



Submission to Food Standards Australia New Zealand on Proposal P1059 Energy labelling on alcoholic beverage

Cancer Council Australia

20 March 2023



Overview

Cancer Council is Australia's peak non-Government cancer control organisation. As the national body in a federation of eight state and territory member organisations, Cancer Council Australia works to make a lasting impact on cancer outcomes by: shaping and influencing policy and practice across the cancer control continuum; developing and disseminating evidence-based cancer information; convening and collaborating with cross sectorial stakeholders and consumers to set priorities; and speaking as a trusted voice on cancer control in Australia.

Cancer Council Australia acknowledges the traditional custodians of the lands on which we live and work. We pay respect to Aboriginal and Torres Strait Islander elders past, present and emerging and extend that respect to all other Aboriginal and Torres Strait Islander people.

This submission has been prepared by the Cancer Council Nutrition, Alcohol and Physical Activity Committee ([REDACTED]).

This submission was authorised by:

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Summary

Alcohol is a class 1 carcinogen and causes cancers of the bowel, breast, liver, mouth, throat (pharynx and larynx), oesophagus and stomach.¹ Alcohol use was associated with close to 3,500 cancer cases in Australia in 2013.² More than a quarter of Australian adults drink alcohol at levels that put them at risk of harm from alcohol-related disease or injury, and this is as high as one-third in some population groups (such as males).³ Additionally, nearly half the NSW population are not aware of the link between alcohol and cancer risk.⁴

The introduction of energy labelling on alcohol products has the potential to improve community awareness of the harms associated with alcohol. Placing this information on alcoholic drink containers targets the appropriate audience (the person drinking alcohol) at an appropriate time (when purchasing and using the product). Further, the introduction of energy labels on alcohol containers presents an opportunity to increase the public's knowledge and awareness of the impact of alcohol products on diets and health.

Cancer Council appreciates the opportunity to participate in responding to proposal P1059 Energy labelling on alcoholic beverages and welcomes FSANZ's continued consideration of this important matter. Cancer Council has worked in collaboration with public health organisations such as the Foundation for Alcohol Research and Evaluation, Alcohol Change Australia, the Public Health Association of Australia and The George Institute to consider our evidence-based recommendations that would enable consumers to have access to kilojoule information about alcohol products while avoiding any unintended consequences (e.g. misinterpretation or consumer confusion) that may contribute to alcohol related harms.

This submission reiterates our position that we have expressed in previous submission and consultation processes. We strongly support FSANZ's proposal to introduce standardised, mandatory energy (kilojoule) labelling on alcohol products, and broadly support other recommendations in the proposal. However, there are several issues relating to the presentation of the energy information and exemptions to energy labelling that we feel should be addressed. To strengthen the regulation and to ensure it better meets FSANZ's objectives, we strongly recommend the following:

Recommendation 1: Energy content is presented as kilojoules per 100 millilitres on all alcohol labels.

Recommendation 2: Serving sizes on alcohol labels must not be determined by alcohol producers.

Recommendation 3: In considering the format of energy labelling and the quantities/measures required in the energy information panel, comprehensive consumer testing of the impact of the format of alcohol labelling on consumer knowledge, energy intake and alcohol should be conducted by FSANZ prior to deciding on the most appropriate format. The research should consider whether energy per container for beverages consumed in a single sitting is useful in addition to per 100mL, and to identify whether any aspects of energy labelling format create potential unintended negative consequences such as excess consumption. For more information, see the example below of Riot Rose Spritz.

Recommendation 4: Percentage daily intake (%DI) labelling must not be permitted on alcohol labels.

Recommendation 5: All alcohol retailers, including venues where alcohol is made and packaged and when alcohol is delivered packaged, and ready for consumption, are required to list energy values on labels, to ensure that all alcohol drinkers have access to energy information at both the point of purchase and the point of consumption.

Recommendation 6: Online alcohol sellers should provide energy information on purchasing websites, to ensure consumers have that information at the point of sale.

Recommendation 7: Energy labelling be required on all layers of packaging, to allow consumers to use this information every time they drink the product.

Recommendation 8: Include nutrition content claims on energy under the scope of Proposal 1049 Carbohydrate and sugar claims on alcoholic beverages.

Recommendation 9: Alcohol-related harms and other potential benefits associated with reduced alcohol use (e.g. reductions in alcohol-related chronic disease) are considered in cost and benefit assessment for energy labelling.

Response to specific issues

Section 5.2 - Consistency of energy information

Cancer Council strongly supports a prescribed, standardised format in the *Food Standards Code*. This will align alcoholic products with other foods and beverages.

Section 5.3 - Format for energy labelling

Cancer Council strongly supports FSANZ's proposal that standardised energy labelling be introduced on alcohol product labels on a mandatory basis. This will ensure customers have access to the information to allow comparison of products at the point-of-sale, helping to facilitate healthier and better-informed choices. Further, this will provide a 'level playing field' to ensure the entire industry is subject to the same requirements.

Recent examples of pregnancy warning labels on alcohol and Health Star Ratings (HSR) on grocery items have demonstrated that labelling initiatives implemented on a voluntary basis are not successful. Pregnancy warning labels were introduced as a voluntary industry initiative in 2011.⁵ Following two independent evaluations showing the industry had not implemented the voluntary labels, Australia and New Zealand Ministerial Forum on Food Regulation requested FSANZ to develop standardised, mandatory pregnancy warning labels in 2018.⁵ Analysis five years post-implementation of the voluntary HSR labelling found that only 40.7% of eligible products carried HSR labels.⁶ These examples illustrate why a mandatory approach is appropriate.

Further, we support the presentation of energy labelling in a standard tabular format, with the heading 'energy information'. We also support the inclusion of energy values per 100mL of the product. This allows comparison across all types of alcohol (and non-alcoholic beverages) and is consistent with the requirements for food labels.⁷

However, there are aspects of the recommendations from this section that we do not support. Specifically, we do not support the inclusion of energy per serving, as defined by industry on a product-by-product basis.

Research has shown that alcohol serving size has a causal effect on how much people drink; that is, the larger the serving size, the more people drink.⁸ This is particularly the case for wine.⁹ We are concerned that allowing industry to determine their own serving size may result in inflated serving sizes. Further, differing serving sizes between products in the same category (such as wine) limits the comparability between products and may cause confusion among consumers. Finally, we are concerned that containers where consumers typically drink the whole container in one sitting (for example, a pre-mix bottle or can of beer) may have industry-defined serving sizes of more than one serve. This is inconsistent with what would actually be consumed and may result in an appearance of lower energy content and higher consumption of energy than what consumers might assume. An example of this that

is currently in-market is 'Riot Rose Spritz' (see Figure 1). Riot Rose Spritz comes in a 250mL can. However, their marketing claims state '...only 78 calories and 3.6g sugar per 150mL serve'.

