

Australian Food and Grocery Council SUBMISSION

MARCH 2012

TO:
FOOD STANDARDS AUSTRALIA NEW ZEALAND

IN RESPONSE TO:
**PROPOSAL P293 - NUTRITION, HEALTH & RELATED
CLAIMS**



PREFACE

The Australian Food and Grocery Council (AFGC) is the leading national organisation representing Australia's food, drink and grocery manufacturing industry.

The membership of AFGC comprises more than 150 companies, subsidiaries and associates which constitutes in the order of 80 per cent of the gross dollar value of the processed food, beverage and grocery products sectors.

With an annual turnover of \$108 billion, Australia's food and grocery manufacturing industry makes a substantial contribution to the Australian economy and is vital to the nation's future prosperity. The industry is similar in size to the mining sector.

Manufacturing of food, beverages and groceries in the fast moving consumer goods sector¹ is Australia's largest and most important manufacturing industry. Representing 26 per cent of total manufacturing turnover, the sector is the second largest industry behind the Australian mining sector and accounts for over one quarter of the total manufacturing industry in Australia.

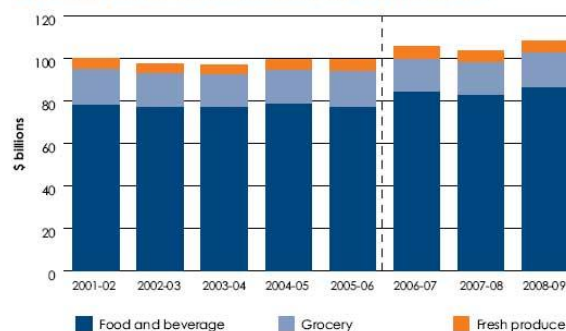
The growing and sustainable industry is made up of over 30,100 businesses and accounts for \$46 billion of the nation's international trade. The industry spends \$368 million a year on research and development.

The food and grocery manufacturing sector employs more than 312,000 Australians, representing about 3 per cent of all employed people in Australia, paying around \$13 billion a year in salaries and wages.

Many food manufacturing plants are located outside the metropolitan regions. The industry makes a large contribution to rural and regional Australia economies, with almost half of the total persons employed being in rural and regional Australia². It is essential for the economic and social development of Australia, and particularly rural and regional Australia, that the magnitude, significance and contribution of this industry is recognised and factored into the Government's economic, industrial and trade policies.

Australians and our political leaders overwhelmingly want a local, value-adding food and grocery manufacturing sector.

Figure 1. Industry's turnover (2008-9)



Source: ABS, catalogue number 8221.0 and 8159.0

¹ Fast moving consumer goods includes all products bought almost daily by Australians through retail outlets including food, beverages, toiletries, cosmetics, household cleaning items etc.

² About Australia: www.dfat.gov.au

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EXECUTIVE SUMMARY

The Australian Food and Grocery Council (AFGC) welcomes the opportunity to provide comment on the Food Standards Australia New Zealand (FSANZ) *Proposal P293 Nutrition, Health & Related Claims* (P293). AFGC acknowledges that FSANZ is undertaking this consultation following direction provided by the COAG Legislative and Governance Forum on Food Regulation (the Forum).

AFGC is concerned that FSANZ is limiting its consultation on P293 to specific changes made since its last consultation in March 2009. AFGC rejects the notion that consultation should only occur on these changes noting that the Forum did not specify limited consultation. **Furthermore, the last opportunity for stakeholders to comment on the full draft standard was in 2005, over seven years ago.** It is AFGC's view that the **whole standard must be considered** to ensure that the underlying assumptions are correct and based on the highest quality evidence and data.

In considering the whole standard, AFGC considers it to be **extremely inadequate and unworkable** noting that it:

- Fails to adopt the requirements of the Ministerial Council Policy Guideline On Nutrition, Health And Related Claims, which FSANZ must have regard to;
- Fails to provide a simple and straightforward framework for industry to make factual and truthful claims about what products contain to assist consumers make informed food choices;
- Fails to support an innovative and productive food industry sector in Australia, which develops and produces new and healthier food products for consumers;
- Fails to meet requirements for minimum effective regulation and will in fact impose significant additional burden by imposing highly restrictive criteria to General levels health claims;
- Fails to consider the millions of dollars in costs that will be imposed on industry to implement the standard including significant label changes; and
- Fails to accept current nutritional wisdom that it is inappropriate to impose dietary guideline criteria, based on population statistics and average daily diets, to individual foods and will prohibit claims on foods which are considered part of a healthy diet.

AFGC is concerned that if imposed, the draft standard will not provide consumers with accurate information; will add significant burden and costs to industry; and will significantly stifle innovation in food products thereby threatening Australian food industry competitiveness and long term viability, with resultant job losses and the shift of manufacturing offshore.

Given the significant concerns, AFGC recommends that Proposal P293 - Nutrition, Health and Related Claims be rejected in its entirety.

The Future of Health Claims in Australia

AFGC remains committed to the development of a standard for health claims which is effective and meets the needs of all stakeholders. In this area FSANZ has failed to provide a draft Standard which would encourage companies to make innovative products designed to protect and promote good health, or encourage companies to make claims encouraging their consumption. The end outcome is consumers having less information and choice when purchasing food and constructing healthy diets.

The reason for this lies in current public policy debate on the potential role of the Food Standards Code in pursuing the preventive health agenda priority of tackling the rising incidence of diet related non-communicable diseases. This debate has overtaken the development of the Standard causing its objectives to stretch further than simply protecting public health and safety to an alignment with active prevention.

AFGC has recommended in this Submission that the draft Standard should be discarded. Notwithstanding this AFGC does not wish to abandon Health Claims completely. Rather, AFGC considers there may be merit in conducting a comprehensive review of the current food regulatory policy settings and current Food Standards Code. It is over 10 years since the last review and the drafting of the Food Standards Code. Indeed, apart from the current health claim issue other aspects of the Food Standards Code and areas general stakeholder dissatisfaction with food regulation processes have been identified including:

1. treatment of MRLs and lack of consistency with overseas permissions;
2. the rationale for claimable foods - the fortification of orange juice with calcium demonstrated the lack of solid scientific underpinning for this concept;
3. the potential use of wider fortification strategies to address nutritional deficiencies in the community beyond folic acid and iodine;
4. the problematic introduction of primary production standards into the Food Standards Code in which prescriptive requirements are often problematic to implement “on farm”; and
5. New Zealand opting out of Standards developed;
6. States and Territories perusing independent food standards regulations – e.g. gazettal in New South Wales of Food Amendment Bill 2010 requiring the display of nutritional information on menu boards and food displays; and
7. circumvention of FSANZ processes through the presentation of Bills in Parliament – e.g. Food Standards Amendment (*Truth in Labelling Palm Oil*) Bill 2011.

A comprehensive review may assist in addressing these issues and concerns. As part of this review, a fundamental question to be posed and answered within this review is

“To what extent should food regulations be used to pursue preventive health priorities in the areas of non-communicable diseases and what policy principles should guide that use”

The outcomes of this review could then be used to guide the development of an effective standard for Nutrition, Health and Related Claims, that adequately reflects policy intent and is beneficial to all stakeholders.

AFGC recommends that FSANZ considers the merit of undertaking a review of the Food Standards Code, with specific consideration of the extent to which food regulation should be used to pursue preventive health priorities in the areas of non-communicable diseases.

RECOMMENDATIONS

Key recommendations

AFGC recommends:

1. Proposal P293 - Nutrition, Health and Related Claims be rejected in its entirety.
2. FSANZ considers the merit of undertaking a review of the Food Standards Code, with specific consideration of the extent to which food regulation should be used to pursue preventive health priorities in the areas of non-communicable diseases.

Additional recommendations relating to the overarching standard

AFGC recommends:

3. FSANZ reviews Proposal P293 against the policy principles to ensure the key elements of an effective health claims regulatory system are secured.
4. FSANZ reviews the health claims framework developed so that it allows industry innovation, thereby increasing healthy food options for consumers.
5. That claims currently made by food companies be allowed to continue under any future nutrition and health claim standards, unless they are demonstrated to be untruthful, or alternatively, there is evidence of detriment to consumers.
6. AFGC recommends that Australia's regulatory system for nutrition and health claims comprise a combination of full regulation for High level claims complemented by an industry Code of Practice for General level claims.

Specific recommendations should the standard be approved by the Forum

AFGC recommends:

7. An extended transitional period of four years to allow the industry adequate time to make changes and submit relevant applications to FSANZ.
8. The standard focus solely on the regulation of nutrition and health claims relating to long-term health benefits and the prevention of non-communicable diseases (NCDs), with exclusions provided for areas such as sports and energy drinks.
9. Clarification of the definition proposed for a health claim to define directly or indirectly.
10. Clarification of Clause 7a so that it does not contradict approved claims in the draft standard.
11. Self-substantiation by industry of claims that are not included in the pre-approved list.
12. Consideration of health claims established by other international regulatory authorities, not just the European Union.
13. Further guidance be provided on comparative claims, which must now include the difference between the amount of the property in the 'claimed food' and the 'reference food'.
14. Amending Clause 16 to support a tiered approach to health claims, as intended in the Policy Guidance.
15. The deletion of clause 17(1a) or alternatively amendment of the NPSC to ensure it is evidence based and does not impose overly restrictive criteria.
16. Clarification of Clause 22 in regards to endorsements as distinct from certifications.
17. FSANZ undertakes a formal proposal process on fat free and % fat free claims if evidence warrants a proposal in this area.

18. The current status quo on fat free and % fat free claims, as defined in CoPONC, is appropriate.

1. INTRODUCTION

Draft Standard 1.2.7, as proposed in P293, is intended to provide a regulatory management and substantiation framework for nutrition content and health claims. In particular it aims to address ambiguities and limitations under existing regulations that restrict industry innovation and lead to difficulties with enforcement.

AFGC remains committed to the development of a standard for Nutrition, Health and Related Claims that meets these objectives and is of benefit to government, industry and consumers. To meet these objectives the standard must:

- Reflect policy guidance;
- Utilise the best available science and evidence base;
- Be proportionate to risk and outcomes focussed;
- Ensure minimum effective regulation;
- Be nationally consistent and enforceable;
- Support industry innovation and allow substantiated and truthful claims to be made;
- Support and promote international and domestic trade; and
- Support of competition in the marketplace.

AFGC is concerned that the draft Standard 1.2.7 has moved away from these objectives and as such is severely lacking and will not achieve its objectives, and is of little benefit to key stakeholders including consumers and industry. This submission will highlight some critical concerns the food and grocery industry has in relation to the application and implementation of the draft Standard.

AFGC notes the request for comments to focus on changes made since the last consultation and the questions to submitters. While detailed responses to these questions will be provided, AFGC considers that **concerns raised during previous consultations have not been addressed by FSANZ** and as such further consideration of these issues is justified.

Therefore, this submission will provide comments in two key areas:

1. Key issues previously raised but not addressed by FSANZ; and
2. Comments in relation to the *Questions to Submitters*.

AFGC urges FSANZ consider all comments and recommendations made in this submission.

2. KEY ISSUES PREVIOUSLY RAISED AND NOT ADDRESSED

Adherence to ANZFRMC Policy Principles

When assessing whether to develop or amend food standards, **FSANZ must have regard to any formal policy guidelines set by the former Australia New Zealand Food Regulation Ministerial Council³ (ANZFRMC)**. In the case of P293, FSANZ must have regard to the Nutrition, Health and Related Claims Policy Guideline as endorsed by the ANZFRMC on the 24 May 2002. Previously, AFGC has expressed significant concerns that FSANZ's development of the Nutrition, Health and Related Claims Standard has deviated substantially from the Policy Guidance. Indeed, AFGC is of the view that the **current draft Standard 1.2.7 fails to observe, or only partially observes, nine of the thirteen policy principles**, and as such **almost disregards in its entirety the Policy Guidance provided by ANFRMC**. A number of examples are highlight below.

AFGC does not consider that the updated draft Standard 1.2.7 meets the Policy Guidance which allowed for manufacturers to self substantiate general level health claims. The sixth principle provided in the Policy Guidance stated that intervention by government should '*contain a process of substantiation which aligns levels of scientific evidence with the level of claims along the theoretical continuum of claims, and at minimum costs to the community*'. **Indeed the current draft Standard is more restrictive than previous versions and has moved further away from this policy principle**. This imposes a command and control regulatory burden that will impede innovation and the flow of information to consumers, especially where such information is mediated by the need for long regulatory processes.

The current proposal states that all claims are now required to be approved, at the highest level. **The approach proposed by FSANZ for pre-approval and qualification of claims adds significant burden to industry** and will render illegal many claims currently made, regardless of the substantiation that is held by industry. This level of prescription is also in direct contrast to advice provided by the Commonwealth following the review of food labelling. In relation to a standard for nutrition, health and related claims on food labels the Commonwealth stated '*include a hierarchy of substantiation of claims at the various levels, that would encompass use of defined nutrition words and terms, pre-approved relationships, authoritative sources, systematic review and pre-market assessment and approval*⁴'. The "one size fits all" approach proposed **is in direct contrast to Policy Principles and Commonwealth advice which supports a continuum of claims**.

AFGC notes that the draft Standard 1.2.7 also puts **undue costs on industry and is highly trade restrictive**. This is in direct contrast to the fifth policy principle to be '*cost effective overall, not more trade restrictive than necessary and comply with Australia's and New Zealand's obligations under the WTO agreements*'. AFGC is highly concerned that the costs associated with implementing the standard will impact the Australian industry heavily, adding further constraints to the hard economic times the industry is currently facing. Additional details on the costs associated with implementing this draft Standard are provided later in this submission.

AFGC refers FSANZ to previous AFGC submissions which highlight the importance of the ANZFRMC policy principles in the development of the health claims standard. The AFGC remains committed to, and supportive of, this policy guideline and considers it strikes the necessary

3 [http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-policydocs.htm/\\$FILE/nutrition_guidelines.pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-policydocs.htm/$FILE/nutrition_guidelines.pdf)

4 <http://www.foodlabellingreview.gov.au/internet/foodlabelling/publishing.nsf/content/home>

balance between consumer information, industry innovation and flexibility, accountability and enforcement.

AFGC recommends that FSANZ reviews Proposal P293 against the policy principles to ensure the key elements of an effective health claims regulatory system are secured.

Stifling Industry Innovation

AFGC is highly concerned that the current draft Standard 1.2.7 proposed by FSANZ will significantly curtail innovation in food product development in the Australian market, rendering the standard of little benefit to consumers. The draft Standard discourages the food industry from developing new healthy foods, undermining the long term competitiveness of the Australian food manufacturing industry.

The Australian food and grocery manufacturing industry is already under extreme economic pressure and cannot carry undue regulation-based costs. The industry's international competitiveness is already being undermined by:

- ***rising input costs*** – raw materials, energy, transport costs are all going up;
- ***exchange rate effects from the high Australian dollar*** making imports more competitive;
- ***increased regulatory compliance costs***; and
- ***aggressive price cutting*** in the retail sector being forced up the supply chain onto manufacturers.

These factors combine to erode margins and reduce profitability thereby compromising long term competitiveness. The overall effect is a decline in the profitability of the industry, limiting funds available (including from raising debt) for investment and reinvestment in new plant and new process i.e. in innovation. This limits the growth in productivity – i.e. becoming more efficient and effective – necessary to remain competitive in international markets.

The last thing the industry needs is any restriction of its ability to compete through the development of new healthy products, ***an area which will be seriously hampered by this restrictive regulation.*** Any framework developed should aim to increase innovation and not stifle it.

AFGC maintains the view that the key elements of an effective health claims framework include:

- a scientific, evidence-based hierarchy approach to the substantiation, and approval, of health claims;
- simple, easy to understand, flexible provisions in the food regulations, with minimal levels of prescription, to optimise innovation in food products to assist consumers select diets which protect and promote good health;
- clear enforceability of the standard limiting only substantiated nutrition and health claims to the market place; and
- cost effectiveness to minimise the potential burden on industry and enforcement agencies.

AFGC recommends that FSANZ reviews the health claims framework developed so that it allows industry innovation, thereby increasing healthy food options for consumers.

Is Not Based on Minimum Effective Regulation

AFGC **does not believe the current draft Standard 1.2.7 meets COAG principles of minimum effective regulation**⁵. Indeed the standard includes provisions already covered under the Competition and Consumer Act (2010), and state and territory food and health Acts. Additionally, the updated version of the draft Standard 1.2.7 adds further regulatory burden to the industry by moving away from self substantiation of claims to the costly and time consuming processes of applications, with all claims to be assessed as high level health claims.

