

P274 Minimum Age Labelling of Foods for Infants

Submitter name: NSW Ministry of Health and NSW Food Authority

Summary

In developing this submission the NSW Ministry of Health has consulted with the NSW Food Authority. NSW welcomes the move to align minimum age labelling of foods for infants with recommendations in the Australian Infant Feeding Guidelines. However this proposal needs to be considered in the context of current infant feeding practice in Australia with the majority of parents/carers introducing solids before the recommended 'around 6 months of age'. The 2010 Australian National Infant Feeding survey showed that 35% of infants are already receiving solid food before 4 months of age, 70% before 5 months and 90% by 6 months of age (1). Introduction of solids before 6 months in NSW does appear to have decreased but remains high at 48% (2). As a minimum, the proposed labelling changes should ensure that there is not an increase in parents/carers introducing solids before 4 months of age. However there is also an opportunity for the labelling changes to educate parents/carers about the appropriate time to introduce solids and reinforce messages provided by other information sources such as child health nurses.

NSW acknowledges the emerging research into the timing of introducing solid food and the development of food allergies. The estimated prevalence of food allergy in infants/children is relatively low at 5% (3) and the FSANZ risk assessment shows that the evidence for minimising allergy development by exposure to foods between 4 and 7 months of age is currently inconclusive. The results of the randomised controlled trials currently in progress may inform any future labelling requirements in relation to the prevention of food allergy. In the meantime, the minimum age labelling requirement of 'around 6 months' will still include a significant proportion of the 4-7 month age group if indeed there is an effect of earlier exposure to foods on allergy development. The approach to minimum age labelling proposed in P274 is also consistent with the Australian Society of Clinical Immunology and Allergy recommendations that 'solids not be introduced before 4 months of age, but be introduced no later than six months of age, while continuing breastfeeding' (3).

NSW makes the following recommendations:

1. If industry self-regulation to ensure a consistent approach to stage labelling and differentiation of first foods is not possible, NSW recommends the addition of the words "*First Food*" next to the proposed "*around 6 months*" on the front of the label to improve the differentiation between first foods and next stage foods.
2. That the warning statement be changed to "*not before around 6 months of age*" to be consistent with the Australian Infant Feeding Guidelines and reduce the potential for

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harm given there is evidence that parents/carers could misinterpret a warning statement referring to 4 months as a recommendation to introduce solids at 4 months of age.

Questions for Submitters

Item	Response
4.1.1.2 - Food intended as a first food	
1. Is the concept and definition of first food a useful way to apply certain labelling and formulation requirements?	<p>NSW in principle supports the proposed concept and definition of a first food to help ensure consistency of labelling and composition of these foods in the market. However we request that “weaning” be replaced by “introducing solids” in the clause that will be added to Standard 2.9.2 to define a first food i.e. “first food means a food for infants that is intended for use in the first stage of introducing solids to an infant”.</p> <ul style="list-style-type: none"> - Weaning as a term can be confusing and potentially misleading as it is used in various contexts to describe the introduction of infant formula or cessation of breast feeding as well as complementary introduction of solids with breastfeeding. - Changing “weaning” to “introducing solids” would also ensure consistency with the terminology used in the 2013 Australian Infant Feeding Guidelines, Information for Health Workers (4) where this terminology issue is also discussed.
2. Is the definition of ‘first food’ enforceable?	<p>There is a potential for manufacturers to avoid the stricter labelling requirements of ‘first foods’, instead applying the labelling requirements for infants foods (Clause 5(3) of the proposed variation) by using terms such as “over six months”, “6 months +” or “6 months”. Further the proposed variation to the Standard is silent as to any representation that may occur at a marketing or advertising level.</p> <p>To circumvent this NSW suggests that the definition of ‘first foods’ be amended to include the words “that is intended or <i>represented</i> for use...”. The need to label with the term ‘first food’ could also assist with improving enforceability.</p>
4.1.1.3 Impact of labelling on other infant food	
1. Should the use of the age/number 6 on labels of infant food be prohibited, other than in conjunction with the word ‘around’? Please explain your view.	<p>NSW recommends allowing the use of age/number 6 on infant food labels other than in conjunction with the word “around” <u>IF</u> 1) there is an additional requirement for first foods to carry the words “First Food” on the front of the label along with “around 6 months” <u>OR</u> industry implements a code of practice that will ensure a consistent approach to stage labelling in the market including clear differentiation between first and next stage foods</p> <ul style="list-style-type: none"> - There is the potential for confusion by having both first foods and next stage foods on the market that both use reference to 6 months. Next stage products in the market use the words “From 6 months” and “6 months