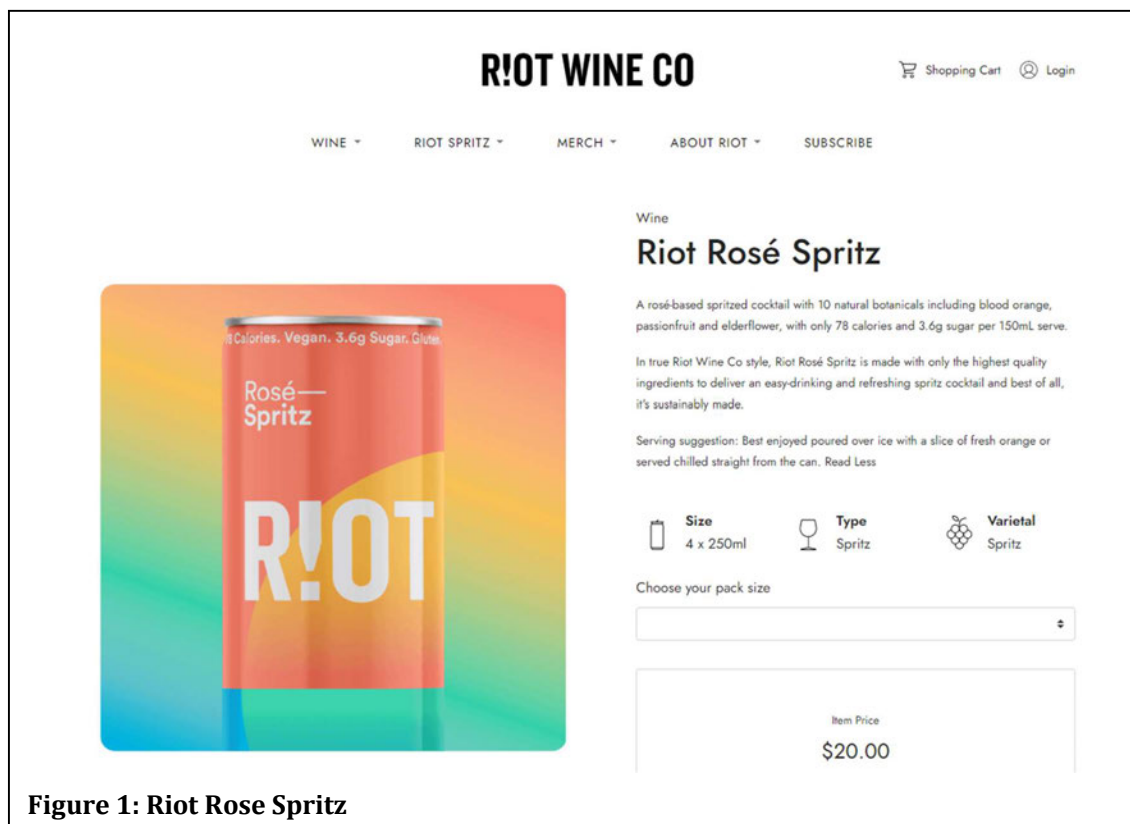


Figure 1: Riot Rose Spritz

Alcohol labels already contain standard drink information per container,¹⁰ not per serving. We are concerned that the format proposed by FSANZ will be confusing for consumers as they will be presented with various information; some per 100mL, some per serving and others per container. Presenting energy labelling per container rather than per serving may help to reduce potential confusion.

Considering these issues, we strongly recommend that FSANZ undertake thorough consumer testing of the most appropriate format options. Specifically, consumer research needs to be undertaken on how energy information presented as per 100mL, per container and per standard drink for a range of products and container sizes, impacts on consumer knowledge, energy intake and alcohol use.

Recommendations

Recommendation 1: Energy content is presented as kilojoules per 100mL on all alcohol labels.

Recommendation 2: Serving sizes on alcohol labels should not be determined by alcohol producers.

Recommendation 3: In considering the format of energy labelling and the quantities/measures required in the energy information panel, comprehensive consumer testing of the impact of the format of alcohol labelling on consumer knowledge, energy intake and alcohol should be conducted by FSANZ prior to deciding on the most appropriate format. The research should consider whether energy per container for beverages consumed in a single sitting is useful in addition to per 100mL, and to identify whether

any aspects of energy labelling format create potential unintended negative consequences such as excess consumption.

We do not support the inclusion of percentage daily intake (%DI) of average energy content being permitted on alcohol containers. Currently, food and non-alcoholic beverages carrying %DI labelling triggers the requirement to also carry a full nutrition information panel.⁷ We strongly oppose full nutrition information panels appearing on alcohol labels.

Research has shown %DI labelling to be ineffective in facilitating healthier food choices.¹² Further, alcohol is considered a discretionary food¹³ and therefore, not necessary in a balanced diet. Permitting %DI labelling on alcohol labels risks normalising alcohol products and implying that alcohol can be used to achieve nutrient intake when it alcohol use increases cancer risk. This is at odds with public health efforts to reduce alcohol use.

Recommendation

Recommendation 4: Percentage daily intake (%DI) labelling is not permitted on alcohol labels.

