

Consultation Report:
**Policy Guideline on food labelling to
support consumers to make informed
healthy food choices**

Contents

1. INTRODUCTION AND BACKGROUND	1
2. CONSULTATION ON POLICY GUIDELINE.....	1
3. SUBMISSIONS RECEIVED	2
4. GENERAL FEEDBACK ON THE POLICY GUIDELINE	2
5. POTENTIAL IMPACTS OF THE POLICY GUIDELINE	3
6. POTENTIAL UNINTENDED CONSEQUENCES OF THE POLICY GUIDELINE	3
7. FEEDBACK ON AIM OF THE POLICY GUIDELINE	5
8. FEEDBACK ON POLICY PRINCIPLES.....	6
9. FEEDBACK ON SCOPE	12
10. FEEDBACK ON DEFINITIONS.....	12
11. FEEDBACK ON CONTEXT	13
12. FEEDBACK ON REVIEWS AND UPDATES	14
13. FEEDBACK ON STRUCTURE AND FORMAT	14
14. EDITS TO POLICY GUIDELINE IN RESPONSE TO STAKEHOLDER CONSULTATION.....	16
ATTACHMENT 1 – POLICY GUIDELINE USED IN PUBLIC CONSULTATION	21

1. INTRODUCTION AND BACKGROUND

Activities agreed by the Australia and New Zealand Ministerial Forum on Food Regulation to contribute to reducing chronic disease related to obesity.

In August 2019 the Australia and New Zealand Ministerial Forum on Food Regulation (Forum) agreed to a program of activities under Priority two of the food regulation system to contribute towards reducing chronic disease related to obesity. One of these activities was to develop a Policy Guideline on food labelling to support consumers to make informed healthy choices (Policy Guideline).

The Policy Guideline will provide strategic guidance to Food Standards Australia New Zealand (FSANZ) about the Forum's expectations about food labelling in relation to supporting consumers to make healthy choices. The Policy Guideline will support current and future food labelling topics to be considered through an approach that uses the Dietary Guidelines as a principle focus.

Policy guidelines aim to improve outcomes for all by making clear and unambiguous the policy principles that apply to jurisdictions and bodies making food regulations. The creation of a Policy Guideline does not trigger regulatory action by FSANZ or changes to current food labelling. However, when FSANZ is developing or reviewing food regulatory measures, a written Policy Guideline is one of a number of matters to which it must have regard (as outlined in the *FSANZ Act 1991*).

Related activities referred by the Forum to FSANZ

In August 2019 the Forum referred two pieces of work to FSANZ: labelling of sugars on packaged foods and drinks, and energy labelling on alcoholic beverages. In both of these pieces of work it was noted that current food labelling requirements were limiting consumers' opportunity to make informed choices in support of the Dietary Guidelines.

A written Policy Guideline is one of a number of matters to which FSANZ must have regard in developing or reviewing food regulatory measures. This Policy Guideline will give strategic guidance and outline the Forum's expectations to FSANZ when it is considering the sugars labelling and energy labelling pieces of work and other future labelling related issues.

Development of the Policy Guideline

The Policy Guideline was developed by a working group under the Food Regulation Standing Committee (FRSC). The group was co-led by the Australian Government Department of Health and New Zealand Ministry for Primary Industries with policy officers from Australian state governments and FSANZ.

2. CONSULTATION ON POLICY GUIDELINE

An early draft of the Policy Guideline was presented to targeted consultation with public health, consumer advocates and the food and alcohol industry in early October 2019. The draft Policy Guideline was revised based on the feedback provided through the targeted consultation.

Public consultation on the revised draft *Policy Guideline on Food Labelling to Support Consumers to Make Informed Healthy Food Choices* ([Attachment 1](#)) was open for a ten-week period, from 25 November 2019 to 2 February 2020.

Stakeholders were invited to share their views on the draft Policy Guideline via the online consultation platform *Citizen Space*. Background about the rationale for the Policy Guideline accompanied the consultation and weblinks were provided to the work undertaken by the FRSC on the work that relates to the Policy Guideline, i.e. labelling of sugars on packaged foods and drinks and energy labelling on alcoholic beverages. These weblinks provided detailed background information and policy and consultation reports on these topics.

3. SUBMISSIONS RECEIVED

A total of 38 submissions were received, including 1 late submission received on 4 February 2020. Three submissions (including the late submission) were emailed to the Food Regulation Secretariat and manually uploaded into *Citizen Space* by policy officers from the Australian Government Department of Health.

Submissions were received from public health stakeholders, consumer advocates and the food and alcohol industry from Australia and New Zealand, as shown in Table 1.

Table 1: Stakeholder Submissions

Sector	Australia	New Zealand	Trans Tasman
Government	4	0	0
Public Health	11	1	0
Consumer advocate	3	0	0
Food industry (food companies)	2	0	5
Food industry (peak bodies)	5	2	1
Alcohol industry	0	4	0
TOTAL	25	7	6

Note that stakeholder sectors have been classified by food regulation policy officers. In most cases the sector identified by the stakeholder was the same as the classification assigned by the policy officers, however reclassification was necessary in some instances. For example, a submitter representing a sector of the food industry identified as being a public health stakeholder and this was reclassified as 'food industry peak body'.

4. GENERAL FEEDBACK ON THE POLICY GUIDELINE

Stakeholders were asked for their overall comments on the Policy Guideline. A number of submissions provided a summary of their responses to consultation questions about specific components of the Policy Guideline. To avoid repetition, these summaries are not detailed here and are discussed in the subsequent sections of this document.

Half of the submissions (3 Government, 9 public health, 5 food industry and 3 consumer advocates) indicated they support the intent of the Policy Guideline. Submissions from Government (2), public health (2), food industry (3) and consumer advocates (2) supported a whole-of-diet approach to food labelling. Food industry (2) and public health (1) supported a policy which links food labelling and the Dietary Guidelines. However one alcohol industry submission did not support the Policy Guideline because it considered the Policy Guideline to be inconsistent with the *FSANZ Act 1991* and would lead to confusion in its current form.

One Government submission considered the Policy Guideline lacks focus and direction and is too broad, limiting the potential for the Policy Guideline to be useful.

Three food industry and four alcohol industry submissions voiced concern about the consultation process, noting there was no consultation paper to accompany the consultation on the Policy Guideline, only a website with background and a request for comments. Alcohol industry submissions suggested there should be more impact analyses, scenario testing and a detailed explanation of the underlying rationale behind the principles in the Policy Guideline. Alcohol industry submissions considered there was no discussion of the interaction between the Policy Guideline and the other work that is currently under consideration by FSANZ in relation to alcohol labelling, i.e. pregnancy warning labels and carbohydrate content claims for alcohol. Food industry submissions were concerned there was not enough information in the Policy Guideline consultation to enable them to cost the business impacts of the Policy Guideline.

