

Response ID ANON-JN9Z-F83D-Z

Submitted to P1062 - Defining added sugars for claims
Submitted on 2023-10-08 10:09:59

Complete your submission

Your details

What is your name?

Contact person:

[REDACTED]

What is your email address?

Email address:

[REDACTED]

What is your telephone number?

Telephone:

[REDACTED]

Which one of the following groups do you most affiliate with?

Consumer group

If other, please specify:

What is the name of your organisation?

Please write N/A if this does not apply.:

Queensland Consumers Association

What is your position title?

Please write N/A if this does not apply.:

Are you the contact person for your organisation?

Yes

If you are not the contact person for your organisation, please provide an alternative contact and details. If not applicable, please leave blank.

Contact person's name:

Email address:

Telephone:

Position title:

Have you read the P1062 – Defining added sugars for claims call for submission paper?

Yes

Confidential information

All submissions will be published, including redacted versions of confidential submissions. We will not publish material that we accept as confidential. Does your submission contain confidential information?

No. My submission does not contain confidential information.

Proposed changes to 'no added sugar(s)' claim conditions

1 FSA NZ proposes to continue to set 'no added sugar(s)' claim conditions based on the addition of ingredients to foods (see section 5.2 of the Call for submissions document).

Do you have any comments on this approach?:

We do not support. 'No added sugar' claim conditions should not be allowed for food that contains 'added sugars' as defined; or is an 'added sugar' as defined and is sold as a single ingredient food (including fruit juice).

2 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain an 'added sugars' as an added ingredient including an ingredient of a compound ingredient. FSANZ proposes defining 'added sugars' for this claim condition (see section 5.2.1.4 of the Call for submissions document).

Do you have any comments on this approach or the defined added sugars (see below)?:

We do not support. We consider that the definition should be more comprehensive and should include:

- All sugars listed in (a)(i) of the draft variation to the Food Standards Code in CFS Attachment A
- All sugars listed in (a)(ii)-(ix) of the draft variation to the Food Standards Code in CFS
- Additional sugars
- Vegetable products
- Dried fruit

3 FSANZ proposes 'no added sugar(s)' and 'unsweetened' claims are not permitted on foods containing the hexose monosaccharide D-tagatose, as an ingredient, consistent with existing claim conditions in the Code. As D-tagatose is a hexose monosaccharide, it is captured in the definition of 'added sugars' (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

We support

4 FSANZ proposes foods containing low energy sugars (mono- and disaccharides), as ingredients, listed in subsection S11—2(3) of Schedule 11 not be permitted to display 'unsweetened' claims (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

We support

5 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain the fruit products listed below as an added ingredient (including as an ingredient of a compound ingredient). FSANZ proposes to exempt fruit products which are lemon or lime fruit (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach or the fruit products listed?:

We support in general but recommend that the vegetable equivalents be treated the same.

We also consider that:

- All food components listed in claim conditions (a)(ii)-(ix), and their vegetable equivalents, should be included in the 'added sugar' definition in claim condition (a)(i) and NOT as separate components for the purpose of the claims criteria.
- Any reference to fruit juice should clearly state this includes blended, reconstituted, full strength and diluted juice.
- Canned and frozen fruit with added fruit juice should not be able to make 'no added sugar' claims.

6 FSANZ proposes a fruit product which is the food for sale (e.g. fruit juice) be permitted to make a 'no added sugar(s)' claim. This includes when the food is sold as a singular fruit (e.g. apple juice) or a blend of different fruits (e.g. blend of fruit juices), providing the food contains no 'added sugars' or other products identified in claim conditions, as added ingredients. A blend or combination of different fruit products (e.g. fruit juice and fruit purée) will not be permitted to make the claim. FSANZ also proposes to clarify that fruit does not include legumes, fungi, herbs, nuts and spices for the purpose of the claim conditions (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach?:

We do not support. Fruit products sold as single-ingredient foods, e.g. fruit juices, should NOT be allowed to make a claim

We agree that legumes, fungi, herbs, nuts and spices should not be considered fruits for any definition of added sugar or for 'no added sugar' claim conditions

7 FSANZ proposes 'no added sugar(s)' claims are not permitted when the concentration of sugars in the food is increased from the hydrolysis of carbohydrates during food manufacture, except when the sugars concentration in cereal-based plant milks made using hydrolysis is $\leq 1.5\%$ (and the product otherwise meets claim conditions) (see section 5.3.2 of the Calls for submissions document).

Do you have any comments on this approach?:

We support that foods containing sugars from hydrolysis should not be permitted to make 'no added sugar' claims. However, we do not support:

- the exclusion of other processing techniques from this definition
- the exemption for products that contain $\leq 1.5\%$ sugar
- that sugars from hydrolysis are treated differently to other 'added sugars'.

8 FSANZ proposes to maintain the existing condition that a food displaying an 'unsweetened' claim must meet the conditions for a 'no added sugar(s)' claim, noting that the amended 'no added sugar(s)' claim conditions will apply (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

We support.

9 FSANZ proposes to maintain the existing condition for intense sweeteners, sorbitol, mannitol, glycerol, xylitol, isomalt, maltitol syrup or lactitol. FSANZ proposes a food containing low energy sugars (mono- and disaccharides) listed in subsection S11—2(3) of schedule 11, as an ingredient (including an ingredient of a compound ingredient), not be permitted to display an 'unsweetened' claim (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

We support.

10 FSANZ is proposing a two-year transition period to allow producers, manufacturers and importers time to make any required labelling changes for products carrying 'no added sugar(s)' or 'unsweetened' claims to comply with the new claim conditions (see section 7 of the Call for submissions document).

Do you have any comments on this approach?:

We support.

Data and evidence

11 Do you have any data or are you aware of published data on the number of products with 'no added sugar(s)' or 'unsweetened' claims in Australia and/or New Zealand (see data used for this proposal at section 3.1 of the Call for submissions document)?

No

If yes, please upload your file here.:

No file uploaded

12 Do you have any evidence or are you aware of published literature on consumer understanding of and responses to 'no added sugar(s)' or 'unsweetened' claims on food products (see evidence used for this proposal at section 3.2 of the Call for submissions report and Supporting Document 1)?

No

If yes, please upload your file here.:

No file uploaded

13 Do you have any data or know of any published data on the costs of labelling changes per stock keeping unit or package type (see data used for this proposal at Attachment E to the Call for submissions document)?

No

If yes, please upload your file here.:

No file uploaded

Additional comments

Comments and other input

Additional comments and input:

We believe that no added sugar and unsweetened claim conditions should not be based solely on whether ingredients have been added to foods. Such an approach will result in an unjustified "health halo effect" from the use of such claims for any single ingredient foods, especially those naturally high in sugar, and will help perpetuate consumer misunderstanding about, and knowledge of, the nutritional content and healthiness of some foods.

Please upload additional files here.:

No file uploaded

Feedback

What is your level of satisfaction with using this platform to complete your submission?

Not Answered

Do you have any feedback you would like to provide to FSANZ regarding this new platform?

Not Answered

If yes, please provide details.: