

Proposal P293 – Nutrition, Health and Related Claims

Submission Request

This submission is made on behalf of the Australian Meat Industry Council (AMIC) and is in response to the call from Food Standards Australia and New Zealand (FSANZ) to address the following issues:

1. Comments on the structure and regulatory clarity of draft Standard 1.2.7 as discussed in Part I.
2. Changes to draft Standard 1.2.7 since previous consultation in 2009. These are:
 - Pre-approval of food-health relationships underpinning all health claims i.e. both general and high level claims. FSANZ is recommending the inclusion of 115 pre-approved food-health relationships in the draft Standard.
 - Removal of proposed provisions for the related claims relating to dietary information and cause-related marketing.
3. Comment on the matter of fat-free and % fat-free claims. The main issue is whether consumers are currently, or are likely to be in the future, misled by these claims, thereby warranting the application of additional regulatory measures, and whether there is evidence to support this view.

The Australian Meat Industry Council

The Australian Meat Industry Council (AMIC) is the recognised Peak Council in Australia representing the post-farm gate sector including the export and domestic processing industry, smallgoods manufacturers, wholesalers, distributors, boning rooms and independent retail butchers.

AMIC provides services and support to members that improves their working environment and is focused on achieving the best outcomes for the industry and its members as part of one voice on issues critical to their business. In doing this AMIC also indirectly supports the Australian farming community and the Australian economy.

AMIC members with a particular interest in this submission are those in the processed meats sector.

Submission

AMIC has provided a submission as requested in the template Attachment D

AMIC also provides the following information in support of the submission:

1. Comments on the structure and regulatory clarity of draft Standard 1.2.7 as discussed in Part I.

Refer to template Attachment D.

2. Changes to draft Standard 1.2.7 since previous consultation in 2009. These are:

- Pre-approval of food-health relationships underpinning all health claims i.e. both general and high level claims. FSANZ is recommending the inclusion of 115 pre-approved food-health relationships in the draft Standard.

AMIC considers that this is the most practical way of addressing this matter and therefore supports the proposal.

- Removal of proposed provisions for the related claims relating to dietary information and cause-related marketing.

AMIC agrees that this issue should be addressed outside of this Standard.

3. Comment on the matter of fat-free and % fat-free claims. The main issue is whether consumers are currently, or are likely to be in the future, misled by these claims, thereby warranting the application of additional regulatory measures, and whether there is evidence to support this view.

When addressing labelling reform and alternative methods of conveying information in a concise but accurate manner to consumers the possibility of unintentionally misleading consumers is frequently raised. The introduction of the nutrient profiling scoring criterion (NPSC) is a positive move as opposed to considering only one element when determining the quality of information provided to the consumer.

AMIC supports Option 3(a).

Attachment D – Template for submissions – Proposal P293 – Nutrition, Health & Related Claims

To assist us in compiling submissions, please complete the tables below.

Table 1: Revised draft Standard 1.2.7

Submitter name:	
1. Does the revised drafting accurately capture the regulatory intent as provided in Attachment B? Please consider the clarity of drafting, any enforceability issues and the level of ‘user-friendliness’.	
AMIC agrees with the revised drafting.	
If not, please provide specific details in the table below. Ensure that the relevant clause number, schedule number or consequential variation item number that you are commenting on is clearly identified in the left column. Lines may be added if necessary.	
Clause number	Comment
Schedule	Comments
Consequential variations	Comments

Table 2: Fat-free and % fat-free claims

Submitter name:	
Question	Comment
<p>2. What evidence can you provide that shows consumers are purchasing foods of lower nutritional quality because they are being misled by fat-free or % fat-free claims?</p> <p>FSANZ is primarily interested in the substitution of foods of higher nutritional quality with foods of lower nutritional quality which have fat-free claims. Substitution within a general food group (e.g. choosing a different confectionery product) is of lesser importance.</p> <p><i>(Note: Please provide documented or validated evidence where possible)</i></p>	<p>AMIC has no information supporting this contention.</p>
<p>3. Do you support option 1 (status quo), option 2 (voluntary action through a code of practice), or option 3 (regulate with additional regulatory requirements for fat-free and % fat-free claims)? Please give your reasons.</p>	<p>On the basis that AMIC has no evidence that consumers are being misled Option 1 with the sub-option that consumer education be provided, is the preferred option.</p>
<p>4. Please comment on the possible options for additional regulatory requirements for fat-free and % fat-free claims (option 3) (refer section 8) as follows:</p> <p>a. Which option do you support and why?</p> <p>b. What is an appropriate sugar concentration threshold for options 3(b) and 3(d)? Where possible, provide information and evidence to support your suggested threshold value.</p> <p>c. Are there other suitable options for additional regulatory requirements for fat-free and % fat-free claims? Please describe.</p>	<p>AMIC supports Option 1 with consumer education but comments as requested:</p> <p>Option 3(a) would be preferred. The use of NPSC allows a basis to include a variety of elements in the assessment.</p> <p>AMIC does not have a view on this.</p> <p>AMIC has no additional options.</p>

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