



Public Health Association of Australia Submission on FSANZ Proposal P1059 Energy Labelling on Alcoholic Beverages

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Preamble

The Public Health Association of Australia

The Public Health Association of Australia (PHAA) is recognised as the principal non-government organisation for public health in Australia working to promote the health and well-being of all Australians. It is the pre-eminent voice for the public's health in Australia.

The PHAA works to ensure that the public's health is improved through sustained and determined efforts of the Board, the National Office, the State and Territory Branches, the Special Interest Groups and members.

The efforts of the PHAA are enhanced by our vision for a healthy Australia and by engaging with like-minded stakeholders in order to build coalitions of interest that influence public opinion, the media, political parties and governments.

Health is a human right, a vital resource for everyday life, and key factor in sustainability. Health equity and inequity do not exist in isolation from the conditions that underpin people's health. The health status of all people is impacted by the social, cultural, political, environmental and economic determinants of health. Specific focus on these determinants is necessary to reduce the unfair and unjust effects of conditions of living that cause poor health and disease. These determinants underpin the strategic direction of the Association.

All members of the Association are committed to better health outcomes based on these principles.

Vision for a healthy population

A healthy region, a healthy nation, healthy people: living in an equitable society underpinned by a well-functioning ecosystem and a healthy environment, improving and promoting health for all.

The reduction of social and health inequities should be an over-arching goal of national policy and recognised as a key measure of our progress as a society. All public health activities and related government policy should be directed towards reducing social and health inequity nationally and, where possible, internationally.

Mission for the Public Health Association of Australia

As the leading national peak body for public health representation and advocacy, to drive better health outcomes through increased knowledge, better access and equity, evidence informed policy and effective population-based practice in public health.



Executive Summary

PHAA welcomes the opportunity to provide input to the consultation on Food Standards Australia New Zealand's (FSANZ) proposal P1059 to provide energy labelling information on alcoholic beverages. PHAA supports the proposal of standardised, mandated, evidence-informed energy labels on alcoholic products to support Australians to make informed decisions.

For energy labelling to be effective, we believe that energy labelling must be consistent and clear, be the most likely to secure positive health outcomes both in dietary choices and alcohol harm reduction, have strong implementation measures, and be free of direct industry influence.

As an organisation that has interest in both alcohol harm reduction measures and overweight and obesity prevention, our recommendations and what we support must create beneficial outcomes for both issues.

Our recommendations:

1. Energy labels on alcoholic beverages should be standardised and mandated.

- No exceptions for producers, retailers, or packaging formats.
- All measurement in kilojoules
- Standard drinks information remains separated
- No further nutritional information on the label and no nutritional claims.
- labelling on both inner and outer packaging is required

2. Kilojoules per 100ml is strongly supported and kilojoules per container is likely the better measurement option compared to per serve.

- Per container on beverages likely to be consumed in one sitting is likely to be the best option out of the proposed. Review the per container outcomes after three years.
- Strong rejection of the term "per serve"
- Consumer research is required to understand intended and unintended regulatory outcomes

3. Energy labels on alcoholic products should not be determined by producers.

- FSANZ must create the energy information panel without the influence of industry
- Transition period should be maximum 1-2 years.

Please do not hesitate to contact PHAA should you require additional information or have any queries in relation to this submission.

PHAA Response to FSANZ Proposal P1059

Energy labels on alcoholic beverages should be standardised and mandated.

Mandatory labelling

We firmly agree with the FSANZ proposal for mandatory energy labelling on alcohol, as this will ensure greater coverage and consistency of information for consumers. The mandatory element is essential.

Previously, we have seen co-regulatory and voluntary measures fail to reduce the harm caused by alcohol, with the obvious example being the implementation of voluntary pregnancy health warning labels. The recent change to mandatory pregnancy warning labels means that the 23% of Australians who aren't aware of the risks of alcohol to unborn babies⁽¹⁾ can access this information any time they pick up a packaged alcoholic beverage. In a similar way, FSANZ identified that consumers have a poor understanding that alcohol is the main source of energy in most alcoholic beverages. Ensuring this label is mandatory will enable consumers to grow that understanding and make informed decisions.