5. POTENTIAL IMPACTS OF THE POLICY GUIDELINE

Stakeholders felt that the Policy Guideline would impact them in various ways. Public health (6), Government (1) and food industry (2) considered that the Policy Guideline would lead to improved food labelling, and comments were also made from public health (7), Government (1) and food industry (2) that the Policy Guideline would contribute to improved public health outcomes. Five public health stakeholders also considered that the Policy Guideline would support their work in public health advocacy and public health research. Submissions from Government (1) and a consumer advocate (1) considered that the Policy Guideline would drive the food industry to reformulate their products to a healthier food composition.

Submissions from Government (2) and food industry (3) considered the Policy Guideline could support more efficient regulation, allowing food labelling issues to be considered through a clear framework (rather than on a case by case basis), and providing greater clarity and consistency than the status quo.

Potentially negative impacts from the Policy Guideline were identified by the food and alcohol industries. The food industry (8) and alcohol industry (1) considered there would be impacts and costs on their business associated with labelling changes, and food industry (8) also raised concern about business costs associated with needing to label products for the domestic market differently to the export market. Two food industry submissions called for the establishment of a Government-funded '*Labelling Advice Bureau*' to support industry to comply with labelling requirements and offer free advice on suggested labelling changes and design. It was suggested this would reduce financial burden of industry associated with labelling changes while allowing for reallocation of Government resources which are focussed on labelling.

One food industry submitter considered that the Policy Guideline would hamper industry innovation due to restricting information that can be on a food label. One alcohol industry submitter raised concern that the Policy Guideline would cause alcohol to be treated like other foods.

6. POTENTIAL UNINTENDED CONSEQUENCES OF THE POLICY GUIDELINE

Submitters identified a number of potential unintended consequences associated with the development of the Policy Guideline.

The food industry (3) again raised the issue of business impacts associated with the Policy Guideline. There was concern that the Policy Guideline would lead to business costs associated with food label changes and considered that these would disproportionately impact small and medium businesses who may be less able to absorb the costs compared to larger businesses. Two food industry submissions noted that changes to labelling regulations may result in wasted labels and containers which would have environmental impacts. One industry submitter noted that food label changes would result in increased food prices for consumers. One public health submission also identified the potential for increased food prices as a result of this Policy Guideline.

Four alcohol industry submitters considered that the Policy Guideline would have unintended consequences by impacting alcohol labelling matters which are currently under consideration by FSANZ such as pregnancy warning labels and carbohydrate claims on alcoholic beverages. Concern was raised that the alcohol industry would need to review and reconsider their previous submissions to FSANZ in light of this Policy Guideline.

Food industry (4) and alcohol industry (1) also considered the Policy Guideline would limit what information they could put on the label to communicate with their customers. The alcohol industry raised concern that mandatory labelling requirements resulting from the Policy Guideline would occupy too much space on a product label and detract from other information, such as food safety, nutrition information and warning labels.

Related to this, food (2) and alcohol (1) industry and Government (1) submissions considered that additional information on food labels resulting from this Policy Guideline would lead to consumer confusion or inconsistent food label information. These submissions cited the potential for multiple front-of-pack labelling systems competing with the Health Star Rating (HSR) for consumer attention. The potential for too much information on a food label was also raised, with concern this could lead to consumers being overwhelmed and confused. Related to this, two food industry submissions considered focussing on nutrients such as sugar would result in undue focus on particular product categories such as sugar-sweetened beverages while other discretionary foods that are also a source of sugar in the diet may not be subject to the same focus.

Seven food industry submissions also raised concern that the Policy Guideline would require food labels to emphasise nutrients such as sugar. They raised concern that this may result in consumer misconceptions, consumers avoiding nutritious foods that may contain some added sugar (such as yoghurts), or result in food reformulation that may not improve the overall nutrition profile of the product.

Food industry (1) raised concern that the Policy Guideline could demonise packaged foods and noted that these foods play an important role in offering dietary choices along with fresh foods and drinks in achieving sound dietary patterns as recommended in the Dietary Guidelines. Alternatively, public health submissions (5) and one Government submission considered the Policy Guideline would promote packaged foods and not give enough emphasis to the role of fresh and unpackaged foods in a healthy dietary pattern. One Government submission considered that promotion of packaged foods would have environmental impacts associated with food packaging.

Five food industry submissions also raised that the Policy Guideline may have a limited impact on supporting consumers to make informed healthy food choices unless it was accompanied by broader consumer education and awareness messages about healthy eating and how to read and use food labels. However one public health submission raised concern that education campaigns can increase inequality as they don't equally benefit all groups in society.

Public health submissions (5) and one Government submission considered that potential unintended consequences from the Policy Guideline would include limiting the opportunity for nutrition content claims. For example, concern was raised that the Policy Guideline may limit the opportunity for labelling to inform consumers that certain products are healthier options by being low/lower in salt or sugars. It was also suggested that the Policy Guideline might limit the potential for Australia and New Zealand to adopt food labelling systems such as that used in Chile¹ where front-of-pack labelling advises consumers that a product is high in sodium, high in sugars, high in saturated fat and/or high in calories.

One Public health submitter raised the potential that the Policy Guideline would promote discretionary and ultra-processed foods by requiring food labels to focus on nutrients in food without placing that food in the context of a healthy dietary pattern.

One public health submission suggested that an unintended consequence of the Policy Guideline would be that information on food labels would be based on out-of-date advice noting that the Australian Dietary Guidelines were last updated in 2013. A similar point was made by one food industry submitter which cited recent evidence about the role of dairy food in a heart healthy diet and suggested the Policy Guideline be based on more than just the advice in the Australian and New Zealand Dietary Guidelines. One food industry submission considered that changes to Dietary Guidelines in Australia or New Zealand would require food labels to be changed to reflect the updated advice, which would further impact businesses.

One public health submission and two food industry submissions recommended that potential impacts or unintended consequences on indigenous populations be considered. One Government and one public health submission considered there would be no unforeseen negative consequences from the Policy Guideline.

7. FEEDBACK ON AIM OF THE POLICY GUIDELINE

Fourteen submissions (3 Government, 2 public health, 6 food industry, 2 alcohol industry and 1 consumer organisation) stated they supported the aim of the Policy Guideline.

Six public health submissions questioned the 'whole-of-diet' language used in the aim of the Policy Guidelines and how a 'whole-of-diet' approach could practically be applied to food labelling, particularly because unpackaged foods are an important part of a 'whole-of-diet' eating pattern. They also noted that 'whole-of-diet' language is not used in the Dietary Guidelines and 'dietary patterns' is used instead. These public health submitters suggested replacing 'whole-of-diet' with 'dietary patterns' in the document. In contrast, other public health (2) and food industry (3), alcohol industry (1) and Government (2) and consumer

¹ For example, see Reyes M et al (2019), 'Development of Chilean front-of-pack food warning label', *BMC Public Health*, 19(1) :906. doi: 10.1186/s12889-019-7118-1.

advocate (2) submissions stated they supported the whole-of-diet language and/or the Forum taking a whole-of-diet approach to food labelling.

Another theme emerging from consultation on the aim of the Policy Guideline was the importance of education about healthy eating and nutrition literacy. Public health (2), food industry (7) and alcohol industry (1) submissions raised this issue and suggested the aim recognise the need for education to promote positive behaviour change and support consumers to use food label information in the context of healthy dietary patterns.

