



RESPONSE TO FSANZ PROPOSAL ON P1059 – ENERGY LABELLING ON ALCOHOLIC BEVERAGES

Alcohol Focus Scotland (AFS) is Scotland's national charity working to prevent and reduce alcohol harm. We want to see fewer people have their health damaged or lives cut short due to alcohol, fewer children and families suffering as a result of other people's drinking, and communities free from alcohol-related crime and violence.

AFS welcomes the opportunity to respond to Food Standards Australia New Zealand (FSANZ) consultation on proposal P1059 regarding energy labelling on alcoholic beverages. While the UK will not be impacted by the proposals, our submission will share our experience and evidence from Scotland and the UK in relation to alcohol labelling. FSANZ has an opportunity to continue leading the way in improving public health by mandating energy labelling on alcoholic drinks. Our submission is closely aligned to that provided by the Foundation for Alcohol Research and Education (FARE).

Options for implementation – support for a mandatory approach to energy labelling

We support a **mandatory approach** to the provision of energy content information on **all alcoholic beverages**. This would align with the leading objectives of the FSANZ Act, which are to protect public health and to provide adequate information that enables people to make informed choices.

Mandatory energy labelling would address the 'legitimate need' of consumers of 'access to clear, accurate information' as identified by the United Nations.¹ It could also help people maintain healthier lifestyles,² and address low levels of awareness around the calorie content of alcoholic drinks. For example, in the UK, 80% of survey respondents in 2014 and 2021 did not know or underestimated the number of calories in a glass of wine, with no signs of improvement over time.^{3 4} According to the World Health Organization, labelling and information provision are likely catalysts for long-term, albeit gradual, change.⁵

The Scottish and UK experience is that a voluntary approach to alcohol labelling fails people and works counter to their right to health. At present, alcohol labels in the UK are only required to display the volume of the container, strength of the product (% ABV), and whether the product contains any of the top 14 allergens. All other information, including energy information, is voluntary.

A review of 424 alcohol containers published by the Alcohol Health Alliance (AHA) in 2020 found that only 37% of products listed the calorie content,⁶ with a 2022 follow-up study revealing little progress, with just 41% of labels providing this information.⁷ AFS and partners also recently analysed the sugar and calorie content of 30 wines from across the UK's top 10 wine brands and reviewed the extent to which this information was available on the product label.⁸ Despite significant variations in calorie content across and within wine categories, only 20% of the product labels reviewed displayed the

energy content. Previous research conducted by Action on Sugar also showed high energy content but poor levels of information provision for ready-to-drink products.⁹

Similar examples come from Australian evidence. An audit of 850 alcoholic products sold in the largest store of the leading alcohol retail chain in Melbourne in 2021 found that only 19.8% of alcoholic products displayed a nutrition information panel (which lists the energy content).¹⁰ These examples point to the need for regulatory measures when it comes to product labelling.

There is also public support in the UK for mandatory labelling of nutrition information. Surveys have found that around 70% of the public agree that alcoholic drinks should display the number of calories they contain.^{11 12} Research with young adult drinkers in Scotland has also shown moderate support for providing nutrition information on alcohol labelling, primarily as a means of informing people with health concerns, specific dietary requirements and for fitness purposes.¹³

Consistency of energy information

We support FSANZ's proposal to prescribe a standardised format in the Code for the provision of energy content information on beverages containing alcohol. Information about the energy content of alcoholic products must be presented in a standardised way to enable recognition as non-marketing information.

Format for energy labelling

AFS supports the presentation of energy information in a tabular format with a heading. Presenting energy information in a standardised truncated NIP will provide a system that people are already familiar with (given its mandated use on packaged food and non-alcoholic beverages) and known to be a standardised and trustworthy source of nutritional information. This format will enable people to directly compare the energy content of alcoholic products. However, it is important that the content and design of information provided, such as the heading, is informed by consumer research to ensure no adverse health impact regarding alcohol use and perceptions.

We support energy information being provided for **all alcoholic products per 100ml**. Providing energy content per 100ml for all alcoholic products will enable standardised and direct comparison across alcoholic products, in a format that people are familiar with. It will also enable standardised comparison between alcoholic and non-alcoholic products, which may facilitate understanding that alcohol is high in energy and encourage choice of non-alcoholic products.

It is also important that energy information is provided in a format that allows for the easiest calculations by consumers of their energy consumption. Although it may be beneficial to provide energy information per serving, we are aware of concerns that this may create a perception that there is a 'safe' or 'healthy' serving of alcohol, or that it may normalise larger serving sizes (especially if typical serving sizes were to be determined by producers).

It is essential that provision of energy information for alcoholic products supports rather than undermines the important public health objective of reducing alcohol harm. We therefore recommend consumer testing on per serving measures to ensure no adverse health impact regarding alcohol use and perceptions.

Application of energy labelling

Labelling is a simple and effective way for people to access complete information at the point of purchase and consumption, enabling them to make informed decisions about what they drink.¹⁴ Energy content should therefore be available **regardless of where and how the alcoholic beverage will be sold and on all layers of packaging.**

We do not support the FSANZ proposals:

- that existing exemptions from the requirement to bear a label for food for retail sale be applied to alcoholic products, nor
- that the energy content information for beverages containing alcohol for retail sale only be required on one layer of packaging.

