

Submission to Food Standards Australian New Zealand

Plain English Allergen Labelling

from Campbell Arnott's Asia Pacific

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1 Executive Summary

Campbell Arnott's welcomes the opportunity to comment on the second call for submissions for FSANZ Proposal P1044 on Plain English Allergen Labelling.

Campbell Arnott's produce over 500 products labelled in accordance with the ANZ Food Standards Code and informed by the AFGC Allergen Guide 2007 and 2019. Plain English Allergen Labelling is important to better advise consumers, allowing more informed choice and reducing risk to sensitive individuals.

Campbell Arnott's make the following recommendations and comments in relation to the call for submissions and the draft standard;

- Support Option 3 to declare allergens in the ingredient list and a mandated summary statement using specified terms and style with the following endorsements and amendments.
- Support specifically distinguishing mollusc from other seafood and crustacea and remove conflicting definitions of various seafood ingredients within the ANZ Food Standards Code.
- Support the specific terms of almond, brazil nut, cashew, hazelnut, macadamia, pecan, pine nut, pistachio and walnut in the ingredient list as a definitive list of tree nuts and retain the exemption for coconut.
- Use the specific term "Tree nut" as opposed to the more generic term "nuts" in the summary statement.
- Where appropriate within the ingredient statement allow for the declaration of individual cereals with flexibility for the use of more generic and already widely used and understood term "gluten containing cereals" to reflect the combined presence of wheat and gluten in the summary statement.
- In the event that a food does not contain gluten but contains wheat or its hybridised strains or wheat antigens the specified cereals should be bolded in the ingredient list and the specified term "wheat" should be declared in the summary statement.
- The proposal should include a 2 year transition with an additional 2 year stock in trade provision to manage long shelf life products such as canned foods and minimise packaging waste and cost. To further minimise cost FSANZ should also consider how this change can be grouped with other upcoming changes including HSR and Added Sugar labelling.

Campbell Arnott's stands ready to participate in future consultation and review of allergen labelling and can provide additional information on labelling and ingredients as required.

2 Introduction

Campbell Arnott's is a leading manufacturer of packaged Biscuits, Soups, Stock and Juices with facilities located in Sydney, Brisbane, Adelaide and Shepparton. Campbell Arnott's produce over 500 products labelled in accordance with the ANZ Food Standards Code and informed by the AFGC Allergen Guide 2007 and 2019. Plain English Allergen Labelling is important to better advise consumers, allowing more informed choice and reducing risk to sensitive individuals.

Campbell Arnott's welcome the opportunity to make a second submission in relation to Plain English Allergen Labelling.

3 Review and Recommendations

3.1 General comments and recommendations

Campbell Arnott's is supportive of the proposal to standardise allergen labelling in both the ingredient list and the associated summary statement. Campbell Arnott's already label all products sold in Australia and New Zealand using a uniform language and bold type face for allergens in the ingredient list and have voluntarily applied a summary statement detailing the nominated FSANZ allergens in the product.

Campbell Arnott's is supportive of the additional clarity proposed in the declaration of fish, crustacea and mollusc. Specifically, the distinction between crustacea and mollusc addresses the previous confusion caused by the term shellfish in some publications. It has been noted in the AFGC submission that the term mollusc needs to deal specifically with marine molluscs to avoid any unintended consequences in relation to land snails. Campbell Arnott's supports this position.

Campbell Arnott's supports the declaration of specific tree nuts in the ingredient list as this gives consumers information to make informed decisions about product choice. Campbell Arnott's supports the use of the alert phrase "tree nut" as it relates to the summary statement. This form of words then encourages consumers to look more closely at the ingredient list for the precise allergens without the need for unnecessary repetition.

Campbell Arnott's supports the declaration of individual cereals and their hybridised strains as detailed in Schedule 9-3 in the ingredient list of a food. Where these cereals contain gluten it should be used as an alert term in the summary statement. Much like the term "tree nut", the term "gluten" alone is sufficient as an alert phrase to prompt consumers to seek further information on the specific cereal(s) contained in the food from the ingredient list without the need for unnecessary repetition.

The term "gluten" should not be required in the summary statement for barley, rye, oats, and spelt if these cereal ingredients do not contain gluten due to processing or breeding techniques to remove gluten proteins. To avoid confusion and for an abundance of clarity it would be appropriate to allow these ingredients to be labelled as "gluten free" for example "gluten free spelt".

The FSANZ Safety Risk Assessment which accompanies the P1044 review paper notes there are distinct allergies for wheat which are independent of gluten. To accommodate these circumstances, in the event that individual cereals present in a food do not contain gluten but contain wheat or its hybridised strains or wheat antigens as has been reported in some varieties of barley and oats, the specified cereals should be bolded in the ingredient list and the specified term “wheat” should be declared in the summary statement.

Campbell Arnott’s broadly support the use of specified terms but recommends FSANZ allow flexibility for Industry in the use of plural terms for improved grammar to more clearly communicate with consumers and in the specific example of soy the additional terms specified in the Schedule 9-3 should be permitted in the ingredient list.