One food industry peak body considered that food labels already provide information that allows consumers to make food choices aligned with the Dietary Guidelines and considered there was no need for further alignment between food labels and Dietary Guidelines through the Policy Guideline. This stakeholder is one of the submitters who considered consumer education should be a priority.

One public health submission recommended re-framing the aim away from focussing on information provided to consumers, with more focus on the need for the food industry to provide sufficient information on food labels. This stakeholder suggested the document could be called a 'food industry policy'. In contrast, a food industry submission suggested the aim could explicitly state that the Policy Guideline is intended to give guidance to FSANZ.

One food industry peak body made comments highlighting the importance of proportionate regulation and considered that Government should not mandate information on food labels unless there is a clear public health or safety issue.

One alcohol industry submission considered that the proposed aim was inconsistent with the *FSANZ Act 1991*. This submitter considered that food label information should enable consumers to make their own informed choices, even if those informed choices conflict with the relevant country's Dietary Guidelines. This submitter suggested the aim be amended to: 'The Forum intends food labels provide adequate information relating to food to enable consumers to make informed choices, including choices in line with the Dietary Guidelines'. Other suggested revisions to the aim were submitted to support clarity of language, two from public health stakeholders, and one from an alcohol industry stakeholder.

To also support clarity and reduce redundant information, one food industry submission recommended the contextual information in the aim could be moved to the 'context' section of the Policy Guideline.

8. FEEDBACK ON POLICY PRINCIPLES

General feedback

A number of submissions (4 industry, 5 public health, 3 alcohol industry) raised the importance of food labelling policy being evidence based. Food and alcohol industry suggested the Policy Guideline recognise the need for evidence-based policy that was proportionate and, when appropriate, is subject to a Regulatory Impact Assessment. Public health submitters supported food labelling based on evidence in relation to particular labelling approaches.

One food industry submission raised the issue that new evidence has become available since the Dietary Guidelines were released and suggested a policy principle about basing food labelling on the best available evidence, not just evidence in the Dietary Guidelines.

The need for alignment between the Policy Guideline and the HSR front-of-pack labelling system was raised by public health (1) and food industry (4) in relation to various topics, including total vs added sugars, regulatory modes and product comparisons.

The importance of consumer education was raised by public health (1) and food industry (6) in supporting consumers to use food label information in constructing healthy diets and understanding the recommendations in the Dietary Guidelines.

One Government submission considered that the policy principles were describing the status quo and they should be strengthened to support preventive health and disease prevention.

Food labels, on the physical product², should include information to provide consumers the opportunity to identify foods that contribute to healthy dietary patterns aligned with the recommendations of the Dietary Guidelines.

Seven food industry submissions raised concern about the policy principle requiring labelling on the physical product. Some considered that it would prevent them from being able to provide healthy eating information online, while others noted the value of digital labelling which is accessed by scanning a barcode or QR code on a product label. Other submissions considered this policy principle regressive and felt it did not acknowledge the range of mediums through which consumers access information. Industry noted off label information could be useful for products with small packages and for foods purchased through the out-of-home sector. Consumer advocate (1) and public health (1) submissions considered that this Policy Guideline should apply beyond physical product labelling and include shelf labelling and/or online information. The public health stakeholder commented that requiring information on the physical product instead of via web-links was important to promote equitable access to information.

Public health (5) and Government (2) submissions also suggested this principle should clearly state that food labels should support consumers to identify foods that do not contribute to healthy dietary patterns. Some submissions noted this was implied in the policy principle but suggested it could be more explicit.

Information that provides consumers the opportunity to identify foods that contribute to healthy dietary patterns aligned with the recommendations of the Dietary Guidelines sits at the mandatory end of the 'dominant intervention mode' within the preventive health section of the Food Labelling Hierarchy³ (see Appendix), unless there is an effective co-regulatory measure to achieve the aim and policy principles in this document.

This policy principle was contentious amongst stakeholders with food industry (11) and alcohol industry (3) raising strong concern that it had misinterpreted the Food Labelling Hierarchy and the dominant intervention mode. Submissions noted that preventive health information is in the middle of the Food Labelling Hierarchy and should not be mandatory on

² i.e. consumers should not be required to access this information online via a link from a food label.

³ Drawn from the Forum's [Response to the Food Labelling Law and Policy Review](#) and [Overarching Strategic Statement for the Food Regulation System](#)

a food label. Submitters noted that food safety information is mandatory. The issue of proportionate risk-based regulation was raised and some submissions suggested only voluntary approaches for labelling of preventive health information.

Alternatively, public health submissions (3) strongly supported this policy principle noting that the Food Labelling Hierarchy is currently ambiguous in relation to where information in the middle of the Food Labelling hierarchy sat within the spectrum of the dominant mode of intervention. These stakeholders supported the clarification that information which supports consumers to make decisions in relation to the recommendations in the Dietary Guidelines sat at the mandatory end of the dominant mode of intervention. However, five public health submissions raised concern about the caveat ‘unless there is an effective co-regulatory measure to achieve the aim and policy principles in this document’ due to concerns about potential inadequate/ inconsistent adoption of voluntary co-regulatory measures, industry conflicts of interest and limited public health impacts of voluntary labelling measures. The HSR system, Healthy Food Partnership and voluntary pregnancy warning labels on alcohol were cited as examples of voluntary initiatives with what was considered to be inadequate adoption from industry. It was suggested this caveat be removed.

Two public health submissions recommended preventive health information be mandatory on food labels as the only way to make a difference in population health.

Food labels should provide information about a foods’ energy (kilojoule) content to support consumers to monitor energy intakes and assist with achieving and maintaining a healthy body weight.

Stakeholders (5 industry, 5 public health, 1 Government) raised concerns about this principle and/or sought clarification about why there was a stand-alone policy principle focussing on energy. Submitters considered this emphasised energy above other parts of the Dietary Guidelines and was not consistent with a whole-of-diet approach. It was noted that energy is a simplistic measure and there is more involved in a healthy dietary pattern than managing energy intakes. It was also noted that energy content doesn't reflect a food's healthfulness. Public health submitters suggested this policy principle could be brought into the fourth policy principle so that energy was not emphasised above other elements of healthy eating. An industry submission stated they were strongly opposed to singling out energy and recommended this policy principle be deleted.

One food industry submission considered that the policy principles should have a stronger focus on energy to support obesity prevention. Three food industry submissions suggested there be more emphasis on portion size to support obesity prevention.

Information about nutrients identified in the recommendations in Dietary Guidelines should be presented on food labels:

- *in a manner which is easily understood by consumers,*
- *on a consistent basis to support consumers to compare food products, and monitor consumption, within and across categories,*
- *in a manner such that information about one nutrient should not be emphasised above others, except in food categories where predominantly energy or a single nutrient is present,*
- *in a manner which does not promote foods, food groups or dietary patterns that are not aligned with recommendations in the Dietary Guidelines.*

'In a manner which is easily understood by consumers' - A number of submissions (6 public health, 1 consumer advocate, 5 food industry, 1 Government) emphasised the need for consumers to understand food labelling. Some suggested the policy principle 'in a manner which is easily understood by consumers' be more explicit in requiring consumer testing. One submitter suggested this principle be raised to a stand-alone policy principle. However, one food industry submission raised concern about this policy principle stating there is no standard way for assessing consumer understanding across Australia and New Zealand's different population groups and raising concern that this policy principle may be open to misuse.