AFGC notes that **under the draft Standard 1.2.7, claims currently on the market will be rendered illegal with no evidence or justification that they have caused harm to consumers**. Table 1 identifies some of the products and claims that will be illegal under the draft Standard 1.2.7. Additionally, many products which will continue to be allowed to make the claims will be required to alter their labels in order to comply with new labelling provisions.

Table 1. Types of claims currently on food products which would be rendered illegal if FSANZ's current proposals for draft Standard 1.2.7 Nutrition, Health and Related Claims are adopted.

FOOD / NUTRIENT	CLAIM TYPE	COMMENT
Breakfast Cereals		
Zinc	Needed for a healthy immune system to help protect the body	Claim is not allowed for in the pre-approved list Some breakfast cereals also disqualified by NPSC*
Vitamin C	Helps keep teeth and gums healthy	
Iron	Needed to help carry oxygen around the body for daily activity	
Folate	Needed for normal growth and development of cells and is especially important for women in their childbearing years	
Protein and fibre	Oats, protein and fibre to help you feel satisfied	
Breads		
Wholemeal	For weight management	Claim is not allowed for in the pre-approved list
Soy and Linseed	For women's wellbeing	Claim is not allowed for in the pre-approved

⁵ <http://www.health.gov.au/internet/main/publishing.nsf/Content/ageing-iar-description-outcomes.htm~ageing-iar-description-outcomes-11.htm~ageing-iar-description-outcomes-11-att1.htm>

		list
Muesli Bars		
Fibre	Source of fibre/Low GI Fibre for good digestion, regularity and overall health	Claim is not allowed for in the pre-approved list. The FSANZ list only allows “fibre and laxation” claims
Soy		
Isoflavones	For overall wellbeing and to manage change of life symptoms	Claim is not allowed for in the pre-approved list
Yoghurt		
Probiotics	Active probiotics, friendly bacteria 'Helps maintain a healthy and happy digestive and immune system' With probiotics to help digestive balance	Claim is not allowed for in the pre-approved list
Protein/ fibre	Feel fuller for longer	Weight management and implied weight management claims are not allowed for in claims FSANZ proposes Claim is not allowed for in the pre-approved list
Glycemic Index	Low GI for sustained energy release Low GI to help you feel fuller for longer	Claim is not allowed for in the pre-approved list
Calcium and/or vitamin D	For strong bones	Claim is not allowed for in the pre-approved list
Cheese slices		
Vitamin D	Vitamin D for better calcium absorption	Disqualified by the NPSC
Calcium	Good for growing bones	Disqualified by the NPSC
Spreads (Yeast extract, Peanut butter)		
B Vitamins	B group Vitamins for energy release	Disqualified by the NPSC
Glycemic Index	Low GI for longer lasting energy	Disqualified by the NPSC
Milk		
Vitamin A	Vitamin A for healthy eyes and skin	Claim is not allowed for in the pre-approved list

Calcium enriched	Calcium rich for strong teeth and bones	Claim is not allowed for in the pre-approved list
Protein (Flavoured milk)	Protein for growing muscles	Disqualified by the NPSC
Omega 3	For brain and eye development	Disqualified by the NPSC Claim is not allowed for in the pre-approved list
Canned Fish		
DHA and EPA	Contributes to the development of brain, eyes, and nerves	Claim is not allowed for in the pre-approved list
DHA and EPA	For healthy heart function	Many canned fish products disqualified by the NPSC.
Canned Tomatoes		
Lycopene	Protects against free radical damage	Claim is not allowed for in the pre-approved list
Juice		
Antioxidants	Antioxidants (vitamins A,C and E) to help neutralise the free radicals that bombard bodies every day	Claim is not allowed for in the pre-approved list

AFGC recommends that claims currently made by food companies be allowed to continue under any future nutrition and health claim standards, unless they are demonstrated to be untruthful, or alternatively, there is evidence of detriment to consumers.

Imposes Significant Costs on Industry

The current draft Standard 1.2.7 ***will impose significant costs on industry*** to implement.

Previously, AFGC has estimated the costs associated with label changes resulting from amendments to regulation. This cost assessment takes into account:

- label design – the cost of engaging designers to make changes to or redesign the label (or package for direct print labels);
- label production – the costs associated with the production of labels over and above printing, such as new printing plates;
- proofing – costs of viewing incorporated text, colour and/or graphics to the label, to ensure that the label is how it should be before printing, possible including testing new plates;
- package redesign – the costs associated with changing the shape, or size of packaging. The direct costs include packaging redesign costs and packaging proofing costs; and
- labour – the labour inputs involved in responding to regulatory changes, such as marketing management, administration, technical and regulatory expertise.

In addition to label changes industry will also face costs associated with: changes to advertising and marketing practices; research and data collection to meet high level substantiation of claims; application costs to FSANZ; costs associated with reformulation of products to meet NPSC; and costs associated with reduced consumer choice and loss of consumer confidence in brands.

AFGC is not in a position to estimate the full extent of costs associated with implementing draft Standard 1.2.7, however some indicative costs can be provided in the labelling area. These costs are based on previous assessments and show that, depending on the pack, costs of label changes fall mainly in the range of \$5,000 to \$15,000 per stock keeping unit (SKU). A general outline of how these costs are derived is provided in Table 2.

Given the coverage of the draft Standard 1.2.7, a very large portion of the 30,000 SKUs on supermarket shelves would need to be changed, resulting in costs to industry of potentially hundreds of millions of dollars. **With no evidence that any claims currently being used by industry are incorrect or misleading this cost is completely unjustified.**

In relation to the costs associated with the draft Standard 1.2.7, AFGC is highly concerned that no updated cost-benefit analysis has been provided as part of this consultation. Given the significant changes to the draft Standard 1.2.7 since 2008, an updated costs benefit analysis is important to consider the full impact of the standard. AFGC is aware that FSANZ is currently preparing a revised cost benefit analysis, however notes this should have been completed prior to consultation to ensure full consideration of the impacts of the draft Standard 1.2.7.

Table 2. Indicative Costs of label changes to food packages

	Lithograph	Flexograph	Gravure
Pack Design Origination - Minor	\$5000	\$5000	\$5000
Artwork development	\$1500	\$1500	\$1500
Art work creation	\$1200	\$2400	\$5000
Total costs	\$7700	\$8900	\$11500
Pack Design Origination - Medium	\$6800	\$6800	\$6800
Artwork development	\$1500	\$1500	\$1500
Art work creation	\$1200	\$2400	\$5000
Total costs	\$9500	\$10700	\$13300
Pack Design Origination - Complex	\$8800	\$8800	\$8800
Artwork development	\$1500	\$1500	\$1500
Art work creation	\$1200	\$2400	\$500
Total costs	\$11500	\$12,700	\$15,300

Does Not Consider Co-regulatory Approaches

It is AFGC's view that not enough consideration has been give to alternative approaches to regulating health, nutrition and related claims, including voluntary industry Codes of Practice. In

previous submissions AFGC has noted the significant work undertaken in investigating co-regulatory approaches including:

- examining the operation of Codes in other industries, and specifically the self-medication industry to determine if a similar approach would be appropriate to the food industry;
- taking guidance from the ACCC framework and assessing the implications for the food industry should it decide to develop and adopt a code of practice;
- identifying the key hurdles and pitfalls for the AFGC, and the food industry, in co-regulatory measures compared to full regulation; and
- assessing the readiness of AFGC member companies to commit to a co-regulatory system for nutrition and health claims.

Indeed, ***AFGC have already established and are operating a Code of Practice for Food Labelling and Promotion.*** It currently provides guidelines to industry on front of pack nutrition labelling, allergen labelling and date mark labelling. It is based on ACCC guidelines for industry codes and is modelled on the successful operation of codes in other industry such as the self-medication industry. There is a strong commitment from the AFGC and industry to supporting the operation of the Code of Practice and a strong management framework has been established. As a potential extension to the Code AFGC has drafted provisions guiding the use of general level health claims which can be implemented immediately.

