



30 March 2012

Project Manager  
Food Standards Australia New Zealand  
PO Box 7186  
Canberra BC ACT 2610

Dear sir,

**Proposal P293 – Nutrition, Health & Related Claims  
Further Consultation Paper  
Submission**

This Association welcomes the opportunity to respond to the Further Consultation Paper dated 17 February 2012 on FSANZ's draft Standard 1.2.7 – Nutrition, Health and Related Claims.

**Part I – Revised Draft Standard**

As expressed in previous submissions in relation to this Proposal, the FBIA strongly supports the development of a standard that permits the making of substantiated health and nutrition claims. Over recent years, consumer interest in receiving comprehensive information on the health benefits and dietary implications of foods has grown significantly. Substantiated claims on food labels are a key way of providing this information.

We note that FSANZ does not wish submissions to revisit issues previously considered as part of P293 and is not seeking any further comment on issues raised in the Review Request. We cannot overlook, however, that in the circulated draft standard, FSANZ is proposing that food-health relationships underpinning general health level claims be pre-approved and has completely removed the option of industry self-substantiation. In other words, FSANZ is now recommending that all food-health relationships underpinning health claims, both general and high-level, be pre-approved, not just high-level claims.

In our view, this recommendation strays from the principles set out in the Policy Guideline on Nutrition, Health and Related Claims, is unnecessarily restrictive and is not a proportionate regulatory response.

**Food & Beverage Importers Association**

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## **Part II – Fat-free and % fat-free claim**

We do not have any evidence on consumers' use of fat-free claims. We do support Option 1 that *% fat-free* claims continue to be regarded as nutrition content claims for the purposes of P293 and that no additional conditions or regulatory requirements be imposed beyond what is provided for in the draft standard.

The summary of available evidence in the Consultation Paper does not show that there is consumer confusion about or misunderstanding of *% fat-free* claims. Nor does it indicate what would be the likely result of any additional conditions. Accordingly, until there is clear evidence that there is a problem, we do not support any additional regulatory measures beyond what is already proposed that foods for which a *% fat-free* claim is made must meet the conditions for low-fat foods.

Should you require clarification of any aspect of this submission, please do not hesitate to contact me.

Yours faithfully,

A J Beaver  
Secretary