Public health (4) and Government (1) submitters recommended this policy principle more clearly recognise the need for food labels to be understood by people from different cultural groups and literacy levels. It was recommended using language similar to the Policy Statement on Front of Pack Labelling: 'being readily understandable and meaningful across socio-economic groups, culturally and linguistically diverse groups and low literacy/low numeracy groups'. Another suggestion was 'in a manner which is easily noticed, read and understood by consumers'.

One food industry submission considered that food label information was already presented in a manner which was easily understood by consumers and questioned why this policy principle was included in the Policy Guideline.

'On a consistent basis to support consumers to compare food products, and monitor consumption, within and across categories' - Public health (2) stakeholders sought clarification on what is meant by 'on a consistent basis' and how this would be applied (e.g. mandatory across all products, consistency in reporting (i.e. per 100g) or in relation to portion sizes). Comments were also made that consistent labels may not always be appropriate as it may be necessary to have additional labelling on certain products, such as the front-of-pack labelling used in Chile to warn consumers about products high in energy or certain risk-nutrients. However, other submissions from public health (2), food industry (2) and the alcohol industry (1) stated they supported labelling on a consistent basis. Food industry noted the Nutrition Information Panel already supports information being provided on a consistent basis. Public health commented that the Daily Intake Guide labelling scheme developed by the food industry was confusing to stakeholders because it uses inconsistent serve/portion information.

Public health (2) and industry (2) submissions raised concern about the ‘on a consistent basis’ part of this policy principle. Comments were made that it would not be appropriate to compare products in different categories and how this would not align with the HSR labelling system which is designed for within category comparison. Others noted it was not clear what this statement meant and suggested it could be deleted without changing the meaning of the policy principle. However, support for comparisons ‘within and across categories’ was provided from Government (1) and public health (2) with one submitter noting that consumers do not understand that the HSR is intended to be used only to compare products within specific categories.

‘In a manner such that information about one nutrient should not be emphasised above others, except in food categories where predominantly energy or a single nutrient is present’ - A number of submissions (12 food industry, 2 alcohol industry, 8 public health, 2 Government) raised concern or sought clarification about this policy principle. Comments were made that focusing on single nutrients would not be consistent with a ‘whole-of-diet’ approach to food labelling and not align with the Dietary Guidelines which provide food-based advice. It was noted that it is not possible to have a food category where only energy is present. Comments were also made that this principle could be difficult to apply as foods contain a mix of nutrients and some submitters questioned what is meant by ‘predominantly’. Others commented this policy principle is not aligned with the policy principle about providing information on a consistent basis.

Food industry noted that a single nutrient does not indicate if a food is healthy or not. Food industry was concerned the policy principle could allow for additional pictorial/warning labels and targeting of particular product categories such as sugar sweetened beverages. It was noted this could result in particular foods such as sugar-sweetened beverages being targeted but not foods such as cakes and pastries because they contain multiple risk-nutrients such as added sugars and saturated fats. Some food and alcohol industry submissions supported not emphasising one nutrient above others, but did not support the proposed exemptions.

Public health noted there were instances where it would be appropriate and evidence based to draw attention to nutrients in foods such as added sugars or to emphasise products are ‘low salt’ for example. Public health submitters were concerned this policy principle would prevent labelling such as front-of-pack warning labels used in Chile which, depending on the food, may emphasise the presence of multiple risk-nutrients in a food product.

Impacts on nutrition content claims were also raised and clarification was sought on how this principle would impact health and nutrition content claims with concerns raised this could override claim permissions. Food industry noted the importance of nutrition content claims in communicating product attributes to consumers. One public health submitter was supportive of preventing unhealthy foods from making nutrition content claims. Another public health submitter considered that whether or not it is appropriate to emphasise one nutrient over another should be considered on a case-by-case basis, considering evidence on associated health outcomes.

Consumer advocates (2), Government (1) and public health (1) submissions recommended the Policy Guideline more explicitly state that food labels should highlight risk nutrients through graphics such as teaspoons. Food industry submissions (2) stated they were opposed to pictorial approaches to convey the amount or types of sugar in a serving of food and considered this contradicted the whole-of-diet approach for the Policy Guideline.

One Government submitter considered this policy principle would limit information on a food label to only the nutrients identified in the Dietary Guidelines and raised concern that there should not be restrictions on what nutrients can be declared on a food label.

Three public health submissions noted that ingredient information is important on food labels, not just nutrients, with one calling for greater transparency in ingredient labelling, particularly in relation to sugars.

'In a manner which does not promote foods, food groups or dietary patterns that are not aligned with recommendations in the Dietary Guidelines' - Four public health stakeholders stated they strongly supported this policy principle and suggested this should be a stand-alone policy principle rather than sub-principle.

However, five food industry submissions raised concerns about this policy principle and considered there should not be restrictions on what information they could provide on food labels and how they communicate with consumers. One submission considered this principle would prevent them making nutrition content claims on food labels. Industry asked for clarification about the meaning of 'should not promote' and some considered this policy principle would restrict what foods could be sold. Industry considered that as long as foods were safe and compliant with food regulations, they should be allowed to be sold.

Four food industry submissions considered that food labelling should not discourage consumption but should allow consumers to make informed food purchasing and consumption decisions.

[Additional policy principles suggested](#)

One food industry submission recommended the Policy Guideline recognise the importance of uniform enforcement of food labelling regulations.

Public health (1) and Government (1) submissions recommended policy principles that describe implementation details such as monitoring and evaluation, or approaches for the food industry to adopt the Policy Guideline.

One public health submission recommended a policy principle that labelling should support equity and not increase health or socio-economic disparities. They also suggested policy principles about transparency and accountability to support public trust in food labelling and principles about consistency across nutrition policies and Dietary Guidelines and suggested interpretive labelling systems be prioritised.

One food industry submission suggested there be a policy principle about nutrient profiling systems to underpin food regulatory measures, taking into account positive and risk-nutrients and the overall benefits of the whole food.

Food industry (2) and one public health submitter stated their support for labelling added sugars in the Nutrition Information Panel (NIP).

9. FEEDBACK ON SCOPE

Seven food industry submissions recommended the scope of the Policy Guideline could be broadened to capture all regulations relevant to food labelling including regulations by the Australian Therapeutic Goods Administration (TGA) and Australian Competition and Consumer Commission (ACCC), Australian National Measurement Institute (NMI), Standards Australia and liquor licencing, and New Zealand equivalent agencies (in addition to the Australia and New Zealand Food Standards Code (the Code)). These stakeholders considered this would support a consistent policy approach to all food labelling issues.

Five food industry submissions stated they supported the proposed scope. In addition, one food industry submission supported food for special medical purposes being out of scope and one food industry submission stated they supported foods regulated under Part 2.9 of the Code being out of Scope. One food industry submission stated they support breastfeeding, food safety and sustainability being out of scope. Two food industry submissions also suggested that food processing should be out of scope.