The benefits of Codes of Practice are well established, in particular reduced regulatory and enforcement costs. AFGC considers that co-regulation in this area will be of the highest benefit to consumers and will assist in reducing regulatory and enforcement burden. This type of approach is also consistent with the Policy Guidance provided by:

- enabling responsible use of scientifically valid nutrient, health and related claims;
- supporting government, community and industry initiatives that promote healthy food choices by the population;
- being cost effective overall, and not more trade restrictive than necessary;
- containing a process for substantiation which better aligns to a hierarchy of claims, with minimum costs to the community;
- providing for collaborative action among enforcement agencies, industry and consumers which optimises potential to educate consumers on a balanced diet; and
- allows for effective monitoring and enforcement, proportionate to the hierarchy of claims.

AFGC strongly advises that further work be undertaken to explore co-regulatory options for the draft Standard 1.2.7 to meet Policy Guidance, be useful to consumers and support innovation in the food manufacturing industry. Co-regulation will also assist in reducing the burden of regulation while also reducing enforcement costs for jurisdictions.

AFGC recommends that Australia's regulatory system for nutrition and health claims comprise a combination of full regulation for High level claims complemented by an industry Code of Practice for General level claims.

3. COMMENTS IN RELATION TO THE QUESTIONS TO SUBMITTERS

As noted above, **AFGC is not supportive of the draft Standard 1.2.7**, and believes the standard will fail to provide consumers with accurate and relevant information to make good food choices and will impose undue costs on the food and grocery industry, which is already under extreme economic pressure. **However, if the draft Standard 1.2.7 is agreed by the Forum, a number of specific issues must be considered and amended.** These specific issues are outlined below.

3.1. PART 1- DRAFT STANDARD 1.2.7 – NUTRITION, HEALTH & RELATED CLAIMS

Does the revised drafting accurately capture the regulatory intent as provided in Attachment B? Please consider the clarity of drafting, any enforceability issues and the level of ‘user-friendliness’.

AFGC notes that there have been significant changes to the draft Standard 1.2.7 since the last consultation in 2009. **Indeed there have been significant changes since the last full consultation which occurred seven years ago.** AFGC contends that the revised draft Standard 1.2.7 has not improved clarity or user-friendliness and that shortening the standard does not render it more useful or less complex. Furthermore the changes proposed will impose significant costs on the industry and will reduce innovation with potential long term negative effects on the viability of the Australian food industry.

AFGC also notes that issues previously raised have not been addressed to improve clarity and user-friendliness and the draft Standard 1.2.7 still fails to:

- adopt the requirements of the Ministerial Council Policy Guidance on Nutrition, Health and Related Claims;
- provide a simple and effective framework for industry to make truthful and factual claims about food products;
- establish a credible, scientific basis for permitting claims based on a tiered approach to nutrition and health claims;
- consider the costs of implementation and the significant burden on industry to implement the standard; and
- consider the inappropriateness of imposing nutritional criteria to individual foods; and
- ensure minimum effective regulation.

AFGC notes that many of the changes made assist in easing enforcement issues. Indeed it appears that the most recent version of the draft Standard 1.2.7 has sought to only address concerns relating to enforcement, ignoring the inevitable impacts on the industry and consumers. AFGC suggests that FSANZ needs to consider the wider issues and stakeholder in the development of this standard to ensure that it meets everyone’s requirements.

3.1.1. PART 1 - PURPOSE AND INTERPRETATION

Transitional provisions

Under the draft Standard 1.2.7 there will likely be significant disruption to manufacturers whose products currently carry nutrient claims that are outside the scope of the claims listed. In addition, there may be products that currently carry a nutrient claim which is not covered in the draft Standard 1.2.7, or the product falls outside the permitted NPSC requirement. In such

circumstances there needs to be a reasonable transition period to allow industry to make appropriate changes. AFGC notes that a 2 year transition period is proposed however; requests that this be increase to 4 years.

An extended transition period of 4 years will allow for food-health relationships that are not yet approved to be assessed by FSANZ for inclusion within the transition period. This would include work FSANZ foreshadowed concerning the need for existing claims to be assessed. This will also allow industry time to compile the appropriate information dossiers, may include further scientific trials to develop the higher levels of evidence that will be required to accompany applications for the assessment of claims should the draft Standard 1.2.7 be implemented.

In terms of pre-approval, when taken together with prioritisation of other unpaid applications, two years simply is not long enough for FSANZ to complete any unpaid applications. A longer transition period will also allow FSANZ time to assess the health claims presently proceeding through the European Parliamentary system (and that have already been subject to rigorous assessment by the European Food Safety Authority) for inclusion in the standard.

Clause 1 - Purpose

The purpose identified in the draft Standard 1.2.7 aims to cover all manner of potential claims made on labels regardless of whether these have a potential long-term health benefit (e.g. consumption of calcium rich foods and beverages) or a transactional or immediate benefit (e.g. consumption of functional beverages such as sports and energy drinks). In trying to cover all of these areas the standard is deficient and will not provide consumers with adequate information to enhance their diets. Indeed, under the proposed system, current functional products in the market (which are formulated to provide rapid replacement of fluid, carbohydrates, electrolytes and minerals or energy) would not be able to communicate their properties and function by making claims, despite these claims being proven and capable of substantiation. These products will no longer be able to make claims about assisting performance as they will not pass the NPSC due to their sugar content. Of course, sugar is one of the critical ingredients in functional beverages which provide energy.

AFGC considers that the draft Standard 1.2.7 should focus solely on the regulation of nutrition and health claims relating to long-term health benefits and the prevention of non-communicable diseases (NCDs). This aligns directly with the challenges facing Australia in terms of high health care costs relating to NCDs, and providing consumers with adequate information to inform the selection of a healthy total diet.

There is simply no justification for banning products such as sports drinks from making truthful claims about the benefits they provide as there is no evidence at all that these products, or the claims they make, are harming or misleading consumers.

Clause 2 - Interpretation

Health claim

The new definition proposed by FSANZ for Health claim that 'a claim which states, suggests or implies that a food or property of a food has or may have a health effect' does not clarify directly or indirectly.

3.1.2. PART 2 - CLAIMS FRAMEWORK AND GENERAL PRINCIPLES

Clause 7 – Claims must not be therapeutic in nature

Clause 7a contradicts approved claims within the draft Standard 1.2.7. For example the food property sodium or salt has a specific health effect on blood pressure. For example does the claim for an absence of effect constitute a claim under the standard? Further clarification is required.

3.1.3. PART 3, DIVISION 1 - NUTRITION CONTENT CLAIMS

Clause 11 – Nutrition content claims about properties of food in Schedule 1

AFGC generally supports the inclusion of a list of pre-approved food-health relationships, as outlined in Schedule 1. **However, AFGC does not support that all food health relationships should be pre-approved as outlined in the discussion paper.** In line with Policy Guidance, **AFGC supports self substantiation of General level health claims**, if these claims are not in the pre-approved list. AFGC does not support that all pre-approval of food-health relationships should be assessed as high level health claims, this is the direct contrast to Policy Guidance provided for General level health claims and a tiered framework for health claims. Moreover, this policy guidance has been confirmed in the Government's recent response to the Blewett review recommendations which recognises a hierarchy of issues and proposed different levels of regulatory intervention – including the use of industry codes.

In relation to the list of pre-approved relationships AFGC does not support a list limited to European Union (EU) assessments food health relationships, and questions why the EU is the only international authority identified? Additionally, further detail in relation to processes for the adoption of international claims is required before full comment can be made in this area. For example, will claims assessed internationally be required to undergo FSANZ processes (high level health claim assessment)? This would obviously delay the potential application of these claims in Australia. AFGC also notes that objections are currently being raised by members of the European Parliament in relation to claims approved for endorsement by the European Food Safety Authority (EFSA). Will this affect outcomes here in Australia?

Additionally, AFGC notes that FSANZ only references the European Union (EU) claims and not other jurisdictions. Will other jurisdictions e.g. United States of America, Canada or Japan also potentially be considered in the future? AFGC notes that FSANZ has undertaken work benchmarking international regulatory systems⁶ in this area, however the EU is the only international authority highlighted for inclusion of relevant health claims within draft Standard 1.2.7.

Clause 15 – Comparative claims

Comparative claims must now include the difference between the amount of the property in the claimed food and the 'reference food' (now defined). To assist understanding AFGC would like further guidance to be provided, for example absolute percentages or amounts?

