

27 June 2024

Standards Management
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Dear Sir/Madam

The Infant Nutrition Council (**INC**) appreciates the opportunity to make a submission on Consultation Paper – Proposal P1063.

INC is the association for the infant formula industry in Australia and New Zealand and represents manufacturers, marketers and brand owners who between them are responsible for more than 95% of the volume of infant formula manufactured, sold and exported in Australia and New Zealand. INC also represents manufacturers of toddler milk drinks.

INC appreciates that Proposal P1063 is intended to correct an error in Schedule 4 (**S4**) of the Australia New Zealand Food Standards Code (**Food Standards Code**) and thereby add clarity to provisions concerning claims related to sugar. It was intended to ensure that claims of 'no added sugar' could only be made on foods that met all the following criteria, that the food:

- was not added sugar* itself
- had no sugars added during manufacture
- had a level of sugar(s) that did not exceed 10g/100g for solid food or 7.5g/100mL for liquid food
- had not had the concentration of hexose monosaccharides and disaccharides increased by hydrolysis of carbohydrates during manufacture at a level above 1.5%.

*added sugar was also defined in S4.

In our view, the proposed correction does not add clarity but rather makes the provisions even more complex, confusing and open to interpretation. We therefore do not believe the correction as presented meets the intent of Proposal P1062.

Our suggestion is to remove the need for 'and' or 'or' and have standalone statements along the following lines included in Column 4 of S4—3:

- a) The food is not added sugar* itself.
- b) The food has no added sugar* added during manufacture.

- c) The food for sale has a level of sugar(s) that does not exceed 10g/100g for solid food or 7.5g/100mL for liquid food.
- d) The food for sale has a concentration of hexose monosaccharides and disaccharides increased by hydrolysis of carbohydrates during manufacture that does not exceed 1.5%.
- e) etc


*added sugar is also defined in S4.

We believe this presentation is very clear, meets the intent of Proposal P1063 and removes the prospect of misleading claims being made mistakenly.

In relation to the term “sugars*” in the rest of the Food Standards Code, INC agrees that this term is now redundant and should be removed in Standards 1.1.2, 1.2.7, 1.2.8, 2.6.2 and Schedule 4 of the Food Standards Code.

Yours sincerely

A black rectangular redaction box covering a signature.


Chief Executive Officer