Submitters from food industry (3), Government (1) and public health (3) sought clarification about whether all foods under Part 2.9 of the Code should be out of scope, noting that it would benefit consumers if the Policy Guideline applied to certain food products which are regulated under Part 2.9 of the Code such as formulated supplementary sports foods, formulated supplementary foods and formulated meal replacements. Submissions from food industry (2) and public health (2) also recommended clarifying the scope in relation to foods required to bear a label.

Public health (5) and Government (1) submissions stated they supported alcohol being in scope. However, food industry (1), public health (1), alcohol industry (1) and Government (1) submissions sought clarification about why, or the extent that, alcohol was in scope. Some submitters questioned whether pregnancy warning labels on alcohol were in scope, and others questioned whether alcohol should be subject to the same labelling regulations as foods.

Submissions also made suggestions for issues to be included in scope including: product marketing (1 Government submissions), breastfeeding advice (2 Government submissions), World Health Organization dietary advice (2 public health submissions), sustainability (4 public health, 1 Government submission), foods that are not required to bear a label (1 Government, 1 consumer advocate, 1 food industry submission) or information provided online or via smart phone apps (2 food industry, 1 public health). One Government submitter recommended the Policy Guideline clarify whether dietary recommendations for children under 2 years were in or out of scope.

10. FEEDBACK ON DEFINITIONS

Submitters suggested including a number of additional definitions in the Policy Guideline. Suggested words to define were: 'added sugar' (2 food industry), 'dietary patterns' (1 Government, 1 food industry) 'co-regulation' (1 Government, 1 public health) 'food groups' (1 Government), 'categories' (1 Government), 'energy' (1 Government), 'label/labelling' (1 Government, 1 consumer advocate), 'nutrition information' (3 public health, 1 Government). Clarification was also sought from Government (2) and public health

(1) about the difference between the definitions for ‘Dietary Guidelines’ and ‘recommendations’.

The definition for ‘nutrient’ raised concern from several stakeholders (2 Government, 1 public health, 6 food industry) with suggestions that a text book definition be used instead, or referring to the Nutrient Reference Values⁴ document. Food industry (6) particularly raised concern about the language ‘harmful’ in relation to some nutrients and suggested ‘risk-associated’ be used instead.

Concerns were also raised from the food industry (6) about the definition of ‘food’ used in the Policy Guideline. Comments were made about not needing a new definition of food and it was suggested that the definition of ‘food’ used in the Code or jurisdictional food legislation be used instead.

11. FEEDBACK ON CONTEXT

Submissions from public health (5) and food industry (2) stated they supported the context.

In particular, there was strong support for the sentence recognising the need for education to promote the Dietary Guidelines. Submissions from Government (1), public health (7), and food industry (10) supported this sentence. However, one public health submission raised concern about this sentence stating that education campaigns can increase inequality and called for broader changes in the food environment to support healthy eating. Another public health submission considered that further promotion of the Dietary Guidelines would not be useful because consumers do not relate to the Dietary Guidelines.

A contentious sentence in the ‘context’ section was in relation to food labelling facilitating food reformulation. The food industry (3) raised concerns about this statement and noted that the food industry had reformulated foods for many years (without Government intervention) and there are several reasons why industry reformulates products such as technological advances and responding to public health concerns. One food industry submitter suggested this sentence be removed, and one public health submission also suggested removing this sentence because it was not directly related to labelling. This submission considered food industry reformation could be associated with unintended consequences such as inadvertently promoting ultra-processed foods. In contrast, public health submissions (4) stated they supported the paragraph about food reformulation in the context section.

Submissions also suggested other issues to be acknowledged or recognised in the context section. For example, one Government submission suggested acknowledging current trends in overweight and obesity and disparities in obesity rates in certain population groups, the obesogenic environment, and the fact that certain population groups such as those with middle-low literacy or impaired vision may have trouble reading food labels. Another Government submission suggested providing examples of current labelling work which are relevant to the Policy Guideline such as added sugar labelling and energy labelling on alcohol. The food industry (4) and alcohol industry (1) recommended the context section recognise the differences between the Dietary Guidelines in Australia and New Zealand.

⁴ Australian National Health and Medical Research Council and New Zealand Ministry of Health 2006

12. FEEDBACK ON REVIEWS AND UPDATES

Stakeholders commented that they supported regular reviews (2 Government, 4 public health, 9 food industry, 2 consumer advocates and/or a 5-yearly review of the Policy Guideline (1 Government, 9 public health, 3 food industry)).

Government (2), public health (6) and food industry (4) submissions recommended that the Policy Guideline should be reviewed and updated when Dietary Guidelines were updated. Public health (3) and food industry (1) stakeholders commented on the need to update the Australian Dietary Guidelines. One food industry submission sought clarification about how updates or changes to Dietary Guidelines would impact the Policy Guideline.

The need for food labelling which is evidence based was highlighted throughout stakeholders' submissions. Public health (4) and food industry (6) stakeholders recommended other data and evidence be taken into account when updating the Policy Guideline such as changing consumer habits and purchasing patterns, data from the Australian Bureau of Statistics, labelling policies, Council of Australian Governments (COAG) principles and new science. However, one food industry submission raised concern about the suggestion that updates to the Policy Guideline should consider 'other relevant evidence' as there was no indication about the decision on relevancy or the evidential basis of such advice.

Three food industry submissions recommended that the Policy Guideline be clear that stakeholder consultation would occur with any updates to the Policy Guideline. However, four public health stakeholders recommended there be a statement in the Policy Guideline about conflict of interest in the development of food labelling policy. These stakeholders considered that food labelling policy should be Government led with input from independent experts and developed without influence from the food industry. However, they stated that it is appropriate for industry to be involved in implementation processes.

13. FEEDBACK ON STRUCTURE AND FORMAT

The majority (29) of submitters made no comments on the structure and format of the Policy Guideline. Four submitters (2 Government, 1 food industry and 1 public health) said they supported the structure and format of the Policy Guideline and two public health submitters commented that the Policy Guideline was easy to read. However one food industry submission considered some sections were too wordy and could be revised.

One Government submitter suggested the appendix could be removed and one public health submission suggested the appendix could be clarified (it is relevant to note that the appendix is drawn from the *2017 Overarching Strategic Statement for the Food Regulatory System* and therefore cannot be edited).

One Government submitter recommended the Policy Guideline should include implementation details and information about monitoring and evaluation and conflict resolution processes. One industry submission recommended removing the year of publication from references to the Dietary Guidelines to assist to 'future proof' in the event that the Dietary Guidelines in Australia or New Zealand were revised and updated.

Suggestions were also made to re-order some of the sections in the Policy Guideline. One alcohol industry and one food industry submitter suggested there should be high order and specific policy principles in the Policy Guideline. One industry submission recommended the definitions and scope should be moved before the policy principles. However, one Government submission indicated they supported the definitions at the end of the document and supported a single set of policy principles. One industry submission suggested moving some of the information from the 'aim' to the 'context' section.