⁶ http://www.foodstandard.gov.au/_srcfiles/P293%20Claims%20FAR%20Attach%2012%20FINAL.pdf

3.1.4. PART 3, DIVISION 2 – HEALTH CLAIMS

Clause 16 – New health claims deemed to be high level

AFGC strongly opposes the additional burden placed on industry through the assessment of all claims as high level. As stated above in this submission this amendment is in direct contrast to Policy Guidance regarding self substantiation and a tiered approach to health claims. This change will add significantly to the cost for industry and will stifle innovation, and adds regulatory burden where minimal effective regulation should be considered. Furthermore, FSANZ has statutory time limits within which to deal with applications and these will now apply to applications for general level claims. This outcome was never intended under the Policy Guidance and general level health claim applications will now compete with other work of FSANZ, resulting in slower assessments and cost impacts to industry.

Clause 17 – Conditions for making health claims

AFGC does not support clause 17 (1a). AFGC continues to reject the assumption that certain foods should be prevented from making claims. The AFGC does not support the principle of limiting nutrient claims based on an arbitrary 'one-size fits all' nutrient content qualifying score. The use of NPSC imposes nutrient qualifying and disqualifying criteria derived from population dietary advice onto individual food products. **This is scientifically flawed.** It creates arbitrary boundaries between products and ignores the well established paradigm that an individual's good health is dependent upon a balanced diet, containing a variety of foods balanced with adequate physical activity.

Whole categories of foods will be denied any prospect from making claims as even "healthy" options within the categories will fail to meet the NPSC. Indeed in this respect the NPSC is contradictory to the premise behind national dietary guidelines which supports consumption of a variety of foods from different food groups as part of a healthy diet.

The inability to make claims unless the food complies with the NPSC means that foods such as regular fat cheeses, which are considered an important component of a healthy diet according to the Australian Dietary Guidelines, are prohibited from making claims about the benefit of consuming these products for good bone health. Consumers and industry are worse off as a result, and yet there is no logical reason why such foods cannot be included as part of a balanced and healthy diet. Indeed applying the NPSC will brand many foods essential to a healthy balanced diet as 'unhealthy' including human breast milk, which fails to pass the NPSC⁷. This highlights the arbitrary nature of the NPSC as a tool for assessing which foods should be allowed to carry claims.

Additionally, it needs to be noted that the NPSC applies criteria not supported by the evidence base. In particular restrictions are made on energy despite there being no evidence linking these to adverse health outcomes. The recent review of the Australian Dietary Guidelines, by the National Health and Medical Research Council (NHMRC), did not undertake a systematic review of the relationship between energy density and obesity or any non-communicable diseases (NCDs). It is

⁷ Data used in the NPSC assessment of human breast milk based on NHMRC Dietary Guidelines for Children and Adolescents in Australia, 2003.

noted that recent evidence highlights the importance of achieving an appropriate energy intake, however this is not linked to limiting specific macronutrients such as protein, fat or carbohydrates as suggested by imposing the NPSC on food products. AFGC notes that the current profiling tool being developed in the EU does not highlight energy as a criterion for disqualification. If energy continues to be used as a criterion in the NPSC, it is highly likely that a product will be able to carry a claim in the EU but not in Australia.

Additionally sugar is also identified as a nutrient criterion in the NPSC, despite there not being any evidence to support a link between sugar intake, obesity and NCDs. Indeed the application of a sugar criterion will mean that functional beverages (such as sports and energy) drinks specifically formulated to replace fluid, carbohydrates and electrolytes or provide energy would not be able to carry a claim. Additionally, the NPSC allows *V points* to be awarded based on the addition of *fruits, vegetables, nuts and legumes*; however the addition of ingredients including fruits will have a net effect of increasing the sugar content of a product and may result in its disqualification.

Overall the application of the NPSC will not allow for consumers to be provided with accurate information to inform the selection of a healthy diet. Indeed consumers will be provided with less information and products which can, and should be consumed as part of a healthy diet. They will be denied the opportunity to understand and take advantage of the benefits of consuming these foods.

AFGC consider that FSANZ should address the significant concerns raised relating to the application of the NPSC, noting that FSANZ is yet to adequately address concerns raised in previous AFGC submissions relating to P293. Appendix 1 identifies comments made in AFGC's submission to FSANZ in 2009 relating to the nutrient profiling.

3.1.5. PART3, DIVISION 3 - ENDORSEMENTS

Clause 22 – Criteria for endorsements

The current drafting does not provide clarity in regards to endorsements as distinct from certifications. Currently the Heart Foundation tick is a certification for which manufacturers pay a fee to be certified against specific criteria. However certification may be viewed in the current drafting as endorsement. The Heart Foundation aims to reduce the rates of cardio vascular disease in the community, which appears to not be permissible under this clause. The draft Standard 1.2.7 requires further clarification to clearly capture permissible endorsements, use of logos and certifications.

Recommendations relating to Part 1- draft Standard 1.2.7 – Nutrition, Health & Related Claims

AFGC recommends:

- *an extended transitional period of four years to allow the industry adequate time to make changes and submit relevant applications to FSANZ;*
- *the standard focus solely on the regulation of nutrition and health claims relating to long-term health benefits and the prevention of non-communicable diseases (NCDs), with exclusions provided for areas such as sports and energy drinks;*
- *clarification of the definition proposed for a health claim to define directly or indirectly;*
- *clarification of Clause 7a so that it does not contradict approved claims in the draft standard;*

- ***self-substantiation by industry of claims that are not included in the pre-approved list;***
- ***consideration of health claims established by other international regulatory authorities, not just the European Union;***
- ***further guidance be provided on comparative claims, which must now include the difference between the amount of the property in the 'claimed food' and the 'reference food';***
- ***amending Clause 16 to support a tiered approach to health claims, as intended in the Policy Guidance;***
- ***the deletion of Clause 17 (1a) or alternatively the amendment of the NPSC to ensure it is evidence based and does not impose overly restrictive criteria; and***
- ***clarification of clause 22 in regards to endorsements as distinct from certifications.***

3.2. PART 2 – FAT FREE AND % FAT FREE CLAIMS

AFGC rejects the addition of fat-free and % fat-free claims to Proposal P293 and draft Standard 1.2.7, noting that this is a deviation from FSANZ's own processes to include it within P293. If FSANZ considers this issue warrants investigation then formal processes should be utilised and a separate proposal should be raised which examines the issue in its entirety.

AFGC reminds FSANZ that any changes in this area must be based on the evidence, including that consumers are currently being misled. FSANZ inclusion of this issue within P293 does not demonstrate that there is an issue to be addressed.

AFGC notes that no regulatory impact statement has been completed for this, with FSANZ noting that this will be undertaken and consulted on separately, with selected stakeholders. AFGC does not consider this appropriate with the lack of a regulatory impact statement undermining effective consultation. As such AFGC does not consider it appropriate to be consulting at this time without all information provided.

AFGC recommends that the current status quo, defined as current requirements in Code of Practice on Nutrient Claims (CoPONC) in regards to fat and % fat-free claims, is appropriate.

What evidence can you provide that shows that consumers are purchasing foods of a lower nutritional quality because they are being misled by fat-free or % fat free claims?

As noted above AFGC does not support this issues being considered within the context of P293. AFGC is not aware of any evidence that consumers are being misled in relation to fat-free and % fat-free claims, noting that the Competition and Consumer Act 2010 provides consumers with protection from misleading and deceptive labelling, covering this area.

Do you support option 1 (status quo), option 2 (voluntary action through a code of practice), or option 3 (regulate with additional regulatory requirements for fat-free and % fat free claims)? Please provide reasons.

AFGC is concerned that options are provided for this area, without a risk assessment being undertaken to assess all the available evidence. AFGC recommends that if this area requires consideration a separate proposal should be raised to assess all the available evidence and recommendations are developed based on this.

AFGC recommends that the current Status Quo, defined as current requirements in CoPONC in regards to fat and % fat-free claims, is appropriate.

Please comment on the possible options for the additional regulatory requirements for fat-free and % fat free claims (option 3) as follows

- a) Which option do you support and why***
- b) What is an appropriate sugar concentration threshold for options 3(b) and 3(d)?***
- c) Are there other suitable options for additional regulatory requirements for fat-free and % fat-free claims? Please describe.***

Given the lack of assessment in this area, AFGC does not consider it is appropriate to respond to this question.