Ensuring people have access to energy labelling at point of sale and consumption will best enable them to assess the energy content of alcoholic products to inform their purchasing and consumption choices in line with dietary guidelines, as is the intent of P1059. It is therefore important to consider how alcohol is sold, bought, stored and used when determining application of energy labelling, as this differs from the sale and consumption of food products.

Mandatory labelling should be required for all alcoholic products sold directly from producers and sold online for home delivery as these are common routes through which people purchase alcoholic products. Therefore, we **recommend that labelling exclusions should not be applied in the case of 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).**

The intention of producers regarding how products will be sold can differ from how retailers actually sell alcoholic products. For example, alcohol producers may intend for a multi-pack to be displayed and sold in the original multi-pack, but it is not uncommon for alcohol retailers to remove, display and sell individual products from the original multi-pack packaging (or to allow customers to remove and buy individual products from multi-packs). This is particularly the case for ready-to-drink alcoholic products. Individual products are also likely to be removed from multi-packs at home and consumed over time, meaning that energy information would not be available at this later time when a person is considering consumption.

To ensure that energy information for alcoholic products is available when people want or need it, **we recommend that labelling requirements be applied to both individual packages and outer package labelling.**

Other considerations – nutrition content claims about energy

FSANZ is proposing to not change the provisions for making nutrient content claims about energy in relation to alcoholic products as part of P1059. AFS understands that changes to nutrient content claims are outside the scope of P1059 and that P1049 (regarding carbohydrate and sugar claims on alcoholic beverages) is being progressed concurrently to this current proposal.

Energy content claims are used as a form of nutrition related marketing and, as such, may influence consumer health perceptions about alcoholic products. A number of studies show that people

believe a product is healthier if it carries a health or nutrition related claim^{15 16 17 18 19 20} and a meta-analysis has concluded that health and nutrition claims have a substantial effect on dietary choices.²¹ Research similarly shows that ready-to-drink non-alcoholic beverages with health-oriented marketing are perceived as healthier alternatives than beverages without health-oriented marketing, even when these products contain similar levels of ingredients of concern (i.e., high sugar content).^{22 23} The research also shows that even when people generally consider a beverage to be unhealthy, favourable beverage characteristics can increase perceptions of beverage healthfulness.²⁴

Emerging research is indicating that health-oriented marketing for alcoholic products similarly creates a health halo effect. Early findings from the 2021 nationally representative LiveLighter annual Shape of Australia Survey indicates that over 75% of Australian adults who had drunk alcohol in the past year believe that health-oriented marketing claims (such as 'low carb', 'no added sugar', 'low calorie', 'natural' and 'organic') meant that an alcoholic product was better for them than an alcoholic product without these claims.²⁵

It is essential that people understand that the alcohol within alcoholic products is inherently harmful, regardless of the energy content. Therefore, we support energy information being provided via standardised labelling that is distinct from health and nutrition related marketing claims. We recommend that in addition to carbohydrate and sugar claims, P1049 also re-considers the exemption that allows alcoholic products to make energy claims.

It is positive that the presence of a nutrition content claim about energy on the label of an alcoholic beverage would trigger the requirement for that beverage to also be labelled with an NIP, going some way to countering this messaging. However, nutrition content claims run contrary to people's right to information and to health, as alcohol consists of empty calories with no nutritional value. We support FARE's recommendation that **the exception to allow energy-related nutrient content claims for alcoholic products should be considered in P1049 (i.e., in addition to sugar and carbohydrate claims).**

Other considerations – health warnings

AFS welcomes most of the proposals, as detailed above. We believe FSANZ has an opportunity to continue leading the way in improving public health by introducing other mandatory requirements for alcohol labelling, predominantly health warnings. Such further action is needed to protect public health, enable people to make informed choices and fulfil their right to information.

Research suggests that front-of-pack health warnings on alcohol products would reduce their appeal and social acceptability, increase awareness of alcohol-related harms, encourage self-appraisal of drinking behaviours, and even support a reduction in purchasing and consumption.^{26 27} A real-life intervention in Canada found that prominent labels with drinking guidelines, a cancer warning, and unit information contributed to increased awareness and knowledge of drinking guidelines²⁸ and alcohol's role in causing cancer,²⁹ as well as a 6.3% reduction in consumption.³⁰

Evidence on the effects of health warnings on consumption of unhealthy food and tobacco provides additional support.³¹ Health warnings on tobacco packaging have increased knowledge of the health effects of smoking and intentions to quit smoking, and reduced consumption and the likelihood of smoking uptake.^{32 33} Warning labels have also been effective in reducing selection and purchase of sugar-sweetened drinks³⁴ and energy dense snacks.³⁵

Product packaging is a form of marketing, used by producers to reinforce the brand and communicate positive messages about their product. As part of their framework for alcohol marketing control, intended to guide countries on how best to introduce effective and comprehensive statutory restrictions on alcohol marketing, the Alcohol Marketing Expert Network has recommended that countries should mandate health information (including health warnings) on all alcohol packaging.³⁶ The content and design of this information should be specified in regulations, informed by consumer research, and developed free from industry influence. Mandating the disclosure of health information on alcohol packaging would act as a form of counter-marketing, reducing the power and salience of the branding and packaging, and making sure people are making properly informed choices. The requirement to provide health warnings could also act to counteract the current marketing approach of creating a 'health halo' effect for particular brands, as noted above.

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