

**Submission to Food Standards Australia New Zealand on Proposal P1049
Carbohydrate and sugar claims on alcoholic beverages**

About the Cancer Society of New Zealand

The Cancer Society of New Zealand is the country's leading organisation dedicated to reducing the incidence of cancer and ensuring the best cancer care for New Zealanders. We are committed to working with communities and decision makers by providing leadership and advocacy in cancer control, with core services in information and support, research and cancer prevention.

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We would like to acknowledge Cancer Council Australia for their advice and support on this submission.

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Alcohol causes cancer and is no ordinary commodity

Alcohol is cause of at least seven types of cancer including mouth, pharynx (throat), larynx (voice box), oesophagus, bowel, liver, and breast (in women) (1,2) In 2020, an estimated 943 cancers including 367 colorectal, 264 breast and 99 oral cavity cases were attributed to alcohol in Aotearoa (3) Māori are disproportionately and unfairly affected by alcohol-attributable cancer (4)

There is no safe minimum level of alcohol use in relation to cancer and any regular alcohol use (even small amounts) can increase the risk of cancer (2). The more alcohol the greater the risk of developing cancer. Additionally, combining alcohol and tobacco use increases cancer risk further and its high energy content increases the risk of 13 weight-related cancers (5).



Summary

We strongly oppose nutrition content claims on alcohol products

We **strongly oppose FSANZ's proposal to permit nutrition content claims about carbohydrates and sugars on alcohol products**. All alcohol products increase the risk of cancer, regardless of their sugar or carbohydrate content. Any marketing and promotion of alcohol products in a way that implies a product is 'healthier' must not be permitted, with the exception of appropriately identifying zero- or low- alcohol products.

To protect consumers from confusion by carbohydrate and sugar claims on alcohol products, and minimise any potential for people to increase their alcohol use based on a misinterpretation of these claims, we strongly recommend the following:

Recommendation 1: That Option 3, removal of the permission in the code to make nutrition content claims on alcohol products, is adopted.

Recommendation 2: The FSANZ evidence review is revised and strengthened, considering the following:

- a. An assessment of the commercial biases of each reference are considered and included in the evidence review. This includes conflict of interest statements, funding sources and affiliations of authors.
- b. References that are not peer-reviewed journal articles or research reports should be excluded; that is, media releases and fact sheets should be omitted from the included references.
- c. The Colmar Brunton references should be omitted based on their lack of relevance; evidence on consumer value of health claims is clearly recognised as low quality and mixed,
- d. The significant body of evidence on the impact of nutrition content claims on food labels on consumer understanding and behaviour is considered and incorporated into recommendations on the final proposed approach.

Recommendation 3: Alcohol-related harms are considered in cost and benefit analysis.

Our concerns

Nutrition content claims are marketing tools that can cause confusion

We share sector concern about the decision to allow these claims. We are disappointed that the recommendations of public health and consumer groups have been ignored, particularly in light of the evidence presented in FSANZ's evidence review.

Nutrition content claims are marketing tools, and should not be considered as necessary, or even useful, nutrition information for consumers when choosing alcohol products. As only some products will carry the claims and therefore be required to carry the full nutrition information panel outlining carbohydrate and sugar content, consumers are not able to compare products based on nutrition content claims. The alcohol content of a product is the most relevant nutrition information when considering the nutrition content of an alcohol product from a cancer prevention perspective, while alcohol content and energy (total kilojoule) content are most relevant from a weight management perspective.

There is insufficient scientific rationale for making so-called 'healthier' alcohol choices based on carbohydrate and sugars to warrant these claims guiding consumer choice. We are also concerned that allowing sugar and carbohydrate claims on alcohol labels would trigger a nutrition information panel listing these components, as defined in Standard 1.2.8. We strongly oppose full nutrition information panel on alcohol labels because kilojoule (energy) values are the most important information when comparing alcohol products, and providing anything further is potentially confusing for consumers, would normalise alcohol and imply it has nutritional value.

We believe that marketing that promotes certain types of alcohol as 'better for you' than others is potentially misleading, as all alcoholic drinks are harmful in relation to cancer risk. We believe there is sufficient evidence that carbohydrate and sugar claims contribute to consumer confusion and incorrect assessments of the 'healthiness' of alcohol products.

That's why we strongly recommend that Option 3, removal of the permission in the code to make nutrition content claims on alcohol products, is adopted.

The FSANZ evidence review needs to be revised and strengthened

We are concerned that the FSANZ evidence review fails to consider the conflict of interest or commercial biases linked with the funding of studies. It is well established that in a range of health topics, industry-funded research can bias the research design, conduct, publication and conclusions that studies make (6,7). We are also concerned that some of the studies included in the review were not peer reviewed, and yet given the same weight as the single, high-quality study (8).

The finding of the high-quality study (8) that consumers mistakenly perceive products with sugar-related claims as lower in alcohol alone should warrant the prohibition of nutrition content claims being made.

However, the recommendation to permit these claims appears to have been made based on the literature that consumers *want* or *value* the information. But it is FSANZ's role to protect the health and safety of consumers and make a positive contribution to public health. If nutrition content claims about carbohydrates and sugars on alcohol products mislead consumers, then it is not in the public health interest to allow these claims, regardless of whether research conducted by alcohol companies suggests that consumers want these claims.

Because of this we recommend that the FSANZ evidence review is revised and strengthened, considering the following:

- a. An assessment of the commercial biases of each reference are considered and included in the evidence review. This includes conflict of interest statements, funding sources and affiliations of authors.
- b. References that are not peer-reviewed journal articles or research reports should be excluded; that is, media releases and fact sheets should be omitted from the included references.
- c. The Colmar Brunton references should be omitted based on their lack of relevance; evidence on consumer value of health claims is clearly recognised as low quality and mixed.
- d. The significant body of evidence on the impact of nutrition content claims on food labels on consumer understanding and behaviour is considered and incorporated into recommendations on the final proposed approach.

FSANZ must consider alcohol-related harms in cost and benefit analysis

FSANZ's call for submission sets out consideration of the costs and benefits to industry of allowing or prohibiting nutrition content claims on alcohol labels. This only considered the costs to industry associated with costs of re-branding, advertising and defending market shares, as well as changing labels, and does not consider the costs associated with alcohol use.

In New Zealand it is estimated that alcohol costs our society \$7.35 billion per year including costs from loss of productivity, unemployment, justice, health and welfare costs (9).

Given that allowing claims may result in increased alcohol use, we recommend that these must be considered in the cost and benefit analysis.

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