We recommend that mandatory energy labelling must also apply to alcoholic products made and packaged on the premise from which it is sold (e.g., wineries, breweries, distilleries) or for alcoholic products that are delivered packaged and ready for consumption (e.g., orders delivered to consumers by a liquor retailer). There should be no exceptions for producers or retailers, nor should there be exceptions for different packaging formats if FSANZ wants to achieve consistent and comparable information for consumers.

Many Australians are now ordering alcohol online and straight from producers. The Foundation for Alcohol Research and Education's 2020 Annual Alcohol Poll⁽²⁾ of the Australian community found that over 39% of Australians who drank alcohol in the past year ordered alcoholic products for home delivery from online bottle shops and similarly, 39% ordered from wine distributors.⁽²⁾ Energy labelling must be mandatory to ensure the large portion of consumers purchasing alcohol online are given the opportunity to know the energy content of the beverages.

Recommendation: *Energy labelling for alcohol products must be mandatory on every beverage, without exception of producers, retailers, or packaging formats.*

Standardised labelling

We support the presentation of energy information in the form of a standardised truncated nutrition information panel which presents the energy content of an alcoholic product in kilojoules. Information about the energy content of alcoholic products must be presented in a standardised way to enable recognition as non-marketing information. Similarly, the standard drinks information **must** stay separate from the energy information panel to ensure salience. Labelling on both inner and outer packaging is required to be consistent with the approach for pregnancy warning labels (Standard 2.7.1—8 of the [Food Standards Code](#)), which requires labelling on both outer packaging and individual units (e.g. individual cans/bottles).

We also recommend no voluntary inclusion of other nutrition information in the energy information panel. We stress that alcoholic beverages are not a nutritious beverage. Although a beverage may be low in carbohydrates and sugar, it can still be high in energy and contribute to overweight and obesity. This is not a simple message for consumers to understand on the back of a bottle, therefore confusing additions to the energy information panel must not be permitted.

Similarly, we strongly urge FSANZ to disallow any nutritional claims on alcoholic beverages. Nutritional claims have been used as a marketing tool and can influence consumer choices.(3) Adding nutritional claims about energy, sugar or carbohydrates may mislead consumers into thinking the beverage is healthy.(4,5) There is no safe level of alcohol use. FSANZ must ensure customers are correctly informed by the evidence we have, not by marketing techniques.

Recommendation: *Labelling formatting must be standard across all beverages and include measurement in kilojoules, be presented in a table separate from standard drinks information, have no further nutritional information, make no nutritional claims, and be present on inner and outer packaging.*

Communicating energy content to consumers

Per 100ml

PHAA supports FSANZ's proposal that one of the energy information panels should display the standard measurement of kilojoules per 100ml on every beverage. This will allow consumers to make direct comparisons across different **alcoholic** and **non-alcoholic** products. The aim being to inform consumers about the high energy content of alcohol and either deter the consumer from drinking alcohol or at least provide them with the information required to choose an option with a lower energy content. Ideally this would reduce rates of overweight and obesity and alcohol harm.

Recommendation: *Labelling should display **per 100ml** on every alcoholic beverage and **per container** on every beverage likely to be consumed by a single consumer in a single setting. This must be reviewed after three years of full implementation.*

Per serve versus per container

We fervently disagree with the proposal to show "per serve" on the energy information panel. Per serve suggests that there is an acceptable serving of alcohol, but evidence shows there is no safe level of alcohol consumption. The risk of harm to health increases with increasing use; the less a person drinks, the lower their risk of harm from alcohol.(6)

Additionally, there is a risk that per serve may be used by industry groups (to whom health is not the main priority) to minimise concerns of the contribution to overweight, obesity and alcohol harm that energy causes. Allowing industry to engineer the term "serve" to suit their intentions diminishes the trustworthiness of the label and decreases its utility as a potentially helpful tool for people to make purchasing judgements.

Research also suggests that current per serve measurements can be confusing. Consumers may assume that the entire container is one serve, when often that is not the case.(7) Labels must be consistent and easy to comprehend. Per serve can be a misleading term and defeats FSANZ's goal of having informed consumers.

