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Re: Consultation Paper – Labelling Review Recommendation 17: Per serving declarations in the nutrition information panel

Please find SPC's submission related to Labelling Review 17.

Q1. How do you or your organisation use per serving information in the nutrition information panel on food labels?

SPC uses serving information to communicate to consumers nutritional input information. SPC and its associated brands offer nutritionally superior products for both main meals and snacks. We seek a regulatory framework that better communicates the nutritional benefits of processed fruit and vegetables relative to less healthful snack options.

Q2. Are there any particular food categories or types of food packages (e.g. single serve packages) for which per serving information is particularly useful? If so, what are they? Explain why the information is useful.

SPC is increasingly offering single serve portion controlled options in the range 120 – 170g. In the future some options may include less than 100g. With an increasing focus on single serve, we are committed to providing clear nutritional information that helps consumers differentiate between our own range of fruit products and competitors.

SPC understands the recommendation to make per serve data voluntary for multiserve packs. That is because there is ambiguity on what represents a serve. If there was harmonisation between NZ and Australian dietary guidelines on what represented a serve (for categories like fruit), then we might take an opposing view. But the two countries are not harmonised.

SPC does not support making 'serve portion data' voluntary for single serve portion products. We sell many 120 or 170 g portions. We are concerned competitors may show snack products with NIPs only at 100 g. Consumers may misidentify a 120g product with only 100g data as having lower energy than a 120g product than includes energy data for 120g. This concern relates not just for other fruit snacks made by competitors, but particularly all less-healthy snacks >100g (that SPC competes with).

Q3. The Labelling Review recommendation suggests that per serving information be voluntary unless a daily intake claim is made.

Do you support this approach? That is, do you think declaration of per serving information in the nutrition information panel should be mandatory if a daily intake claim is made (e.g. %DI or %RDI)? Give reasons for your answer.

It makes sense to include serve information where %DI or %RDI information is included. Daily intake claims are inseparable from serve sizes for someone seeking to plan their diet.

Q4. As noted in Section 4, there is currently variation in the format of NIPs on food labels because of voluntary permissions for the use of %DI labelling and the option to include a third column for foods intended to be prepared or consumed with at least one other food. If per serving information in the NIP was voluntary this would result in more variability in the format of NIPs across the food supply. Do you think this would be a problem? Why/why not?

Further variability in format would not represent a problem. As noted, there already is variability in NIP formats. SPC does not field many customer complaints on this matter.

Q5. If per serving information in the nutrition information panel was voluntary, do you think the inclusion of per serving information in the nutrition information panel should be mandatory when a nutrition content claim about vitamins, minerals, protein, omega-3-fatty acids or dietary fibre is made?

Yes.

Give reasons for your answer.

These claims are explicitly linked to serve size in Section 1.2.7 of the Standard. It is difficult enough now with some competitor companies being injudicious with rounding (to meet the per serve criteria for, say, a fibre claim in canned fruit). Let's not remove transparency around understanding claims with a per serve criteria.

Q6. If per serving information in the nutrition information panel was voluntary, do you think the inclusion of per serving information in the NIP should be mandatory in any other specific regulatory situations? Explain your answer

Per serve information should be mandatory for portion controlled products that are designed as single serve snack or meal options. This is because customers compare single serve offers and there can no argument over what represents a serve size for these types of products.

Q7. What additional studies examine consumer use and understanding of per serving information in the nutrition information panel on food labels? Please provide a copy of studies where possible.

NA

Q8. From your perspective, what are the advantages and disadvantages of per serving information in the nutrition information panel being voluntary? Please provide evidence where possible.

Advantages of voluntary:

- For multiserve formats, voluntary per serve data removes the argument about what represents a realistic serve size.
- It frees up space on labels for other communications (including claims).

Disadvantages of voluntary:

- It would make per serve-based nutritional claims less transparent.
- For single serve products (including snacks) it would make the comparison of snack products more difficult for consumers... and in some cases allow for manipulation of consumers with less mathematical skill.

Q9. Do you think the declaration of the amount of energy and nutrients per serving in the NIP should be voluntary? YES/NO/UNCERTAIN

On multiserve packs: UNCERTAIN

On single serve packs: NO

Conclusion

SPC is indifferent to the removal of per serve NIP data from multiserve packs unless the data is linked to a per-serve based nutritional claim (which requires per serve data to be shown).

SPC is against the voluntary removal of per serve NIP data from packs designed purposefully for a single serve snack or meal application.

SPC registers concern that making data/serve voluntary could allow some manufacturers with single serve products over 100g to advertently or inadvertently mislead mathematically-challenged customers.

Yours faithfully

A black rectangular box redacting the signature of the Head of R&D.

Head of R&D

SPC