14. EDITS TO POLICY GUIDELINE IN RESPONSE TO STAKEHOLDER CONSULTATION

The Policy Guideline was revised based on the comments received in the stakeholder consultation. Table 2 outlines how stakeholder comments were addressed and the final Policy Guideline is provided at [Attachment 2](#).

Table 2: Policy Guideline Edits in Response to Consultation Submissions

Submission theme	Response
Aim	
Clarify ‘whole of diet’ language and its application relating to the Policy Guideline.	The ‘whole-of-diet’ language has been removed and the aim simplified.
Recognise importance of education about healthy eating and nutrition literacy.	A new implementation section has been included in the Policy Guideline to recognise the importance of consumer education.
Be clear the Policy Guideline is intended to provide guidance to FSANZ.	The finalised version of the Policy Guideline will be added to the suite of existing Policy Guidelines where it is clear that Policy Guidelines are intended to provide guidance to FSANZ. The <i>FSANZ Act 1991</i> is also clear in the function of a Policy Guideline.
Re-frame Policy Guideline to focus on industry providing information to consumers.	The Policy Guideline will inform FSANZ’s consideration when it is developing or reviewing food labelling regulations. The document is not intended to give direction to the food industry.
Check alignment between aim of Policy Guideline and <i>FSANZ Act 1991</i> .	Edits have been made to the aim to simplify language and use words consistent with the <i>FSANZ Act 1991</i> .
Reduce redundant information.	The aim has been simplified with some information removed.
Policy Principles	
Recognise importance of evidence-based food labelling regulation.	This is already required from FSANZ. The Dietary Guidelines are also evidence-based documents.
Recognise importance of proportionate food labelling regulation.	This is already required from FSANZ and is recognised by the Food Labelling Hierarchy.
Ensure alignment between Policy Guideline and HSR.	Alignment between the HSR and this Policy Guideline has been considered.
Recognise importance of education to support understanding on how to read food labels.	A new implementation section has been included in the Policy Guideline to recognise the importance of consumer education.
Strengthen policy principles relating to chronic disease prevention.	Chronic disease prevention has been recognised in the scope of the Policy Guideline.

Submission theme	Response
Concern about principle requiring food labelling to be on the physical product label.	Clarification has been made in relation to labelling on the physical product in a foot note and also in the scope section.
Policy Guideline should apply beyond product labels such as in store and online labelling (in addition to on the physical product).	Clarification has been made in relation to labelling on the physical product in a foot note and also in the scope section.
Clearly state that food labels should support consumers to identify foods that do not contribute to healthy dietary patterns.	This suggestion has been incorporated in the final Policy Guideline.
Improve alignment between second policy principle and Food Labelling Hierarchy.	Further clarification has been provided in relation to the Food Labelling Hierarchy.
Remove 'unless there is an effective co-regulatory measure to achieve the aim and policy principles in this document'.	This sentence has been modified but not removed to align with the Food Labelling Hierarchy and align with the HSR regulatory approach.
Strengthen focus on energy.	Energy balance is only one of the recommendations in the Dietary Guidelines and therefore the focus on energy has not been increased.
Principle on energy balance could be made a sub-point under the fourth policy principle, or this policy principle should be deleted.	This suggestion has been incorporated in the final Policy Guideline.
Strengthen focus on portion size to support obesity prevention.	This is addressed by the Policy Principle relating to energy balance.
Be more explicit in requiring food label changes to be subject to consumer testing.	This would be for FSANZ to determine when it is reviewing or updating food labelling regulations.
Consumer understanding should be a stand-alone policy principle.	The importance of consumer understanding is recognised in the Policy Guideline.
Concern about policy principle relating to consumer understanding due to absence of standardised ways for assessing consumer understanding.	Approaches for ensuring consumer understanding would be for FSANZ to determine when it is reviewing or updating food labelling regulations.
More clearly recognise the need for food labels to be understood by people from different cultural groups and literacy levels.	This is recognised in the Policy Statement on Front-of-Pack labelling.
Re-consider/clarify what is meant by 'on a consistent basis'.	The text 'on a consistent basis' has been removed. FSANZ would determine the best approach to support consumers to compare foods and monitor and balance consumption on a case by case basis.
Re-consider/clarify 'information about one nutrient should not be emphasised above others, except in food categories where predominantly energy or a single nutrient is present'.	This has been re-considered and reworded.
Re-consider/clarify impact on health and nutrition content claims.	Policy Principles and scope have been re-worded to avoid impacting health and nutrition content claim permissions.
Require graphical or pictorial labels for food products containing risk-nutrients.	The Policy Guideline notes the importance of consumer understanding of food labelling, however, it would be for FSANZ to determine the best approach for this.
'In a manner which does not promote foods, food groups or dietary patterns that are not aligned with recommendations in the Dietary Guidelines' should be a stand-alone policy principle.	This Policy Guideline has been refined.

Submission theme	Response
Reconsider/clarify 'In a manner which does not promote foods, food groups or dietary patterns that are not aligned with recommendations in the Dietary Guidelines.	This Policy Guideline has been refined.
Recognise the importance of uniform enforcement of food labelling regulations.	The role of uniform enforcement has been recognised in the new Implementation section of the Policy Guideline.
Describe implementation details such as monitoring and evaluation, or approaches for the food industry to adopt the Policy Guideline.	This would be considered by FSANZ when it is developing or reviewing food labelling regulatory measures.
Include a policy principle policy principle that labelling should support equity and not increase health or socio-economic disparities.	The <i>FSANZ Act 1991</i> requires FSANZ to consider direct or indirect benefits on the community when it is developing or reviewing a food regulatory measure.
Include a policy principle about transparency and accountability to support public trust in food labelling.	The importance of transparency and accountability is recognised in the <i>FSANZ Act 1991</i> .
Include principles about consistency across nutrition policies and Dietary Guidelines.	The Policy Guideline is intended to provide guidance to FSANZ when it is developing or reviewing a food regulatory measure. Nutrition policy is a separate matter.
Interpretive labelling systems be prioritised.	Interpretive labelling is addressed in the Policy Statement on Front-of-Pack labelling.
Include a policy principle about nutrient profiling systems to underpin food regulatory measures, taking into account positive and risk-nutrients and the overall benefits of the whole food.	Nutrient profiling systems are not the focus of this Policy Guideline.
Scope	
Scope of the Policy Guideline could be broadened to capture all regulations relevant to food labelling, not just regulations in the Code.	This is beyond the role of this Policy Guideline.
Include food processing as being out of scope.	This suggestion has not been actioned as Dietary Guidelines do make recommendations about foods based on their level of processing, for example recommendations to limit consumption of processed meats.
Re-consider/clarify whether all foods regulated under part 2.9 of the Code are excluded.	The scope has been clarified in relation to foods regulated under part 2.9 of the Code.
Re-consider/clarify why alcohol is in scope.	Alcohol has been confirmed as being in scope as this Policy Guideline is intended to give guidance to FSANZ in relation to labelling matters including energy labelling on alcohol.
Include product marketing in scope.	This Policy Guideline focusses on product labelling.
Include breastfeeding advice in scope.	Breastfeeding advice is beyond the original intent of the Policy Guideline.
Include World Health Organization dietary advice in scope.	The Policy Guideline is intended the align food labelling and Dietary Guidelines in Australia and New Zealand. World Health Organization dietary advice may be considered when Dietary Guidelines are reviewed and updates.