Campbell Arnott’s also draws attention to clause 1.2.3-6 (3) of the draft standard. The requirement is for the specific allergen terms to be listed separately each time they are present as an ingredient or as a component of an ingredient. FSANZ should consider a principle-based approach to labelling whereby the highest risk ingredient(s) are labelled with the specific allergen term and small quantities of allergenic materials present as components of flavours and other complex ingredients where those specific terms have already been labelled in higher quantities may be omitted. For example, in a pasta sauce product containing, in descending order, cream (milk), cheese (milk), and butter (milk) as ingredients, and milk as a component of a flavour present at less than 5%, it would be possible to omit the minor reference to milk in the flavour at no risk to the consumer.

3.2 Responses to Specific Questions

Campbell Arnott’s provides the following responses to specific questions sought by the Review.

1. What proportion of foods are likely to be affected by the change?

The Option 3 proposal as it stands would result in significant impact with all Arnott’s biscuit labels and many Campbell soup labels (approx. 450) being impacted with little consumer benefit. Amending the proposal based on the recommendations above would significantly reduce the burden on Industry with minimal impact to utility for the consumer.

2. Is there likely to be a material difference in costs between Options 2 and 3? If yes, why?

Omission of the mandatory contains statement would result in significantly less cost, eliminating the rework of the labels as a result of the prescriptive nature of the language to be used especially as it relates to gluten and wheat. Campbell Arnott’s labels broadly comply with the requirements of the AFGC Allergen Guide 2007 and 2019. Allergens are labelled and bolded in plain English in the ingredient list. Maintaining the summary statement as a voluntary element of the label would allow increased flexibility and eliminate the changes proposed in relation to the terms wheat and gluten as detailed in the general comments and recommendations above.

3. Is there likely to be a material difference in the benefit to consumers between Options 2 and 3?

The uniform application of plain English allergen labelling using specific terms in bold type would be a significant benefit to allergic consumers and associated stakeholders. The utility of easily identifying allergens present in the food helps to reduce the risk to these consumers of inadvertently selecting an allergen containing food. Previous research has indicated consumers spend only a matter of seconds reviewing the label before purchase. The application of a summary statement as proposed in Option 3 would allow at a glance information for consumers to further enhance the utility of the label.

4. Is Option 2 or 3 sufficient for consumers to make quick and reliable assessments of foods?

It is Campbell Arnott's view that Option 3 provides improved utility in allowing consumers to make quick and reliable assessments of foods. The application of an allergen summary statement is reflective of the recommendations of AFGC Allergen Guide 2007 and 2019. Campbell Arnott's already apply a summary statement broadly aligned to the proposal.

5. What would be an appropriate duration of time for stock in trade provisions?

To ensure minimal disruption to Industry and minimise the cost and waste associated with the write off of labels a minimum 2 years transition from gazettal is required. Given the long shelf life associated with some foods, for example canned food, an additional provision of up to 2 years for stock in trade from the end of the transition period should also be applied. This is reflective of the approach taken by the ACCC for Country of Origin labelling.

FSANZ should also consider other upcoming proposals which have the potential to also require label changes. Health Star Ratings, Added Sugar Labelling and potentially changes to the NRVs all have the capacity to impact on labelling, resulting in significant and repeated costs to the Industry and the potential to confuse the market with multiple label changes.

Campbell Arnott's urge FSANZ to group the changes to minimise cost and risk to the Industry and consumers.

6. Do you expect to have any notification, education, permission, purchasing, record keeping, enforcement, publication and documentation, procedural, delay, labelling or any other costs associated with the proposed changes to the Food Standards Code?

Confidential due to cost information: As proposed, changes to the Food Standards Code for allergen labelling would result in changes to virtually every label produced for Campbell Arnott's. To expedite the change existing IT systems that facilitate, and support label generation must be modified. This will require programming resource, testing, documentation and training costing thousands of dollars. A 2-year transition will also result in significant labelling costs both in cash and in resources. While a small proportion of the Campbell Arnott's portfolio is refreshed regularly, some iconic segments of the portfolio

are not managed or marketed as aggressively, meaning fewer and less frequent label updates. Based on the changes for Country of Origin labelling estimated costs are \$2 million to implement the required changes, and an additional cost of \$0.5 million in write offs and wasted packaging.

7. Any views in relation to unintended consequences associated with Option 2 or 3?

While the use of specified terms is intended to deliver more uniform labels for consumers across the ingredient list and the summary statement, it is important to consider the risks associated with precautionary allergen labelling (PAL). To remain aligned and present a uniform label to consumers, Industry will be required to amend the precautionary labelling to use specified terms. Where Industry voluntarily apply a precautionary allergen label cost and effort will be incurred to ensure alignment.

4 Conclusion

Campbell Arnott's supports a review into Plain English Allergen Labelling as identified by FSANZ to better assist allergic consumers make informed and safe choices.