

Proposal 1030 Composition and labelling of electrolyte drinks

Consultation paper

Submission

NSW appreciates the opportunity to comment on Proposal 1030 – Composition and Labelling of Electrolyte Drinks: Consultation paper.

NSW supports the majority of issues raised by FSANZ in its amended proposal. NSW considers the proposed approach presents a significant step forward in this product category.

NSW proposes the following matters for FSANZ consideration:

- **Omission of %RDI for minerals** NSW notes the intent for ‘electrolytes’ that are minerals in Schedule 17 of the Australia New Zealand Food Standards Code (the Code) will not be declared as %RDI on the label. NSW understands the proposed justification for this omission is minerals in electrolyte drinks perform an ‘electrolyte’ function and are not functioning as a mineral. This does not change the fact these substances are minerals under Schedule 17 of the Code by virtue of their compositional chemistry and contribute to dietary exposure to minerals. NSW sees merit in reconsidering this position.

- **Revised definition of electrolyte drinks.** NSW suggests inclusion of the word ‘constant’ in the proposed new definition for electrolyte drinks. This would enable the definition to read:

*‘electrolyte drink means a drink formulated for the rapid replacement of fluid and electrolytes during or after 60 minutes or more of **constant**, strenuous activity’*

The purpose of ‘constant’ is to inform consumers these products are meant to aid in recovery from high intensity *continual* physical activity rather physical activity conducted in short spurts with significant intervals in-between that happen to make up a period of 60 minutes. NSW suggests that water is a better option for casual athletes to hydrate should their duration of exercise be less than 60 mins, but their total ‘session’ is 60 mins where a portion of this time is not spent exercising.

- **‘Zero’ style drinks remain out of scope.** The decrease in minimum sugar concentration of electrolyte drinks proposed by FSANZ is supported by NSW as it provides for greater product capture.

The exclusion of ‘zero’ style electrolyte drinks from the scope means consumers must read the back of the label to discern that ‘zero’ style products are ‘sports beverages’ and not electrolyte drinks.

- Substances listed as permitted in electrolyte drinks are Schedule 16 Food additives. NSW notes that all but one substance listed in proposed Standard 2.6.2-11(3) is a GMP food additive listed in Schedule 16 of the Code. NSW seeks clarity from FSANZ on the difference in purpose fulfilled by these listed ingredients as possible electrolytes with an associated health benefit from their technological purpose in foods as food additives. This clarity is requested so consumers may understand what concentration of these substances is needed for a health benefit as opposed to a general permission for a low risk food additive serving a technological purpose.

Schedule 16 of the Code provides the following listings that are common to clause 2.6.2-11(3):

Calcium phosphates (341)
Potassium Phosphates (340)
Calcium citrates (333)
Potassium citrates (332)
Sodium citrates (331)
Potassium carbonates (501)
Potassium chloride (508)
Calcium Chloride (509)
Calcium lactate (327)
Magnesium lactate (329)
Magnesium sulphate (518)

Sodium chloride (table salt) is not listed in Schedule 16 of the Code.

NSW considers this clarity from FSANZ will assist enforcement agencies understand the functional, but not technological purpose displayed by these substances in 'zero' style products as well as in electrolyte drinks.

- Stronger link between clauses 2.6.2-11 and clauses 2.6.2-10. NSW seeks a stronger link between the term 'prescribed electrolyte' - listed in proposed standard 2.6.2-10(1) and the substances listed in Standard 2.6.2-11 (3). NSW considers a stronger link will assist the consumer and enforcement agencies understand the health purpose served by these substances in electrolyte drinks better than their technological purpose as Schedule 16 food additives where the quantity added is at the manufacturers discretion.

-Transition period: NSW supports a two year transition period given the number of other labelling changes required by industry.

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.