

Original Article

Nutrition labelling: perspectives of a bi-national agency for Australia and New Zealand

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Australia New Zealand Food Authority (ANZFA) is a bi-national government agency forming a partnership between all of Australia's States and Territories and the New Zealand government. Australia New Zealand Food Authority employs scientific, legal policy, communication and administrative staff in our Australia and New Zealand offices. Prior to 1991 each of Australia's States and Territories had their own food standards; however, in 1991 Commonwealth legislation was introduced to consolidate responsibility for developing food standards in one specialist agency and to ensure the uniformity of Standards across all States and Territories in Australia. This was extended to New Zealand in 1995 when we became a bi-national agency following the signing of a Treaty between Australia and New Zealand to develop joint food standards for both countries. Australia New Zealand Food Authority's objectives in setting food standards are to: protect public health and safety; provide adequate information to enable consumers to make informed choices; and prevent misleading or deceptive conduct. Health Ministers have recently approved a new Joint Food Standards Code for Australia and New Zealand. This is the result of over 6 year's work and many rounds of public consultation. The new Code has had extensive input from government agencies, industry and consumers. In drafting the new code our emphasis has been on making decisions based on sound science and the most up-to-date information available. We also recognized the need for Standards to be practical in not imposing unnecessary costs on food manufacturers with an inevitable flow on effect to consumer prices. The Joint Code will replace both the existing Australian Food Standards Code and the New Zealand Food Regulations after a 2-year transition period. During the development of the Joint Code a wide range of matters were considered in relation to labelling. Amongst these were consumer needs, costs to industry, voluntary versus mandatory, enforcement issues, relationship to advertising and exemptions. A number of features of the new Code relate specifically to labelling and include: warning and advisory statements; ingredients lists; date marking; directions for use and storage; nutrition information; legibility requirements; and percentage labelling. One of the key features of the Joint Code is the requirement for most packaged foods to bear a nutrition information panel (NIP). Information must be presented on the amount of fat, saturated fat, protein, energy, carbohydrates, sugars and sodium. For the majority of foods the label is the first and only source of information regarding the nutritional content of food purchased. Mandatory nutrition labelling will ensure that consumers are provided with key nutritional information about foods. Single ingredient produce such as fruit and vegetables, and some other foods such as spices, tea and coffee will be exempt. The new requirements will give consumers more nutritional information to allow product comparison. All products will be required to provide information on these nutrients on both a per 100 g basis and in terms of an average serving. In addition to the mandatory nutrient declarations NIP are also required to carry additional data for any substance for which a nutrition claim is made. During the 2-year transition period to December 2002 ANZFA will be working with industry, enforcement agencies and consumers to help to ensure that there is a smooth transition to the Joint Food Standards Code.

Key words: Australia, food standards, labelling, New Zealand, nutrition.

Australia New Zealand Food Authority

Australia New Zealand Food Authority (ANZFA) is a bi-national government agency forming a partnership between all of Australia's States and Territories and the New Zealand government. Strategic direction for ANZFA is set by the ANZFA Board and the organization employs scientific, legal policy, communication and administrative staff in the Australia and New Zealand offices.

Australia New Zealand Food Authority's predecessor, the National Food Authority was formed in 1991 to develop food standards for Australia. Prior to that time each of the States

and Territories had developed their own food standards. Australia is a federation of States and we have a tiered system of government, the Commonwealth at the federal level, eight individual States and Territories and also local governments.

The 1991 Commonwealth legislation was intended to

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consolidate responsibility for developing food standards in one specialist agency and to ensure the uniformity of Standards across all States and Territories in Australia. This was extended to New Zealand in 1995 when we became a bi-national agency following the signing of an agreement between Australia and New Zealand to develop joint food standards for both countries. The purpose of this was to harmonize food standards between the two countries, reduce compliance costs for industry and to help to remove regulatory barriers to trade.

How we work

There are currently three formal mechanisms through which Australia's States and Territories and the New Zealand government come together to ensure that all member governments are involved in ANZFA's processes. These are the: Health Ministers as members of the Ministerial Council (this is the food standards decision making body); senior health officials through ANZFA's Advisory Council; and representation on the ANZFA Board which sets the strategic direction for the organization.

Food regulations are developed by ANZFA and the States and Territories are responsible for enforcement in Australia. In New Zealand this is the responsibility of the Ministry of Health.

Australia New Zealand Food Authority's role

The role of ANZFA in relation to the development and variation of food regulatory measures is to protect the public health and safety of people in Australia and New Zealand through the maintenance of a safe food supply. Australia New Zealand Food Authority also has other important roles in ensuring that food regulatory measures facilitate the provision of adequate information for consumers to make informed choices and that consumers are protected from misleading and deceptive conduct.

Australia New Zealand Food Authority also has a role in food recalls and some monitoring and survey activities that relate to food regulation.

The Joint Food Standards Code

After more than 6 years' work Australia and New Zealand are among the first countries in the world to totally review our food standards and bring them up-to-date with modern science. This is the first time that a bi-national Code has been developed. Many of the Standards in the Joint Code have been aligned with international standards.

