

6 July 2015

Food Standards Australia New Zealand  
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AUSTRALIA

Via email: [submissions@foodstandards.gov.au](mailto:submissions@foodstandards.gov.au)

To whom it may concern

**Re: Submission on Proposal P1037 - Amendments associated with Nutrition Content & Health Claims (the Proposal)**

Thank you for the opportunity to provide comment on the above Proposal.

Coles is generally supportive of efforts to address the current inconsistencies and lack of clarity associated with Standard 1.2.7 – Nutrition, Health and Relation Claims. However, we have identified some practical issues in relation to the trademark exemptions under the Health Star Rating System (the HSR system). Specifically, Coles understands that the use of “low” descriptors in conjunction with prescribed nutrient icons for saturated fat, sugar and sodium are not included in the trademarked elements of the HSR and would therefore be subject to the same requirements (including additional labelling) as other nutrient content claims.

Coles notes that it has consistently applied the rule that if a product is “low” enough in sodium or saturated fat then we include the words LOW in the HSR system thumbnail. Ordinarily if you made such claims outside of HSR you would need to include potassium in the Nutrition Information Panel (NIP) to support the sodium claim and a full fatty acid breakdown to support a saturated fat claim. However, the consistent advice we have received from the Department of Health and the HSR Advisory Committee to date has been that these descriptors would be exempt.

Coles notes that it does not have data readily available on potassium and fatty acids for inclusion and that this additional information would not only add extra costs to obtain from suppliers, but also require expanding the Nutritional Information Panel.

If these descriptors are not exempt, we respectfully request adequate time (36 months) to update artwork using our normal product cycle review to ensure compliance.

[REDACTED]

Yours sincerely

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Head of Responsible Sourcing & Quality  
Coles