

Proposal P1050 – Submission – Wild Polly Brewing Co

Please use the template below to provide your submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages. Please submit this to FSANZ as a word document (if required, a pdf of the submission may also be provided in addition to the word document).

For information about making a submission, including what your submission should include, visit the FSANZ website at [information for submitters](#).

Submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages

A. Name and contact details (position, address, telephone number, and email address):

B. For organisations, the level at which the submission was authorised:

Director

C. Summary (optional but recommended if the submission is lengthy):

I am writing to you regarding proposed changes to the FSANZ pregnancy labelling rules. As a small independent craft brewer, changes to the current standard must ensure that the mandatory pregnancy warning labelling regime provides the right balance between achieving community outcomes (ie raising awareness about the risks of drinking while pregnant) and producers' ability to responsibly sell, market and promote products. There should be a common-sense approach pregnancy labelling, as there could be impacts to small and medium businesses in terms of cost and change.

As a small business owner and member of the Australian Independent Brewers Association I hope that a realistic decision can be made to ensure a common-sense approach to the mandatory labelling is adopted.

In order to make these standards to be simply and cost-efficiently adopted, yet providing the necessary safeguards to increase awareness in the community, particularly for pregnant women, the labelling should;

1. Not have set colours – set colours dramatically increase costs and may in some cases be less visible. Sensible colour contrast guidelines should be developed instead, based on the existing Drinkwise guidelines.
2. Not mandate proposed warning labels that are so big that they would not fit on some existing vessel labels. To avoid this, I recommend an exemption for vessels 400mL and under. Only the pictogram would be required for these vessels. Tertiary and secondary packaging (which accounts for 95% of off-premise sales) would retain the full label.
3. Not use the term “HEALTH WARNING” as it is unnecessary and inaccurate. The text should be removed or replaced with PREGNANCY WARNING.
4. Ensure the warning label reflects current science around the relationship between consumption and harm. This is that it is “safest not to drink while pregnant.”

Already Wild Polly Brewing Co ensures that it meets all mandatory and voluntary labelling requirements, including pregnancy warnings, standard drinks and ABV% levels, recycling and 10c refund details. We also go above current standards with a full Country of Origin Food Label. However any new changes must ensure that they are feasible for industry as well as necessary

The existing messages around drinking while pregnant are already clearly working;

1. The rates of abstinence among pregnant women have been increasing steadily over the last decade, from 40% in 2007 to 55.6% in 2016.
2. Of women who did consume alcohol during pregnancy, 97.3% consumer no more than 1-2 standard drinks in 2016. This was up from 95.8% in 2013.
3. In 2016, the Australian Institute of Health and Welfare found that pregnant women drinking at higher rates were too small a cohort to be accurately measured.

Comments to specified sections of P1050 Call for Submissions (CFS) report:

D. Literature review on the effectiveness of warning labels (section 3.1.1 of CFS)

E. Consumer testing of warning statements (section 3.1.2)

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3. In 2016, the Australian Institute of Health and Welfare found that pregnant women drinking at higher rates were too small a cohort to be accurately measured.

F. Pictogram (section 3.2.2.2)

Pictogram only should be able to be used in vessels less than 400ml (ie 375ml cans and smaller) as the amount of space available for larger text and statements will add significant labelling costs to my business for little additional benefit for consumers.

Also colours of the pictogram should also not be set but rather reflect the standards of the current voluntary code.

G. Warning statement (section 3.2.2.3)

Health Warning should not be used, rather Pregnancy Warning would be a more appropriate statement for cartons.

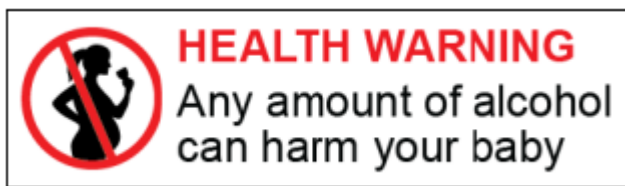
H. Design labelling elements (section 3.2.2.4)

Should be consistent with current voluntary standards, which are excellent at providing consumer warning / information and is having an impact on reducing drinking of pregnant women

I. Summary of proposed pregnancy warning label design (section 3.2.2.5)

The proposed label design, especially on ~375ml cans is excessive as it incorporates colours which will be more expensive, much larger in size than currently required under the voluntary scheme and the word "Health Warning" should at the very least be "Pregnancy Warning", which is consistent with the pictogram.

Also the location of the label on vessels has still not been mentioned, It should not be made to be on the front of any small vessel labelling as it would take away from branding, which is critical for a small business like Wild Polly. I do not believe the proposed label, particularly on vessels less than 400ml should be required



J. Beverages to carry the pregnancy warning label (section 3.2.3)

Pictogram only on vessels less than 400ml, full labelling on tertiary packaging only

K. Application to different types of sales (section 3.2.4)

L. Application to different types of packages (section 3.2.5)

The full label would be well suited to carton packaging and would be able to be incorporated by most breweries. To have this full label required on individual cans is problematic for small businesses and likely to be very costly to set up.

M. Consideration of costs and benefits (section 3.4.1.1 of CFS)

Already the current voluntary labelling system is making a difference. Making the current labelling system mandatory is a good thing and should be welcomed by the alcohol industry at all levels. The new labelling rules should be the same as they will impose no new costs on the industry, which is beneficial for small businesses like Wild Polly. Any changes will have new costs especially redesign of labels and packaging. This is more readily absorbed by big industry players who deal in huge volumes and turn overs. This in turn puts small independent breweries at an even greater disadvantage in a market that is skewed towards the favour of big industry companies

N. Transitional arrangements (section 4.1 of CFS)

2 year transitional window to allow brewers to use existing stocks

O. Draft variation to the Australia New Zealand Food Standards Code (Attachment A of CFS)

P. Other comments (within the scope of P1050 – see section 1.5 of the CFS)

To reiterate, in order to make these standards to be simply and cost-efficiently adopted, yet providing the necessary safeguards to increase awareness in the community, particularly for pregnant women, the labelling should;

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4. Ensure the warning label reflects current science around the relationship between consumption and harm. This is that it is “safest not to drink while pregnant.”

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