifelong harm to your baby.

We do not support:

- The pictogram *only* on small containers. Instead, the full warning label (pictogram and message) should be on *all* containers and packaging, regardless of the volume in individual containers.
- The small font size – all warning labels should be at least 3mm font size
- The 24 months transition time. This should be reduced to 12 months.

We recommend that a commitment is made by government to:

- Develop a framework for the dissemination, implementation and evaluation of the impact of the new labels and for raising awareness and providing education relating to the introduction of mandatory labelling.
- Fund or conduct an *awareness campaign* to inform consumers of the changes to labelling of alcohol products and the rationale for this.
- Fund an adequate *evaluation of the dissemination, implementation and impact* of the proposed labelling.
- Monitor the introduction of mandatory labelling

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

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

We note that the review of the literature concludes that large, front of pack warnings, using colour, signal words and pictorial elements are more likely to attract attention. These features should all be included in this pregnancy warning label.

E. Consumer testing of warning statements (section 3.1.2)

The consumer testing report was comprehensive, although it was not clear how the four messages tested were chosen. Of note, the consumer testing identified the value of including the word 'lifelong' in the message.

F. Pictogram (section 3.2.2.2)

The pictogram is clear. We support the colour and style. The label needs to be the same large size on all containers, regardless of the volume of alcohol in the container and should always be accompanied by the warning statement.

G. Warning statement (section 3.2.2.3)

Research done for FSANZ found there was strong consumer support for the notion that the harm done by prenatal alcohol exposure can be lifelong, hence we support inclusion of this word in the message:

We also acknowledge the consumer preference for the message containing the words 'any alcohol'. It is now well-established from pre-clinical studies that any prenatal alcohol exposure can change cellular transcription pathways involved in fetal development, although this may not yet be demonstrable at a clinical level. If the 'any amount' message is chosen, it will be especially important for public health promotion and health professional support of pregnant women to provide clear and evidence-based advice that there is no safe level of alcohol exposure in pregnancy.

Taking these two points into consideration, we recommend one of the following statements:

Alcohol can cause lifelong harm to your baby.

or

Any amount of alcohol can cause lifelong harm to your baby.

We recommend that the *pictogram and warning text* are always used together, regardless of the size of the product, so that the meaning of the warning label is explicit and clear to consumers. We do not support use of the pictogram alone.

H. Design labelling elements (section 3.2.2.4)

It is important that the message is legible and prominent regardless of the pack size.

We recommend that the same size warning label, containing the pictogram and recommended text, be used on all alcohol pack sizes.

Firstly, some small packs <200ml e.g. bottles of spirits in hotel bar fridges or on planes may contain significantly more alcohol and hence pose more harm than larger containers. Secondly, the small label proposed for containers ranging from 200-800 ml is inadequate as many alcoholic beverages come in containers this size and these should have the largest possible label.

The label must be legible. The proposed font size for even the largest of the proposed labels is only 2.8 mm (8 point) which is lower than the minimum font (3.0 mm) recommended in the FZANZ code for warning labels on products. The font size should be at least 3.0 mm regardless of the pack size.

We support the signal words 'HEALTH WARNING' and the box surrounding the message, to help it stand out.

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

- We support the proposed colour shown in Table 9 and minimum 3mm font.
- We support warning labels on both individual containers and packaging.
- We support the signal words HEALTH WARNING.
- We support a message that takes consumer feedback into consideration, conveys the lifelong nature of harms from alcohol use in pregnancy and supports NHMRC guidelines, either:
Alcohol can cause lifelong harm to your baby.
or
Any amount of alcohol can cause lifelong harm to your baby.

- We do not support the use of the pictogram *only* on ≤ 200 ml containers. The pictogram should always be accompanied by the text.
- We do not support the small label size on 200-800ml containers. All sizes of container should have the same larger pictogram and warning label, using at least 3 mm font size.

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

As an alcoholic drink by definition contains at least 1.15% alcohol by volume, we recommend that any product of 1.15% ABV or more should display the pregnancy warning label. Our preference is that if a product contains *any* alcohol (0.5 to <1.15% ABV) it should also contain a warning label so that the consumer can make an informed choice about use.

Failure to label such products would contradict the NHMRC recommendation that no alcohol should be consumed during pregnancy, and does not provide the consumer with a health warning that the product contains a teratogen.

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

We support the proposed application to different types of sales, as summarised in Table 11 (Section 3.2.4).

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

We support the warning label being placed on individual containers, as well as on outer packaging.

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

No comment

N. Transitional arrangements (section 4.1 of CFS)

We recommend that a transition period of 12 months rather than 24 months should be adopted from March 2020. We are not convinced that a good argument is provided to justify the longer transition period of 24 months.

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

No comment

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

The NHMRC guidelines to reduce health risks from drinking alcohol recommend that pregnant women and women who are planning a pregnancy should avoid drinking alcohol. We note that these guidelines are currently under revision (with an expected publication date of 2020). It would be prudent to ensure that the proposed warning label is completely consistent with any planned change to the NHMRC guideline for pregnancy.

We commend the suggestion that education and raising awareness are important aspects of the introduction of warning labels. Although we support the notion that public health and other agencies should incorporate information about the pregnancy warning labels in their education messages about alcohol use in pregnancy and FASD, they should not be the only source of such information.

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Rather, we recommend that a commitment is made by government to:

- Develop a framework for the dissemination, implementation and evaluation of the impact of labelling and for raising awareness and providing education relating to the introduction of mandatory labelling.
- Fund or conduct an *awareness campaign* to inform consumers of the changes to labelling of alcohol products and the rationale for this. Such a campaign should not be funded by or conducted by the alcohol industry.
- Fund an adequate *evaluation of the dissemination, implementation and impact* of the proposed labelling, such as that previously conducted by the Foundation for Alcohol Research and Education regarding voluntary warning labels about alcohol in pregnancy.
- Monitor the introduction of mandatory labelling using a method similar to that undertaken in relation to mandatory folic acid fortification - <http://www.foodstandards.gov.au/science/monitoringnutrients/monitoringfort/Pages/default.aspx>

Thank you for the opportunity to comment on the proposal for pregnancy warning labels on alcoholic beverages. We commend this initiative and would be happy to provide further input as required.

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