Recommendations relating to Part 2 – Fat free and % fat free claims

AFGC recommends:

- FSANZ undertakes a formal proposal process on fat free and % fat free claims if evidence warrants a proposal in this area; and***
- that the current status quo on fat and % fat-free claims, as defined in CoPONC, is appropriate.***

APPENDIX 1 – PREVIOUS AFGC COMMENTS IN RELATION TO THE NPSC

NUTRIENT PROFILING

The AFGC supports the use of nutrient profiling to assist the formulation or selection of foods suitable for balanced diets constructed to prevent or promote defined health and wellbeing outcomes of specific population groups.

The AFGC opposes to nutrient profiling initiatives that are targeted at the general population with no specific population health outcome identified. Such schemes classify foods as 'healthy' or 'unhealthy' on the basis of their nutrient profile. This runs contrary to nutritional wisdom and has no sound, scientific basis for general healthy eating advice. More importantly they downplay the importance of individuals taking responsibility for their own health through a whole of diet approach, and may be harmful by implying that 'healthy foods' may be consumed without regard to moderation and balance.

Furthermore, imposing artificial boundaries on nutrient levels may pull the focus of industry innovation from health promoting food products onto compositional manipulations to gain permission to sell or market. In the longer term this may limit dietary options benefiting consumer health. Eating healthily requires knowledge of nutrition and the role of foods in healthy lifestyles. Limiting the promotion and availability of foods in school canteens is appropriate as children are neither skilled, nor responsible enough, to select healthy diets.

The AFGC supports nutritional profiling as the basis for dietary advice or to discriminate between food products for sale or promotion through self or full regulatory measures when:

- the proposed outcomes are well described and substantial enough to warrant intervention;
- sound evidence is presented that there is a good chance of success; and
- other potential measures to achieve the same outcome have been fully considered and discounted as being inappropriate, ineffective or impractical.

The AFGC will support nutrient profiling programs when applied flexibly with regard to nutrient levels and reinforcing the concept of healthy diets (and acknowledging that a single universal diet is not appropriate) and as a basis for:

- 1) moderating the supply and promotion of foods in food outlets catering exclusively to young children recognising their ability to choose a healthy diet is limited by their low skills, knowledge, levels of personal responsibility and possibly higher susceptibility to advertising;
- 2) guiding the consumption of food products to meet the dietary requirements of individuals with specific disease states (e.g. obesity, diabetes);
- 3) identifying and promoting foods particularly suitable and beneficial for targeted populations seeking to address a specific health need e.g. lowering risk of cardiovascular disease;
- 4) food companies setting targets for innovative product formulation reflecting current knowledge regarding nutrition and specific physiological or health outcomes, or as a basis for guiding the promotion of their products to population groups; and
- 5) providing information regarding a nutrient, or nutrients, to the consumer to support appropriate dietary choices.

The AFGC will oppose nutrient profiling when:

- 1) targeted at the general population with no specific population health outcome identified;

- 2) based on an unsound “good food/bad food” approach, rather than supporting the healthy, balanced diet approach;
- 3) applied inflexibly with a single set of nutrient levels across broad categories;
- 4) unable to take into consideration changing understanding of nutrition;
- 5) restricting consumer choice and information through the banning of promotion and sale of particular food products, except in special circumstances such as school canteens; or
- 6) guidelines appropriate to diets are applied to individual foods.

Further Information

Nutrient profiling is the classification of foods based on qualifying and disqualifying levels of selected nutrients and energy. In recent years it has been used for two main functions:

1) To assess the suitability of foods for inclusion in balanced diets to achieve health and wellbeing outcomes.

Nutrient profiling is most useful for constructing balanced diets for individuals when dietary needs can be accurately assessed based on gender, age, physical activity and health status. It becomes less useful as the target group broadens and/or the health objective becomes more general. It becomes meaningless as a basis for providing population level dietary advice due to the high variability of the nutritional needs of individual consumers. Dietary guidelines recommending nutrient intakes are more appropriate; and

2) To design foods with specific nutritional properties to protect and promote health and wellbeing when consumed as part of a balanced diet.

Established nutritional knowledge regarding the links between nutrition and health outcomes forms the basis for manipulating the nutrient profiles of individual foods. The foods are designed to contribute to the balanced diets of a population subgroup seeking a specific health outcome. Again, the tighter the population group targeted, and the more specific the health outcome, the more readily a food nutrient profile can be matched to dietary requirements.

FSANZ NUTRIENT PROFILING SCORING CRITERIA SCHEME.

FSANZ has proposed using a Nutrient Profiling Scoring Criteria scheme be used to assess whether food products would be eligible to carry health claims. The scheme is relatively simple. It allocates ‘points’ to the food products based on the levels of risk-associated nutrients, and the type of food. The accumulated points then provided a ‘score’ which allowed (or not) the food to carry the claim.

The AFGC considers the NPSC to be seriously flawed. It attempts to create a ‘healthiness’ score based on nutrient composition. However:

- 1) the points allocated are not proportionate to health impact of the nutrient relative to other nutrients – so it is not an accurate index;
- 2) the model is linear, which is not biologically likely;
- 3) there are no threshold or plateau effects, which is also not biologically likely;
- 4) the model is strictly additive discounting interactions between nutrients assuming health risks associated with nutrients are all independent;
- 5) the ‘points’ value changes with food matrix. There are three food categories and the model proposes the health risk of nutrients differs in different foods. This is unlikely;

- 6) the model ignores usual consumption patterns and habits including serve sizes;
- 7) through small changes in composition products can suddenly become 'healthy'; and
- 8) it differs from every other nutrient profiling system, underscoring the fact that there is no underpinning in established nutritional science.

The FSANZ NPSC therefore fails the test of good science, and is unsuitable for classifying foods for purpose.

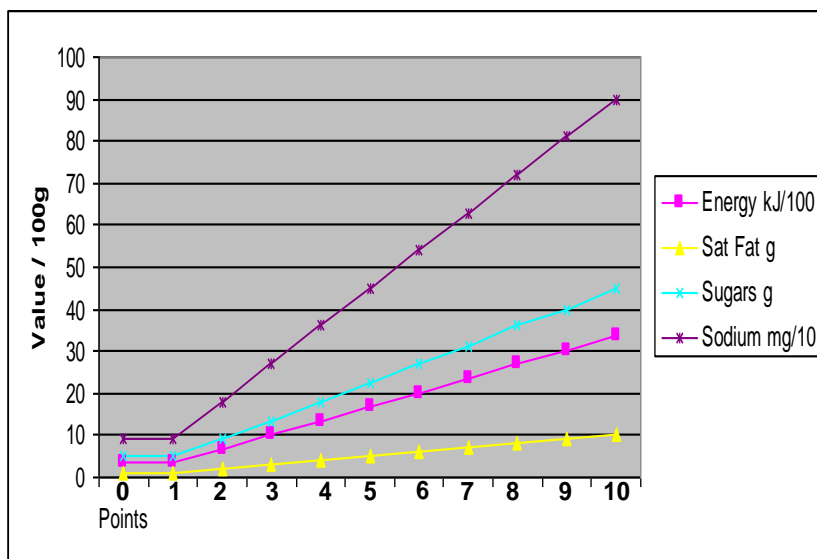


Figure 1.

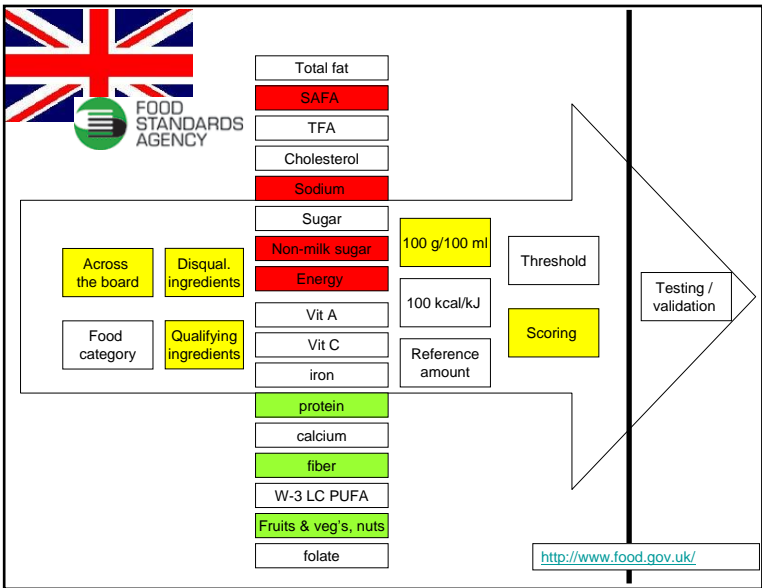
The FSANZ Nutrient Profiling Scoring Criteria – relationship between product energy or nutrient content and the point value assigned to it. For scaling purposes the Energy value is expressed as (kJ/100g)/100, and the Sodium value is expressed as (mg/100g)/10.