FSANZ reviewed other measurements including per container and per standard drink. Of the options, PHAA prefers the per container measurement, however, we also call for further consumer research. In nutrition studies, the per container method shows that participants are better able to determine calorie content when per container is on the label, compared to when per serving is used, in which case the participants underestimated calorie content.(7)

Studies concerning alcohol harm reduction outcomes are yet to be conducted specifically on energy per container, per standard drink or per serve. We encourage FSANZ to conduct consumer research into the outcomes of both alcohol harm reduction and overweight and obesity reduction.

However, we understand the importance of this decision and do not want it to be delayed. Therefore, considering positive evidence supporting the per container measurement, we would prefer FSANZ use this method and review the dietary and alcohol outcomes after three years. Per container should be considered as a container likely to be opened and consumed by a single consumer in a single setting.

Labels must be easy to read, understand, and be easy for consumers to use to make a decision based on the label's information.

Recommendation: *Labelling should display **per 100ml** on every alcoholic beverage and **per container** on every beverage likely to be consumed by a single consumer in a single setting. This must be reviewed after three years of full implementation.*

Recommendation: *Further consumer research is required to understand the overweight and obesity prevention outcomes and the alcohol harm reduction outcomes, to identify the most effective and healthful way to communicate energy content.*

Information on energy labels should not be determined by industry

Industry deciding on serving sizes

FSANZ is proposing that kilojoules should be measured as per 100ml and per serve, with the serving size being determined by the alcohol industry. PHAA strongly opposes industry specified serving sizes.

The World Health Organization (WHO) highlights that food industry involvement in policy development and monitoring may lead to conflicts of interest, particularly between private interests (e.g., sales growth, profit) and public health goals.⁽⁸⁾ Negative outcomes include hindrance of effective, evidence-based policy action and the potential for industry decision-making to undermine the integrity of the organisation involved. This may decrease public trust and confidence in the agency.⁽⁹⁾

The caution expressed by WHO must be applied to alcohol food labelling. The interests of the alcohol industry and the sugar sweetened beverage industry do not align with health values, nor FSANZ's values of "supporting nutrition-related public health" and making an independent judgement about ensuring consumers have safe options and can make informed choices.⁽¹⁰⁾ These choices should not be informed by industry; FSANZ "set standards for how food must be labelled".⁽¹⁰⁾

PHAA do not support the proposal for "per serve" measurements, and we certainly do not support industry deciding units of measurements.

Recommendation: *FSANZ must act as an independent body and create energy labels based on evidence and without the influence of industry.*

Transition prioritising industry over consumer rights

We feel the three-year transition period is overly generous. As FSANZ points out in the FFF only a relatively small number of beverages (e.g., top shelf spirits and premium wines) would need three years to complete the transition. Most of the market has a much faster turnover, requiring less time to adhere to code. The maximum transition period should be 1-2 years. This will be possible for most alcohol sold in Australia and provides the benefits of energy labelling sooner.

Recommendation: *The transition period for labels to include up-to-code energy content should be a maximum of 1-2 years.*

Conclusion

PHAA supports energy information panels being mandatory on every alcoholic beverage. However, we are keen to ensure FSANZ be made aware of our concerns with elements of their proposal. We are particularly keen that the following points are highlighted:

1. **Energy labels on alcoholic beverages should be standardised and mandated.**
 - No exceptions for producers or retailers
 - All measurement in kilojoules
 - Standard drinks information remains separated
 - No further nutritional information on the label and no nutritional claims
 - labelling on both inner and outer packaging is required
2. **Kilojoules per 100ml is strongly supported and kilojoules per container is likely the better measurement option compared to per serve.**
 - Per container on beverages likely to be consumed by a single consumer in one sitting is likely to be the best option out of the proposed. Review the per container outcomes after three years
 - Strong rejection of the term “per serve”
 - Consumer research is required to understand intended and unintended regulatory outcomes.
3. **Energy labels on alcoholic products should not be determined by producers.**
 - FSANZ must create the energy information panel without the influence of industry
 - Transition period should be maximum 1-2 years.

The PHAA appreciates the opportunity to make this submission and the opportunity to express the views of our expert members.

Please do not hesitate to contact me should you require additional information or have any queries in relation to this submission.

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20 March 2023

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