Submission theme	Response
Include sustainability in scope.	Labelling for environmental concerns is outside the scope of the Food Regulation System.
Include foods not required to bear a label in scope.	A new point has been added to the Scope to acknowledge that should regulations for off-label information be considered, this Policy Guideline document should be taken into account.
Clarify application of the Policy Guideline for foods for children under 2 years.	Infant Feeding Guidelines are part of the suite of Dietary Guidelines in Australia and New Zealand and are therefore in scope.
Definitions	
Define ‘added sugar’.	‘Added sugar’ has not been used in this document.
Define ‘dietary patterns’.	A definition for dietary patterns has been included.
Define ‘food groups’.	Examples of food groups in the Australian Dietary Guidelines and New Zealand Eating and Activity Guidelines is provided rather than a definition.
Define ‘energy’.	A declaration of energy is required in the Nutrition Information Panel and therefore FSANZ should not require a definition for this word.
Define ‘nutrition information’.	This language is not used in the final Policy Guideline.
Define ‘co-regulation’.	A foot note has been added to the document to refer to the Office of Best Practice and Regulation guidance for more information about co-regulation.
Define label/labelling.	This is defined in the Code.
Clarify difference between the definitions for ‘Dietary Guidelines’ and ‘recommendations’.	The definition of Dietary Guidelines has been revised to support clarity.
Use textbook definition for ‘nutrient’ or refer to definition in Nutrient Reference Values document.	Revisions to the Policy Principles have removed the word ‘nutrient’ and therefore the definition of nutrient has been removed. Risk nutrient has been defined.
Revise definition of ‘food’.	The definition of food has been removed and replaced with a foot note for clarity.
Context	
Remove/revise reference to food labelling facilitating food reformulation.	References to food reformulation have been removed as this is not the primary purpose of the Policy Guideline.
Recognise obesogenic environment.	The burden of obesity is recognised in the Policy Guideline.
Recognise certain population groups face additional challenges in reading and applying food labels.	The Policy Guideline recognises some consumers find it difficult to use information on food labels to apply the recommendations in the Dietary Guidelines.

Submission theme	Response
Provide examples of food labelling matters which will be influenced by this Policy Guideline.	The Policy Guideline is intended to be an enduring document and therefore examples of current work have not been included.
Recognise differences between Australian and New Zealand Dietary Guidelines.	This suggestion has been included in the context section of the Policy Guideline.
Reviews and updates	
Require Policy Guideline to be updated when Dietary Guidelines are updated.	This suggestion has been included in the reviews and updates section of the Policy Guideline.
Require other data to be taken into account when Policy Guideline is updated, not just Dietary Guidelines.	A footnote has been included to give examples of evidence that may be considered when the Policy Guideline is updated.
Require consultation with any future Policy Guideline updates.	This suggestion has been included in the reviews and updates section of the Policy Guideline.
Structure and format	
Remove or edit appendix.	The appendix has been previously agreed by the Forum and therefore cannot be edited.
Include implementation details.	A section for implementation details has been included in the final Policy Guideline.
Remove year of publication from references to Dietary Guidelines.	Future reviews of the Policy Guideline will allow for the year of publication for the Dietary Guidelines to be updated as required.
Re-order sections of the Policy Guideline.	The structure has been reviewed but remains unchanged.
Include high order and specific policy principles.	High order and specific policy principles are used in other food regulation Policy Guidelines, however for ease of interpretation and to reduce unnecessary information this Policy Guideline does not use high order and specific policy principles.

ATTACHMENT 1 – POLICY GUIDELINE USED IN PUBLIC CONSULTATION

AUSTRALIA AND NEW ZEALAND MINISTERIAL FORUM ON FOOD REGULATION

POLICY GUIDELINE ON FOOD LABELLING TO SUPPORT CONSUMERS TO MAKE INFORMED HEALTHY FOOD CHOICES

November 2019

Aim

The Australia and New Zealand Ministerial Forum on Food Regulation (Forum) intends to take a whole-of-diet approach to food labelling. The Forum expects food labels to present information that provides consumers the opportunity to make informed choices that support dietary patterns aligned with the Dietary Guidelines.

Poor diet is a leading risk factor for chronic disease in Australia and New Zealand⁵. Dietary Guidelines provide recommendations for healthy food choices to reduce the risk of chronic diseases.

The food regulation system and food labelling play a role in enabling consumers to make healthier food choices. This Policy Guideline outlines how food labels can present information to provide consumers the opportunity to apply the recommendations in the Dietary Guidelines.

It is recognised that food labels provide information about a specific foods and nutrients while Dietary Guidelines provide whole-of-diet recommendations about food groups and dietary patterns⁶.

Policy Principles

- Food labels, on the physical product⁷, should include information to provide consumers the opportunity to identify foods that contribute to healthy dietary patterns aligned with the recommendations of the Dietary Guidelines.
- Information that provides consumers the opportunity to identify foods that contribute to healthy dietary patterns aligned with the recommendations of the Dietary Guidelines sits at the mandatory end of the ‘dominant intervention mode’ within the preventive health section of the Food Labelling Hierarchy⁸ (see Appendix), unless there is an effective co-regulatory measure to achieve the aim and policy principles in this document.
- Food labels should provide information about a foods’ energy (kilojoule) content to support consumers to monitor energy intakes and assist with achieving and maintaining a healthy body weight.
- Information about nutrients identified in the recommendations in Dietary Guidelines should be presented on food labels:

⁵ Institute of Health Metrics and Evaluation 2018. *Global Burden of Disease Study*.

⁶ Dietary patterns are types, combinations and amounts of foods eaten over a period of time.

⁷ i.e. consumers should not be required to access this information online via a link from a food label.

⁸ Drawn from the Forum’s [Response to the Food Labelling Law and Policy Review](#) and [Overarching Strategic Statement for the Food Regulation System](#)

- in a manner which is easily understood by consumers,
- on a consistent basis to support consumers to compare food products, and monitor consumption, within and across categories,
- in a manner such that information about one nutrient should not be emphasised above others, except in food categories where predominantly energy or a single nutrient is present,
- in a manner which does not promote foods, food groups or dietary patterns that are not aligned with recommendations in the Dietary Guidelines.

Scope

- This Policy Guideline focusses on healthy eating (energy balance and nutrition) recommendations in the Dietary Guidelines. Recommendations about sustainability, food safety and breastfeeding in the Dietary Guidelines is out of scope.
- This Policy Guideline applies to any foods which are required to bear a label under the Australia New Zealand Food Standards Code⁹.
- This Policy Guideline does not apply to special purpose foods (i.e. Part 2.9 of the Australia New Zealand Food Standards Code).
- This is an overarching guideline for food labelling which captures all nutrition information on products within scope, including labelling for which specific policy guidance may be available, such as for nutrition, health and related claims and front-of-pack labelling. In these instances, both Policy Guidelines/ Policy Statement may be considered together when developing or reviewing food regulatory measures or variations of food regulatory measures.