OTHER NUTRIENT PROFILING APPROACHES⁸

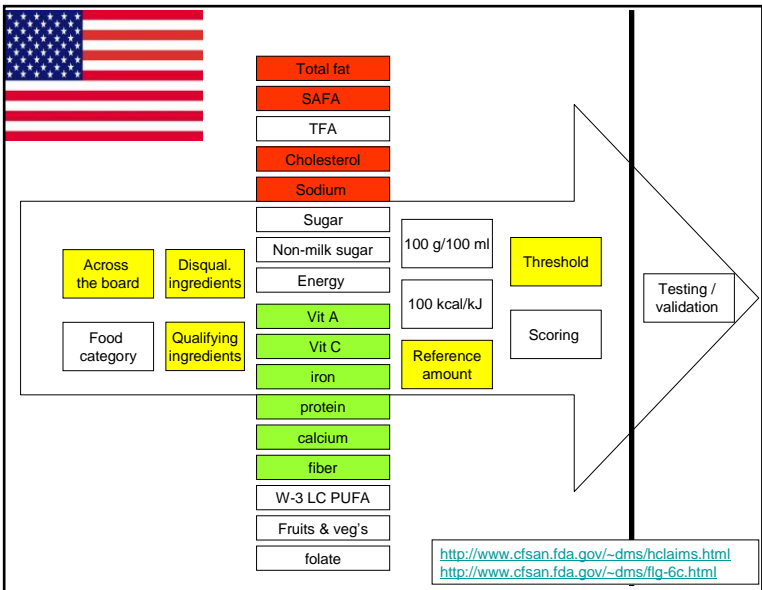
FSANZ is not the only organisation to develop approaches a nutrient profiling model. The following diagram illustrates that each organisation has a different approach utilising different suites of qualify and disqualifying criteria. **This underscores the lack of an agreed scientific approach to nutrient profiling and its inappropriateness for providing general dietary advice – particularly in a mandated labelling format on food products.**

⁸ Go to www.stopgda.eu and www.gda.ciaa.eu for more information.

