



27 February 2020

**SUBMISSION ON FSANZ PROPOSAL P1044 – PLAIN ENGLISH
ALLERGEN LABELLING**

BACKGROUND

The Queensland Consumers' Association (the Association) is a non-profit organisation established over 40 years ago and which exists to advance the interests of Queensland consumers. The Association's members work in a voluntary capacity and specialise in particular policy areas.

The Association is a member of the Consumers' Federation of Australia (CFA), the peak body for Australian consumer groups, and works closely with many other consumer and community groups.

An Association member represents CFA on FSANZ's Consumer and Public Health Dialogue (CPHD).

The Association has a special interest in food labelling and made a submission to, and participated in consultations undertaken during after, the Review of Food Labelling Law and Policy, the report of which was published in 2011.

The Association welcomes the opportunity to make this brief submission.

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GENERAL COMMENTS

The Association welcomes the Proposal and its objectives.

The Association strongly supports:

Option 3 Option 3: Declare allergens using mandatory specified terms in bold font, with additional requirements to declare in the statement of ingredients as well as in a separate allergen summary statement.

The Association also takes this opportunity to draw attention to some general labelling issues that are relevant to this Proposal.

Firstly, the Association notes and regrets that that the proposal does cover the provision of allergen information when products are offered for sale on the internet. This is an increasingly

important way in which consumers compare and buy food products. Not requiring the provision of allergen information to accompany products sold there is very detrimental to consumers.

Secondly, the Association notes that the current general legibility requirement for information on labels summarised on page 15 is not an accurate summary of what is in the Code and can be interpreted differently to it.

The summary says

*any word must be in English; and any word, statement, expression or design written or set out on a label **must be legible and prominent so as to contrast distinctly with the background** (subsection 1.2.1—24(1)).*

However, the Code states:

1.2.1—24 General legibility requirements

(1) If this Code requires a word, statement, expression or design to be contained, written or set out on a label—any words must be in English and any word, statement, expression or design must, wherever occurring:

(a) be legible; and

(b) be prominent so as to contrast distinctly with the background of the label.

Therefore, the Association recommends that greater clarity be provided on whether *contrast distinctly with the background of the label* relates only to the assessment of prominence, or to legibility and prominence, or is a completely separate requirement additional to other factors that may be used to assess both legibility and prominence. If necessary, the Code should be changed to provide greatly clarity of meaning.

Thirdly, the Association also recommends that the requirement that the print must *contrast distinctly with the background of the label* should in the case of printed information on transparent packaging (without any background colouring) also apply to contrast with the colour of the product in the transparent packaging, not just the background of the label.

SPECIFIC COMMENTS

5.2.2 Format

We support most of the proposals however we consider that:

1. The print size used now for **ingredients information** is very small on some labels, Therefore, the allergen information in the ingredients list on some labels will still be very difficult for many consumers to notice and read, even if in bold font. The problem is widespread but probably greatest with labels on imported products, including those to which a label has been added by the importer. To ensure that the allergen information in the ingredients list is sufficiently prominent and legible for all consumers, (and importantly, takes account of the requirements of visually impaired consumers and anti-discrimination legislation), either a minimum print size should be specified for the allergen information in the ingredients list or an effective and on-going compliance monitoring and enforcement program should be undertaken.
2. To ensure that the allergen information is sufficiently noticeable and legible, the **allergen summary statement** should, in addition to being in bold font and directly below the ingredients list:
 - a. have the prefix “Contains Allergens:”

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- b. be in a black bordered box
- c. be in a sufficiently large font size (see comments above about print size for the ingredients list)