Definitions

For the purpose of this Policy Guideline:

- *Dietary Guidelines* – refers to the Australian Dietary Guidelines¹⁰, New Zealand Eating and Activity Guidelines¹¹ and New Zealand Food and Nutrition Guidelines for other specified age and stage groups¹², or future iterations thereof.
- *Food* - refers to foods and beverages, including alcoholic beverages.
- *Nutrient* - refers to nutritionally important components (including protective or harmful) referred to in the Dietary Guidelines.
- *Recommendations* - refers to the key overarching recommendations/statements in the Dietary Guidelines¹³.

Context

Dietary guidelines

- The Dietary Guidelines provide guidance on foods, food groups and dietary patterns

⁹ As per Standard 1.1.2-2.

¹⁰ Australian National Health and Medical Research Council 2013.

¹¹ New Zealand Ministry of Health 2015.

¹² see New Zealand Ministry of Health [Current Food and Nutrition Guidelines](#)

¹³ for example “limit intake of foods and drinks containing added sugars” (recommendation 3.3 of the Australian Dietary Guidelines) or “choose and/or prepare foods and drinks with unsaturated fats instead of saturated fats” (Guideline 2.1 of the New Zealand Eating and Activity Guidelines)

that provide the nutrients required for optimal health and wellbeing and reduce the risk of chronic disease.

- Dietary Guidelines make food-based recommendations (i.e. referring to foods and food groups such as *fruit; vegetables and legumes/beans; and, grain foods, mostly whole grains; etc*), but in some instances the Dietary Guidelines make recommendations about foods based to the nutrients they contain (e.g. ‘*limit intake of foods containing saturated fat, added salt, added sugars*’¹⁴ or ‘*choose and/or prepare foods and drinks that are low in salt*’¹⁵ etc.).
- The dietary patterns of the majority of Australians and New Zealanders are not aligned with the recommendations in the Dietary Guidelines¹⁶
- Consumer awareness of Dietary Guidelines is poor and as a result it may be difficult for consumers to understand how some foods relate to the recommendations in the Dietary Guidelines¹⁷. To support work on food labelling, there is a role for education and promotion of the Dietary Guidelines to raise consumers’ awareness.

Food labels

- Consumers choose foods for a variety of reasons, most of which are not health related¹⁸. Food labels are one of many sources of information available to support consumers to make informed choices when selecting foods to eat. However, when consumers attempt to make healthier choices some find it difficult to use information on food labels to apply the recommendations of the Dietary Guidelines¹⁹.
- The provision of adequate information relating to food to enable consumers to make informed choices is the second priority objective of Food Standards Australia New Zealand when developing or reviewing food regulatory measures and variations of food regulatory measures²⁰.
- It is recognised that food labelling can also facilitate food reformulation which can have widespread population health benefits, including for consumers who do not read food labels.

Reviews and Updates

These Policy Guidelines should be reviewed every 5 years to assess whether they continue to reflect the Dietary Guidelines and other relevant advice, and be updated if necessary.

¹⁴ Australian National Health and Medical Research Council 2013.

¹⁵ New Zealand Ministry of Health 2015.

¹⁶ Australian Bureau of Statistics 2016. *Australian Health Survey: Consumption of Food Groups from the Australian Dietary Guidelines, 2011-12*.

¹⁷ Kantar Public 2017. *Healthy Weight and Lifestyle: Exploratory Research Report* (pending publication).

¹⁸ Grunert, K. G., & Wills, J. M. (2007). A review of European research on consumer response to nutrition information on food labels. *Journal of Public Health*, 15(5), 385–399.

¹⁹ FSANZ (2016) Consumer Label Survey 2015 Food Labelling Use and Understanding in Australia and New Zealand. Food Standards Australia New Zealand, Canberra.

²⁰ *Food Standards Australia New Zealand (FSANZ) Act 1991*.

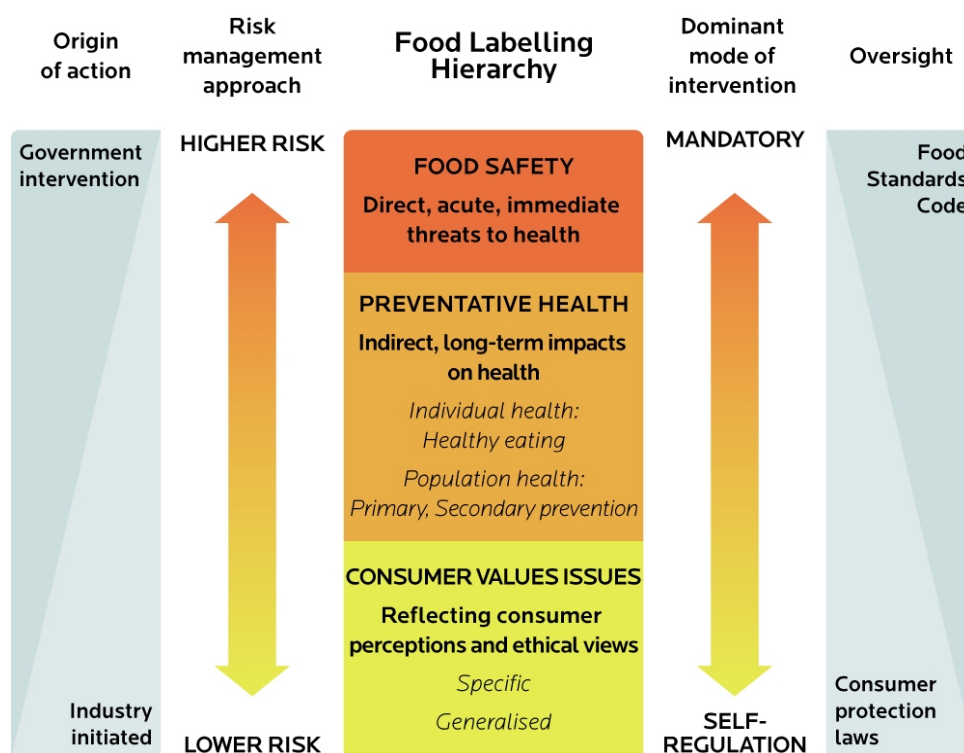
APPENDIX

Food Labelling Hierarchy²¹

This version of the Food Labelling Hierarchy was agreed to by the Forum on 9 December 2011 and is included in the *Overarching Strategic Statement for the Food Regulation System*.

The Food Labelling Hierarchy prioritises information on a food label as food safety, preventative health, and, consumer values. The ‘dominant mode of intervention’ within the hierarchy outlines how these pieces of information should be regulated.

In relation to preventive health, this includes the indirect, long term impacts on health and particularly includes chronic disease. Labelling in relation to preventative health may be initiated by government or in tandem with stakeholders, including industry. The level of intervention will be informed by governments’ health priorities, public health research and the effectiveness or otherwise of co-regulatory measures.



²¹ Drawn from the Forum’s [Response to the Food Labelling Law and Policy Review](#) and [Overarching Strategic Statement for the Food Regulation System](#)