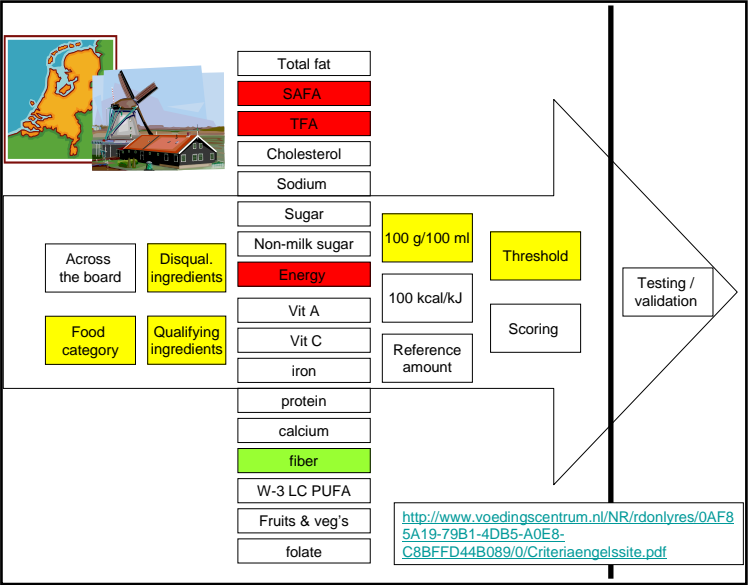
United Kingdom



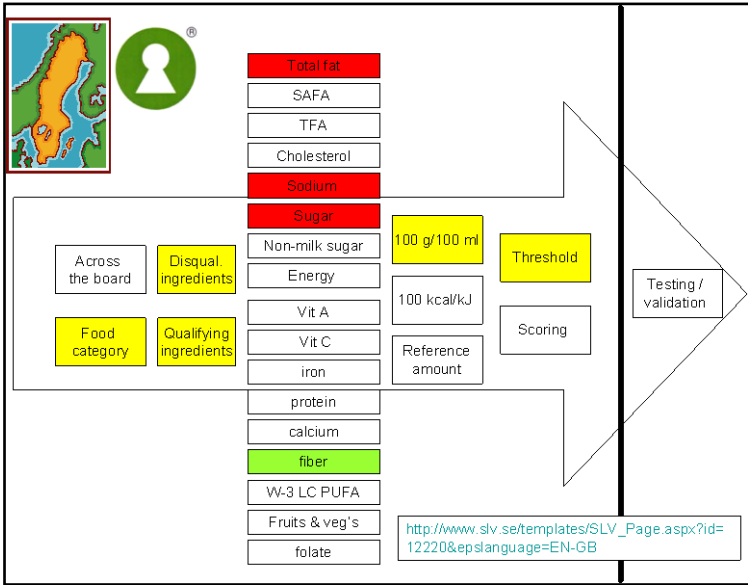
United States of America



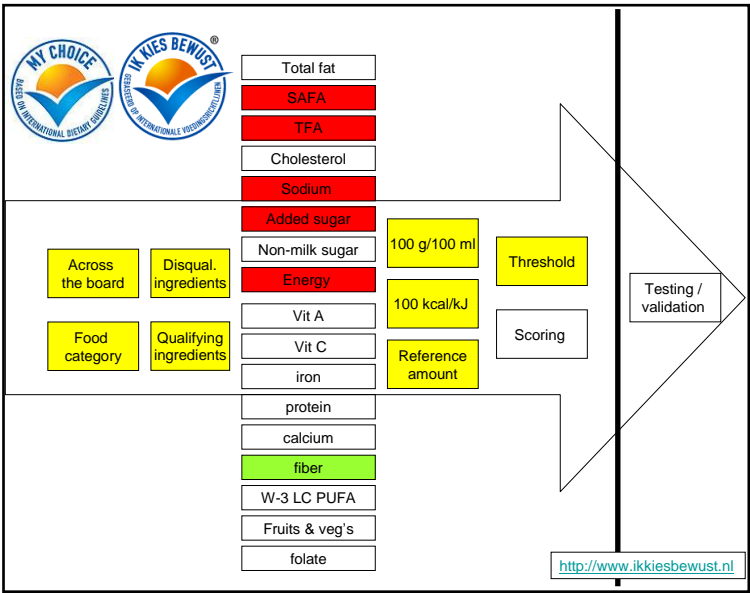
Holland



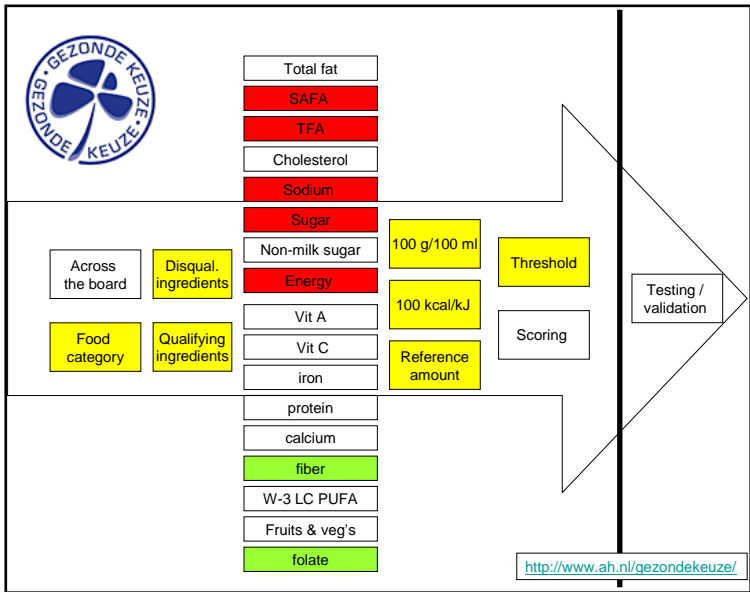
Sweden



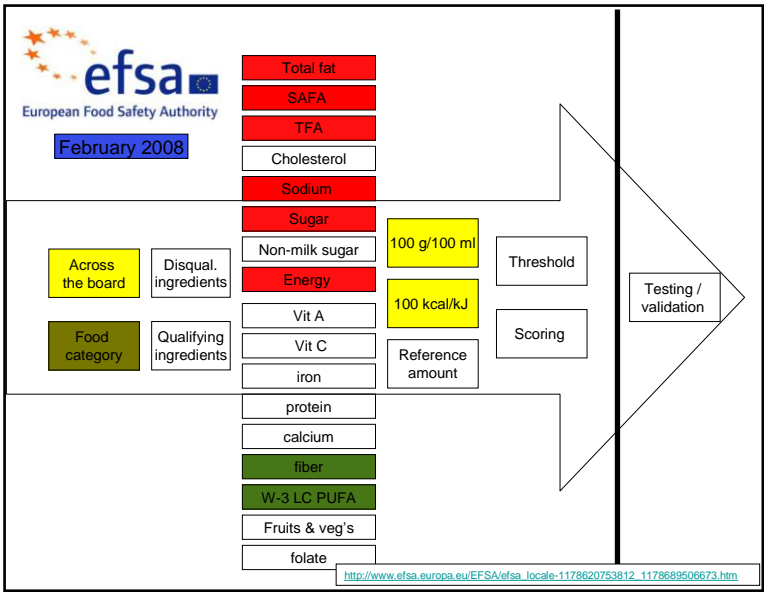
Holland



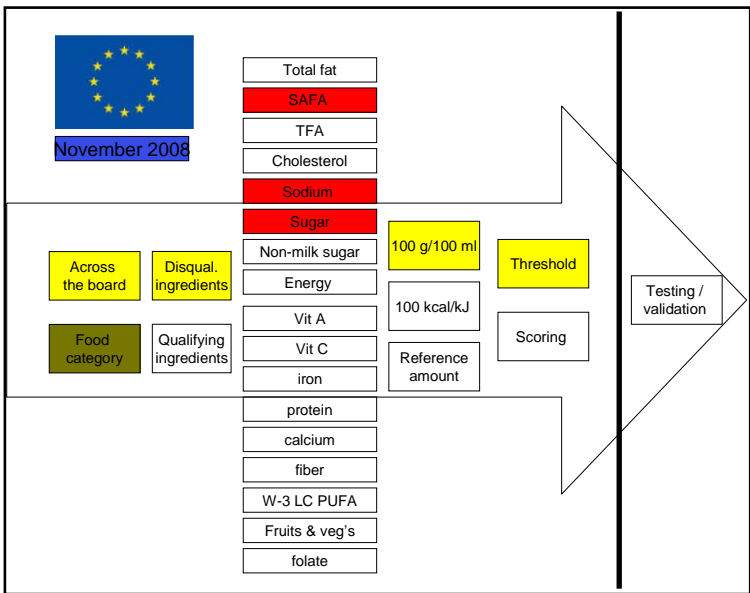
Holland



European Union



European Union



APPENDIX 2 - AFGC MEMBERSHIP AS AT 30 DECEMBER 2011

Arnott's Biscuits Limited	Kimberly-Clark Australia Pty Ltd	AT Kearney
Asia-Pacific Blending Corporation P/L	Kraft Foods Asia Pacific	BRI Australia Pty Ltd
Barilla Australia Pty Ltd	Laucke Flour Mills	*Baking Association Australia
Beak & Johnston Pty Ltd	Lion Foods	CAS Systems of Australia
Beechworth Honey Pty Ltd	Madura Tea Estates	CHEP Asia-Pacific
Beerenberg Pty Ltd	Manildra Harwood Sugars	CSIRO Food and Nutritional Sciences
Bickfords Australia	Mars Australia	CoreProcess (Australia) Pty Ltd
Birch and Waite Foods Pty Ltd	McCain Foods (Aust) Pty Ltd	*CropLife
BOC Gases Australia Limited	McCormick Foods Aust. Pty Ltd	CROSSMARK Asia Pacific
Bronte Industries Pty Ltd	McDonald's Australia	Dairy Australia
Bulla Dairy Foods	Merisant Manufacturing Aust. Pty Ltd	Food Liaison Pty Ltd
Bundaberg Brewed Drinks Pty Ltd	Nerada Tea Pty Ltd	FoodLegal
Bundaberg Sugar Limited	Nestlé Australia Limited	*Foodservice Suppliers Ass. Aust.
Byford Flour Mills T/a Millers Foods	Nutricia Australia Pty Ltd	*Food industry Association QLD
Campbell's Soup Australia	Ocean Spray International Inc	*Food industry Association WA
Cantarella Bros Pty Ltd	Only Organic 2003 Pty Ltd	Foodbank Australia Limited
Cerebos (Australia) Limited	Parmalat Australia Limited	*Grains and Legume Nutrition Council Ltd
Cheetham Salt Ltd	Patties Foods Pty Ltd	Grant Thornton
Christie Tea Pty Ltd	Pfizer Consumer Healthcare	GS1
Church & Dwight (Australia) Pty Ltd	Procter & Gamble Australia Pty Ltd	Harris Smith
Clorox Australia Pty Ltd	Queen Fine Foods Pty Ltd	IBM Business Cons Svcs
Coca-Cola Amatil (Aust) Limited	QSR Holdings	innovations & solutions
Coca-Cola South Pacific Pty Ltd	Red Bull Australia Pty Ltd	KN3W Ideas Pty Ltd
Colgate-Palmolive Pty Ltd	Reckitt Benckiser (Aust) Pty Ltd	KPMG
Coopers Brewery Limited	Safcol Canning Pty Ltd	Leadership Solutions
Danisco Australia Pty Ltd	Sanitarium Health and Wellbeing	Legal Finesse
Devro Pty Ltd	Sara Lee Australia	Linbox Australia Pty Ltd
DSM Food Specialties Australia Pty Ltd	SCA Hygiene Australasia	Logan Office of Economic Dev.
Earlee Products	Schweppes Australia	Meat and Livestock Australia Limited
Eagle Boys Pizza	Sensient Technologies	Monsanto Australia Limited
FPM Cereal Milling Systems Pty Ltd	Simplot Australia Pty Ltd	New Zealand Trade and Enterprise
Ferrero Australia	Spicemasters of Australia Pty Ltd	RQA Asia Pacific
Fibrisol Services Australia Pty Ltd	Stuart Alexander & Co Pty Ltd	StayinFront Group Australia
Fonterra Brands (Australia) Pty Ltd	Subway	Strikeforce Alliance
Food Spectrum Group	Sugar Australia Pty Ltd	Swire Cold Storage
Frucor Beverages (Australia)	SunRice	Swisslog Australia Pty Ltd
General Mills Australia Pty Ltd	Tasmanian Flour Mills Pty Ltd	Tetra Pak Marketing Pty Ltd
George Weston Foods Limited	Tate & Lyle ANZ	The Food Group Australia
GlaxoSmithKline Consumer Healthcare	The Smith's Snackfood Co.	The Nielsen Company
Go Natural	The Wrigley Company	Touchstone Cons. Australia Pty Ltd
Goodman Fielder Limited	Tixana Pty Ltd	Valesco Consulting FZE
Gourmet Food Holdings	Unilever Australasia	Visy Pak
H J Heinz Company Australia Limited	Vital Health Foods (Australia) Pty Ltd	Wiley & Co Pty Ltd
Harvest FreshCuts Pty Ltd	Ward McKenzie Pty Ltd	PSF Members
Healthy Snacks	Wyeth Australia Pty Ltd	Amcor Packaging Australia
Hela Schwarz	Yakult Australia Pty Ltd	Bundaberg Brewed Drinks Pty Ltd
Hoyt Food Manufacturing Industries P/L	Yum Restaurants International	Schweppes Australia Pty Ltd
Hungry Jack's Australia	Associate & *Affiliate Members	Coca-Cola Amatil (Aust) Limited
Jalna Dairy Foods	Accenture	Lion Nathan Limited
JBS Australia Pty Limited	Australian Pork Limited	Owens Illinois
Johnson & Johnson Pacific Pty Ltd	ACI Operations Pty Ltd	Visy Pak
Kellogg (Australia) Pty Ltd	Amcor Fibre Packaging	
Kerry Ingredients Australia Pty Ltd	*ASMI	

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