The Joint Code was approved by the Ministerial Council in November 2000 following many rounds of public consultation. It has had extensive input from government agencies, industry and consumers. In drafting the Joint Code our emphasis has been on making decisions based on sound science and the most up-to-date information available. However we have also recognized the need for standards to be practical in not imposing unnecessary costs on food manufacturers with an inevitable flow on effect to consumer prices.

The Joint Code will replace the previous Australian Food Standards Code and the New Zealand Food Regulations. We have now moved into a 2-year transition period to the Joint Code. During this time manufacturers will be able to choose whether to comply with the Joint Code or the previous codes for each country, but not a combination of these. Following the 2-year transition period the Joint Code will come into effect and the previous codes will be repealed.

Features of the Joint Code

The Joint Code reflects changing consumer demands for a greater variety of foods, provides more information on food labels and caters to the needs of industry in developing innovative food products

Within the Joint Code there are a number of Standards which relate specifically to labelling. These cover:

- Warning and advisory statements
- Ingredient lists
- Date marking
- Directions for use and storage
- Nutrition information
- Legibility requirements
- Percentage labelling

Description of the product

Suppliers must present foods honestly, so for example strawberry yoghurt must contain strawberries.

Ingredients list

Ingredients must be listed by in-going weight – this is the same as the requirements in the previous Australian Code. However, there are new requirements for listing characterizing ingredients as a percentage of the final product. So for example, for strawberry yoghurt the amount of strawberries must be declared as a percentage of the total product.

Nutrition information

This is discussed in more detail below.

Food additives

Additives must be identified by their internationally recognized food additive number.

Batch number and manufacturer's or importers address

In the unlikely event of a food recall it is important that the products batch number and the manufacturer or importer's address is available. This protects consumers by making identification and notification processes more efficient.

Date marking

Most foods must bear a 'best before date' and a batch number. Where health and safety is a factor in storage and use foods must carry a 'use by date'.

Legibility requirements

The Joint Code requires labels to be legible, prominent and in English and distinct from the background. Warning statements must be printed in type which is at least 3 mm high.

Labelling: the challenges

A range of matters was taken into consideration in relation to labelling during the development of the Joint code. These included:

- Consumer right/need to know
- Costs to industry
- Benefits versus costs
- Voluntary versus mandatory
- Role of label versus other forms of information
- Enforcement issues
- Exemptions

Consumer right/need to know

Many people (over 60%) claim that they have to take account of special health or dietary needs when shopping. Consumers also need information to enable them to make informed choices for example in comparing products when shopping.

Costs to industry

There are a number of implications for industry in the regulation of food labelling. For example changes may be required in label design and lay out and time is needed to make such changes. There may also be a need for the analysis of products in order to determine their composition to comply with labelling requirements.

Benefits versus costs

There is often a lack of quantitative and/or economic data to demonstrate the anticipated benefits of mandatory labelling changes. Also benefits may not solely derive from information on the labelling but from other sources such as supporting educational activities or changes made in product composition.

Voluntary versus mandatory

The choice between voluntary and mandatory labelling requirements relates to a number of factors. The protection of

public health and safety is of prime concern. For example, it is compulsory to declare the presence of peanuts, a known allergen, in foods. There are also other considerations including the need to ensure that consumers have enough information to make informed choices and that overall the benefits of labelling outweigh the costs.

Role of the label versus other forms of information

We need to consider the question, 'is labelling the best way of conveying this information to the consumer?' Space on labels is generally limited and many different types of information need to be displayed, some of which is quite complex. Information on labels should act as a trigger for consumers.

Nutrition labelling

In the development of the Joint Code a number of particular questions needed to be addressed in relation to nutrition labelling. These included:

- Which nutrients should be included?
- In what format should they be presented?
- On which products should they appear?

One of the most visible features of the Joint Code is the requirement for most packaged foods to have a mandatory nutrition information panel (NIP, see Figure 1). For the majority of foods the label is the first and only source of information regarding the nutritional content of food purchased. Mandatory nutrition labelling will ensure that consumers are provided with key nutritional information about foods. This provides an important tool for nutrition education, information being an essential component of the public health effort to prevent and manage diet related conditions such as obesity, cardiovascular disease and diabetes.

Previously NIP were only required on special purpose foods or foods which made nutrition claims, such as 'low salt' or 'reduced fat'. However, under previous arrangements many manufacturers did choose to provide this information

NUTRITION INFORMATION		
Servings per package: (insert number of servings)		
Servicing size: g (or mL or other units as appropriate)		
	Average Quantity per Serving	Average Quantity per 100 g (or 100 mL)
Energy	kJ (Cal)	kJ (Cal)
Protein	g	g
Fat, total	g	g
– saturated	g	g
Carbohydrate	g	g
– sugars	g	g
Sodium	mg (mmol)	mg (mmol)

Figure 1. An example of a nutritional information panel.

on a voluntary basis in recognition of the fact that consumers are interested in this information.