Section 5.4 – Options for implementation

Cancer Council strongly supports the mandatory approach proposed by FSANZ, and we note this was also supported by other public health groups and larger alcohol producers. We agree that this will ensure greater coverage and consistency for consumers to facilitate more informed choices.

Section 5.5 – Application of energy labelling

Cancer Council is concerned that certain types of alcohol products and businesses will be exempt from mandatory energy labelling, in particular where alcohol is made and packaged and when alcohol is delivered packaged, and ready for consumption, at the express order of the purchaser. This means that customers of these businesses will not have access to energy labels at either the point of sale or the point of consumption.

A report for Wine Australia found that 39% of wine drinkers purchased wine from cellar doors in 2020.¹⁴ Exempting sales through these venues will mean that a significant number of consumers will not be able to access energy information when making purchasing decisions. Further, industry reports show that online sales of alcohol are continuing to increase.¹⁵ Should this trend continue, increasing number of customers will not have access to energy labelling if online retailers are excluded. Therefore, it is imperative that all types of alcohol sales are required to list energy contents on the labels.

Given the increase in online sales, energy information should be provided on alcohol ordering websites. This will ensure that purchasers have access to this information at their point of purchase.

Recommendation

Recommendation 5: All alcohol retailers, including venues where alcohol is made and packaged and when alcohol is delivered packaged, and ready for consumption, are required to list energy values on labels, to ensure that all alcohol drinkers have access to energy information at both the point of purchase and the point of consumption.

Recommendation 6: Online alcohol sellers should be required to provide energy information on purchasing websites, to ensure consumers have that information at the point of sale.

We are concerned about the application of energy labelling requirements on products with more than one layer of packaging such as a bottle of spirits inside a box, and products with individual containers intended to be used separately such as multipacks. These products are often purchased and consumed over multiple sittings. Should the outermost package be discarded, consumers will not have access to the energy information at subsequent consumption opportunities. Another issue is that ready-to-drink products, such as beer or pre-mixed drinks, can be purchased both in a multipack and separately at bottle shops. Requiring the labelling only on one layer of packaging reduces the opportunity for consumers to use the energy labelling.

Recommendation

Recommendation 7: Energy labelling be required on all layers of packaging, to allow consumers to use this information every time they drink the product.

Section 5.6 – Other considerations

Nutrition content claims about energy are currently permitted on alcohol products, providing they meet compositional limits set in Standard 1.2.7.¹⁶ We understand that FSANZ is not seeking to change the provisions for making energy nutrition content claims on alcohol.

Systematic reviews on the influence of nutrition content claims have shown that they influence purchasing decisions, with consumers often evaluating products with claims as more healthy than they actually are.^{17, 18} Further, nutrition content claims may also make an ‘appropriate’ portion size appear larger and lead to consumers underestimating energy contents of foods.¹⁷ This is especially problematic for alcoholic beverages, as drinking larger serves can be detrimental in the short-term (such as driving) and for long-term health (such as increased cancer risk).

Regardless of energy content, **alcohol is a harmful product**. Due to the potential for these claims to encourage increased use of alcohol, we urge FSANZ to include energy content claims under the scope of Proposal 1049 Carbohydrate and sugar claims on alcoholic beverages.

Recommendation

Recommendation 8: Include nutrition content claims on energy under the scope of Proposal 1049 Carbohydrate and sugar claims on alcoholic beverages.

Section 5.9 – FSANZ Act assessment requirements

Attachment E of the call for submissions sets out FSANZ’s consideration of the costs and benefits of implementing energy labelling on alcohol labels. This report has only considered the costs and benefits associated with overweight and obesity in Australia. However, a large proportion of the burden of alcohol-related disease, accidents, violence and injuries are external to overweight and obesity.¹⁹ Additionally, an experimental study found that the presence of energy labelling on alcohol led to

intentions to drink less.²⁰ Therefore, there is likely a much greater benefit to implementing energy labelling on alcohol products than what has been calculated in the report.

Recommendation

Recommendation 9: Alcohol-related harms and other potential benefits associated with reduced alcohol use (e.g. reductions in alcohol-related chronic disease) are considered in cost and benefit assessment for energy labelling.

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