

AUSTRALIAN BEVERAGES COUNCIL

Proposal P1050

Pregnancy warning labels on alcoholic beverages

25 October 2019



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About the Australian Beverages Council

The Australian Beverage Council Limited [ABCL] is the leading peak body of the non-alcoholic beverages industry. We represent approximately 90 per cent of the industry's production volume, and our member companies are some of Australia's largest drinks manufacturers. We also represent many small and medium-sized companies across the country. Collectively, our Members contribute more than \$7 billion to the Australian economy and nationally our Members employ over 46,000 people.

We strive to advance the industry as a whole, as well as successfully representing the range of beverages produced by our Members. These include carbonated soft drinks, energy drinks, sports and electrolyte drinks, frozen drinks, bottled and packaged waters, juice and fruit drinks, cordials, iced teas, ready-to-drink coffees, flavoured milk products and flavoured plant milks.

The unified voice of the ABCL offers our Members a presence beyond individual representation to promote fairness in the standards, regulations, and policies concerning non-alcoholic beverages. We play a role in educating people on making informed choices encouraging balance, moderation and common sense. We are an advocate on issues such as portion sizes, nutritional labelling, industry marketing and advertising, and canteen guidelines. Our Members listen to consumers and adapt their products accordingly by making positive changes and standing by a commitment to promote greater choice, smaller portions and more products with low or no kilojoules. The ABCL is an important conduit between the non-alcoholic beverages industry and Government, supporting both Australian Government and State/Territory initiatives.

The ABCL introduced a dedicated juice division, Juice Australia [formerly Fruit Juice Australia], in 2009 and in 2011 a dedicated water division, the Australasian Bottled Water Institute [ABWI].

Background

It is understood that Food Standards Australia New Zealand [FSANZ] has prepared a proposal to consider amending the Australia New Zealand Food Standards Code [FSC] to require a mandatory pregnancy warning label on packaged alcoholic beverages.

Based on the legislation for what beverages could be considered in scope of this proposal and policy guidance, FSANZ considered two options for determining what 'alcoholic beverages' would be required to carry the warning label, with reference to %ABV:

- Option 1: beverages containing more than 1.15% ABV, and
- Option 2: beverages containing 0.5% ABV or more.

The Australian Beverages Council's Position and Issues for Consideration

The ABCL has reviewed the proposal and acting on behalf of the non-alcoholic beverages industry in Australia would like to indicate its support for

Option 1 - beverages containing more than 1.15% ABV

Under this option, a pregnancy warning label would be required on the label of any beverage with more than 1.15% ABV. This would generally include beer, grape and fruit and vegetable wine, wine products, cider, spirits, RTDs and any other beverages containing more than 1.15% ABV such as alcoholic ginger beer and alcoholic lemonade.

Beverages with less than 1.15% ABV such as brewed soft drinks would not be required to include a pregnancy warning label under option 1.

The ABCL notes that FSANZ

*"proposes Option 1 as a reasonable and pragmatic approach that will result in broad application of the pregnancy warning label across the alcoholic beverage sector. The proposed approach is broadly consistent with relevant requirements in the Code relating to alcohol and non-alcoholic beverages, and with relevant Australian and New Zealand legislation and guidance on alcoholic beverage definitions."*¹

¹ Call for submissions – Proposal P1050 Pregnancy warning labels on alcoholic beverage
<https://www.foodstandards.gov.au/code/proposals/Documents/CFS%20-%20Pregnancy%20Labelling.pdf>

We wish to make the following points in relation to the application.

Consumer confusion

The ABCL agrees with FSANZ that consumer confusion may occur under option 2 - all beverages captured under option 1 would be included plus beverages with an alcohol content of 0.5% to 1.15% ABV – as inconsistency across the brewed soft drink market would be inevitable.

The ABCL and its Members who manufacture and bottle brewed soft-drink beverages do not consider beverages under *Standard 2.6.2 Non-alcoholic beverages and brewed soft drinks* part of the alcohol industry, which also may cause confusion for both industry and consumers. In addition, this standard (section 2.6.2—8) also prohibits non-alcoholic beverages and brewed soft drinks to be labelled or presented as alcoholic beverages, again the ABCL agrees with FSANZ that this would cause further confusion for both consumers and industry.

The ABCL also notes

“that requiring beverages with 0.5% ABV or more to have the pregnancy warning label would also be inconsistent with the scope of the voluntary labelling initiative and the intent of the decision made by the Forum for FSANZ to consider warning labels on ‘alcoholic beverages’.”¹

Consumer education

The ABCL strongly supports education on how to read and interpret labelling information about alcohol in pregnancy and raising awareness of the risk of drinking alcohol during pregnancy and Foetal Alcohol Spectrum Disorder [FASD] prevention.

Summary

The ABCL thanks FSANZ for the opportunity to provide this submission in support of changing the Code to mandate a pregnancy warning label on the label of any beverage with more than 1.15% ABV [Option 1] in conjunction with education and other actions to prevent and manage FASD.

Contact

If you wish to discuss any aspects of this correspondence, please