

30 September 2014

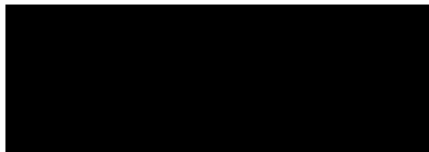
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Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the ***Call for Submissions – Proposal P1030 Health Claims – Formulated Supplementary Sports Foods & Electrolyte Drinks.***

Yours sincerely

A large black rectangular box used to redact the signature of Katherine Rich.

Katherine Rich
Chief Executive

Food Standards Australia New Zealand
CALL FOR SUBMISSIONS – PROPOSAL P1030 HEALTH CLAIMS –
FORMULATED SUPPLEMENTARY SPORTS FOODS &
ELECTROLYTE DRINKS.

30 September 2014

The New Zealand Food & Grocery Council (the “NZFGC”) welcomes the opportunity to comment on the ***Call for Submissions – Proposal P1030 Health Claims – Formulated Supplementary Sports Foods & Electrolyte Drinks.***

New Zealand Food & Grocery Council

The NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. Collectively this sector generates over \$28 billion in the New Zealand domestic retail food, beverage and grocery products market, and over \$26 billion in export revenue from exports to 183 countries. Food and beverage manufacturing is the largest manufacturing sector in New Zealand, representing 46% of total manufacturing income and 34% of all manufacturing salaries and wages.

Proposal P1030

This proposal addresses an anomaly created by Standard 1.2.7 – Nutrition, Health and Related Claims, which prevents formulated supplementary sports foods and electrolyte drinks from carrying claims about the specific purposes they present to their target consumers (sports people). At the same time, the proposal moves the regulation of electrolyte drinks from Standard 2.6.2 – Non-alcoholic Beverages and Brewed Soft Drinks, to Standard 2.9.4 – Formulated Supplementary Sports Foods, in recognition that electrolyte drinks are formulated for those undertaking strenuous physical activity rather than as a lifestyle drink.

Comments

NZFGC welcomes the correction of the anomaly created by the gazettal of Standard 1.2.7 and the transfer of the regulation of electrolyte drinks from Standard 2.6.2 to Standard 2.9.4. The latter recognises that electrolyte drinks are a specific formulation directed at those undertaking strenuous physical activity.

NZFGC recommends that the Purpose statement be amended by moving the words “and electrolyte drinks” at the end of the first sentence to after the word “foods”, so that the inclusion of electrolyte drinks reads less like an after-thought:

“This standard defines and regulates the composition and labelling of foods and electrolyte drinks specially formulated to assist sports people in achieving specific nutritional or performance goals. Such foods and electrolyte drinks are intended as supplements to a diet rather than for use as the sole or principal source of nutrition.”

Electrolyte drinks that are less than the 5% CHO compositional requirement are a concern. The Australian Institute of Sport refers to sports drinks with a CHO content of 4-8% to support refuelling (see the AIS document at:

<http://www.ausport.gov.au/ais/nutrition/factsheets/hydration/fluid - who needs it>)

If companies decide to self-substantiate claims for electrolyte drinks that meet the Nutrition Profile Scoring Criteria but that are less than the 5% CHO compositional requirement, it is not

clear to us whether compliance is required by 18 Jan 2016 or, our preference, whether compliance is extended to 18 Jan 2017. Your advice on this matter would be appreciated.

Another area requiring clarification concerns isotonic claims and whether these are health claims or nutrient content claims. Your advice on this point would also be appreciated.

NZFGC is otherwise pleased to advise that except for the above few points, we concur with the draft amendments and with the cost benefit analysis presented in the Call for Submissions.