

24 December 2014

## **SUBMISSION ON**

Proposal P1035

Gluten Claims about Foods containing Alcohol, December 2014

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The submitter agrees with the proposal to amend Standard 1.2.7 of the Food Standards Australia New Zealand Code so that nutrition content claims about gluten content in relation to food containing more than 1.15% alcohol by volume continue to be permitted after January 2016.

There are several reasons why gluten intolerant people need this information to be allowed to be provided:

### **Marketing**

1. This information is not a marketing claim.

**No one would drink gluten free beer if they didn't have to.**

So, the claim is certainly not designed to increase consumption. It's not going to sell lots MORE beer. It will sell a tiny percentage more beer, to a very grateful 6000 Kiwis who are coeliac/gluten intolerant and haven't had anything tasting like half-decent beer for years.

### **Education**

2. People who make beer, like making beer. They don't do education. It is unreasonable to expect beer manufacturers to be able to educate consumers about which beers are gluten free, without putting something on the label.

**A coeliac isn't going to believe anything a bartender tells them either.** Gluten intolerant people are not trusting souls.

3. Education about gluten free products is NOT something which can be reliably left to volunteer, chronically-underfunded representative groups like coeliac societies.

**It is hard enough for these groups to educate their members about the condition they have, let alone educate them about the products they can and can't eat.** For example, the Wellington coeliac group can comfortably spend an hour just talking about where to buy fish and chips. These are complex issues!

4. These coeliac societies and other gluten intolerant associations (like Facebook groups) are also obviously not able to communicate with ALL people in the community who are coeliac/gluten intolerant.

**These groups, although wide-ranging and increasing their membership daily, do not communicate with 100% of sufferers.** Therefore the idea proposed in Standard 1.2.7 that they could provide “targeted information” is flawed.

5. In fact the presence of the ‘gluten free’ claim on beer labels has done a considerable amount of good as an education tool, particularly as **it encourages hospitality outlets to consider their entire gluten free offering for customers**, not just for beer.

## **Food Safety**

6. New Zealand’s Fair Trading Act 1986 protects against ‘misleading and deceptive’ claims. Most coeliacs are sensitive enough to very quickly determine if a food or beverage labelled ‘gluten free’ may or may not be so. **A manufacturer using ‘gluten free’ on a beer label incorrectly would be detected very quickly** and would be held to account.
7. Retail and hospitality outlets do not want to be put in the position of having to advise customers on the safety of products that are not labelled – but could and should be. They certainly don’t want to assure customers a product is safe if they don’t know for sure.

**The consequence of a lack of informative labelling, risking food and health safety, will be a significant reduction in the offering made to customers.**

8. Manufacturers will err very much on the side of caution in not labelling a product gluten free, because they do not wish to inadvertently incorrectly advise consumers. Coeliacs/gluten intolerant consumers can make up their own minds from the food products’ ingredient lists, without needing a ‘gluten free’ claim.

However, in the case of beer, there is no nutrition panel or ingredients list, so the claim ‘gluten free’ becomes essential to a gluten free consumer.

## **International Trade/Tourism**

9. Coeliac/gluten intolerant visitors to New Zealand will expect the same provision of information that they get in their own countries. Most countries allow labelling claims of ‘gluten free’ on food products, including beer. Withholding the information only limits the ability of New Zealand manufacturers to sell their GF products, both here and overseas.

## **Conclusion**

The removal of the right to label gluten free beer as such was incorrect. Even if “inadvertently caught” in the development of the new standard, and even if it is half way to being implemented, it should be changed back.

Thank you for considering this submission.

Leigh Catley