Under the Joint Code it will be compulsory for most packaged foods to bear a nutrition information panel. The panels will display information about:

- Energy
- Protein
- Fat, total saturated fat
- Carbohydrate, sugars
- Sodium

Produce such as fruit and vegetables, and some other foods such as spices, tea and coffee will be exempt.

All products will be required to provide information on nutrients in terms of both an average serving and on a per 100 g basis (Figure 1). The serving size is not prescribed but should reflect a realistic portion of the food that a person might normally consume. The word 'slice', 'pack' or 'package' may be used to represent a serving. For example one slice of bread (30 g) may be used to represent a serving.

A third voluntary column may also be added in terms of 'percentage of daily intake' (%DI). This is intended to assist consumers in understanding the relationship between the nutrient content in a serving of the product and targeted intakes of particular nutrients. The percentage DI values are based on a single set of 'average adult' reference values.

The new changes will give consumers more nutritional information to allow them to compare products, making it easier for them to choose an appropriate balance of nutritious foods and a healthy diet.

Nutrition claims

If a nutrition claim is made a quantified declaration of the claimed substance must be included in the NIP in addition to the seven mandatory nutrients noted above.

A nutrition claim relates to the function, presence or absence of a nutrient in a food. It includes references to, for example, energy or carbohydrate, sugars and starch. The definition of nutrition claim has been expanded in the Joint Code to include biologically active substances. This refers to substances other than traditionally recognized nutrients. This term has been introduced to ensure that substances such as phytoestrogens are included in the nutrition labelling requirements and will trigger a declaration in the NIP. These may be either naturally occurring or added to foods.

Examples of nutrition claims are:

- good source of calcium
- high in dietary fibre
- contains less cholesterol
- reduced salt

When a nutrition claim is made the NIP must include the seven mandatory nutrients as well as the claimed nutrient.

Small packages

Small packages are exempt from nutrition labelling requirements unless a nutrition claim is made. Under these circumstances the minimum requirement is for the average quantity of the claimed nutrient per 100 g to be shown on the label.

For example, a small package which states that 'This product is high in calcium' must state the amount of calcium per 100 g on the label.

Other exemptions

Some foods have been exempted from the requirement to bear a label. There are those foods where labelling presents practical difficulties such as those in small packages or take-away meals such as pizza which will vary in terms of their nutrient content.

Foods exempt from bearing a label include:

- unpackaged foods
- foods made or packed on the premises
- foods in inner packages
- those packaged in the presence of the purchaser
- whole fruit and vegetables
- take-away foods

In addition to those foods that are exempt from bearing a label there is a further group of foods that are exempt from carrying an NIP unless a nutrition claim is made. These are:

- foods sold at fundraising events
- alcoholic beverages
- herbs, spices, water
- vinegar
- salt
- tea and coffee
- food additives and processing aids
- single ingredient foods such as fruit, vegetables, meat and fish
- food in small packages

However when a nutrition claim is made these exemptions no longer apply and an NIP must be provided.

Health claims

Consumers are becoming increasingly interested in the role of foods in reducing their risk of disease. While they can obtain a lot of information about supplements, similar claims are prohibited on food. Current regulations in Australia and New Zealand prohibit:

- therapeutic or prophylactic claims about foods
- the mention of any disease or physiological condition
- the word 'health' as part of the name of a food
- advice of a medical nature.

ANZFA is currently conducting a review of the current regulations in relation to health claims to ensure that:

- the legislation is clear and enforceable; and;
- to determine whether the current prohibition on health claims in Australia and New Zealand should be lifted and if so under what policy framework should health claims be allowed to exist.

Implementation of the Joint Code

During the 2-year transition period to December 2002 ANZFA will be working with industry, enforcement agencies and consumers to help to ensure that there is a smooth transition to the Joint Food Standards Code. In recognition of the need to ensure clear and effective communication a

special Information Unit has been established to oversee this task.

We have established a hotline and helpdesk to answer detailed questions regarding the Joint Code. This can be accessed by either telephone, via the website at www.anzfa.gov.au or by email. We have also developed a series of user guides for industry which include examples and case studies. These are available on our website. In addition we are putting together a list of responses to frequently asked questions which will be available on the ANZFA website.

We are also developing training packages and conducting seminars for small businesses.

Consumer information

A range of resource materials will be developed to inform consumers regarding the changes in food labelling under the Joint Code. Options currently being considered include

the production of posters and information leaflets to be made available at retail outlets as well as use of the media for example through the placing of short articles or advertisements in magazines and newspapers. We are also considering the provision of information to consumers through health professionals and how we can provide resource packages for this.

Monitoring

Australia New Zealand Food Authority will be conducting a range of monitoring and evaluation activities to assess the effectiveness of the provisions in the Joint Code in relation to labelling. These will include an assessment of the impact of the changes on consumers such as level of understanding and usefulness and whether or not behaviour has changed. An assessment will also be made of the costs and benefits to industry and enforcement agencies due to the introduction of the new Standards.