	<p>+</p> . This wording is not easily distinguishable from <i>“around 6 months”</i> . <ul style="list-style-type: none"> - Manufacturers are using labelling to help differentiate between first foods and next stages. However this is not applied consistently with some manufacturers referring to stage labelling (Stage 1,2,3) while others use age labelling (4+, 5+, 6+,7+,8+ months) and/or colours to indicate different stages. - Given the majority of parents/carers are introducing solids to their children before the recommended <i>“around 6 months”</i>, it is important that the food label helps them to understand that first foods need to be introduced later than is current practice. NSW recommends that first foods should be required to carry the words <i>“First Food”</i> in addition to the proposed <i>“around 6 months”</i> on the front of the label. This would improve the differentiation between first foods and next stage foods and ensure some degree of consistency in the stage labelling approach (at least for first foods), - This approach would also enable next stage foods to continue to use the age/number 6 without any additional label changes, in line with minimum effective regulation. - An alternative approach would be for industry to develop their own code of practice to ensure a consistent approach to stage labelling in the market and improved differentiation between first foods and next stage foods.
4.1.2 Mandatory advisory statements	
<p>1. Do the changes to the wording of the warning statements change the intent of these statements? If so, please explain why.</p>	<p>NSW in principle supports a shorter version of a warning statement but we are concerned about the potential for confusion and harm that a warning statement that continues to refer to “4 months” will have and would recommend changing the statement to “not before 6 months of age”.</p> <ul style="list-style-type: none"> - NSW is supportive of having a warning statement on first foods with the intent of advising consumers of the risk of harm if solid foods are introduced too early. The warning statement also provides an opportunity to educate carers on when introducing solids is recommended. - However the qualitative consumer research commissioned by FSANZ in 2004 (5) suggested that consumers interpret the warning statement in conjunction with the ‘around 6 months’ label as indicating that introducing solids at 4 months is recommended. This potential for consumer confusion has also been voiced by a small survey of NSW Child and Family Health Clinical Nurses consultants who regularly provide advice to parents/carers on introducing solids. - The Use of “not before 4 months of age” in the warning statement would therefore appear to be inconsistent with the proposed changes that <i>“No statement is permitted that a food is suitable for infants aged less</i>

	<p><i>than around 6 months of age</i>".</p> <ul style="list-style-type: none"> - While we envisage that manufacturers will put the warning statement on the back of the label where consumers are less likely to take notice than the front of pack, the potential for confusion and inadvertently encouraging carers/parents to introduce solids earlier than recommended remains. An association between lower educated mothers/carers and early introduction of solids has been observed (1) further emphasising the need for clear and consistent messages. - The evidence for harm is strongest for introducing solids before 4 months of age so in this sense the intent of the warning statement is valid. However to be consistent with the Australian Infant Feeding Guidelines and ensure that parents/carers do not misinterpret the warning statement as a recommendation to start solids at 4 months, NSW recommends that the warning statement be changed to: "<i>Not before around 6 months of age</i>".
<p>2. Should the 'not before 4 months of age' statement apply only to first food represented for infants 'around 6 months' of age only? If not, please describe which foods should carry this warning statement, and the reasons why.</p>	<p>NSW recommends that the warning statement applies only to first foods labelled as "around 6 months".</p>
<p>4.1.3 Location of mandatory statements on infant food labels</p>	
<p>1. Is it important for minimum age to be always displayed on the front of a product? Please give your reasons. If not, are there any other labelling measures that should be mandated?</p>	<p>NSW supports the minimum age being displayed on the front of the product as this is where it will be most easily seen. FSANZ consumer research in 2004 (5) suggests that consumers pay most attention to information on the front of label when choosing products.</p> <ul style="list-style-type: none"> - Food labels can be an education tool for parents. Given the high number of infants that currently receive solids before 6 months of age, displaying the minimum age clearly on the front of the product may help educate consumers and reduce the number of infants receiving solids before the recommended age. To make the distinction between first foods and next stage foods clearer, NSW proposes mandating the addition of "<i>first food</i>" next to "<i>around 6 months</i>" on the front of the label.
<p>2. Will the removal of the association between the relevant minimum age statement and</p>	<p>The current proposal mandates placing the minimum age statement on the front of the label but the warning statement can appear anywhere on the label. While it is unlikely manufacturers will choose to put the warning statement on the front of the label, this could cause confusion if it does occur.</p>

<p>the 4-month warning statement reduce the risk of caregiver confusion on the age of introducing solid foods?</p>	<p>NSW agrees that the more likely scenario is that the warning statement would be placed on the back of the label but still believes there is the potential for confusion and harm by having “4 months” and “around 6 months” statements on the same label regardless of the position of each statement. NSW recommends changing the warning statement to “not before around 6 months of age” to be consistent with the Australian Infant Feeding Guidelines and ensure that parents/carers do not misinterpret the warning statement as a recommendation to introduce solids at 4 months of age (see response to 4.1.2).</p>
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References

- (1) Australian Institute of Health and Welfare 2011. 2010 Australian National Infant Feeding Survey: indicator results. Canberra: AIHW.
- (2) NSW Health Survey <http://www.health.nsw.gov.au/surveys/Pages/default.aspx>
- (3) Australasia Society of Clinical Immunology and Allergy)
(<http://www.allergy.org.au/patients/food-allergy/food-allergy>. Accessed 28th October 2013.
- (4) National Health and Medical Research Council (2012) Infant Feeding Guidelines. Canberra: National Health and Medical Research Council.
- (5) FSANZ 2004. A Qualitative Consumer Study Related to Food Labelling of Infant Foods. www.foodstandards.gov.au/newsroom/publications/foodlabellingofinfantfoodsapril2004/index.cfm

ENDS

The views expressed in this submission may or may not accord with those of other NSW Government agencies. The NSW Food Authority has a policy which encourages the full range of NSW agency views to be submitted during the standards development stages before final assessment. Other relevant NSW Government agencies are aware of and agree with this policy.