



**National Council of
Women of New Zealand**

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Wahine O Aotearoa

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Food Labelling Law and Policy Review

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 46 nationally organised societies. NCWNZ has 26 branches throughout the country attended by representatives of those societies and some 150 other societies as well as individual members. The Council's function is to serve women, families and the community through research, study, discussion and action.

NCWNZ has appreciated the opportunity to keep our members informed of the work being undertaken by FSANZ (Food Standards Australia New Zealand) and values the involvement. Because of time constraints and the response time given for this submission, we were unable to consult widely with our membership on this Issues Consultation Paper on Food Labelling Law and Policy Review.

The nucleus group of the Consumer Affairs Standing Committee of NCWNZ and other interested members have received the above consultation paper and submitted their views and opinions. The Committee is pleased that Food Labelling Law is being reviewed as this has been an ongoing issue of concern for the food industry and consumers alike. NCWNZ – as the spokesperson for many women's groups – has had a long term interest in food labelling and country of origin labelling and NCWNZ has written a number of submissions relating to this issue as well as passing many resolutions recommending and urging review and change.

Q1. To what extent should the food regulatory system be used to meet broader public health objectives?

Recommended to redefine the term 'public health and safety' to encompass health safety and health promotion as two distinct elements to meet broader public health objectives.

Q2. What is adequate information and to what extent does such information need to be physically present on the label or be provided through other means (eg education or website)?

Any education needs to include "Buy NZ Food Campaign".

Information needs to be physically present on the label to enable consumers to make informed choices, although the size of the label determines the amount of information. Also information provided through other means to educate consumer public – advertising, websites, and product information sheets.

**Q3. How can accurate and consistent labelling be ensured?**

Consumers expect to read true and accurate information on all labelling. Consumer protection laws need to be changed to include the food regulatory system and re-enforced if necessary. Consumer protection promotion is essential through TPA/ACCC.

Q4. What principles should guide decisions about government intervention on food labelling?

No comments made on what principles should guide decisions on government intervention but general acceptance that they should achieve the three objectives and costs may increase to reach these objectives.

Q5. What criteria should determine the appropriate tools for intervention?

Agreed a careful assessment of appropriate tools to be used in the case where intervention is essential. Wide spectrum as outlined to cover intervention by government – including mandatory intervention through to self-regulatory approaches and community education programmes.

Q6. Is this a satisfactory spectrum for labelling requirements?

Responses strongly agree that all packaged foods require labelling in regards to contents and country of origin. Some exceptions as listed are accepted due to size of packaging. Recommendation made to attach a leaflet with contents in product on label or leaflet if possible. Unpackaged foods must have small sticker attached to show country of origin or advertised where product is sold (eg seafood display in supermarket or fish retail outlet). Spectrum of labelling requirements as listed accepted with above suggestions for inclusion. There may be exceptions to required labelling (eg food sold in restaurants, food made and packaged on the premises where sold or food packaged in presence of customer. Information of contents and country of origin should be available on request – eg seafood in restaurants.

Q7. In what ways could these misunderstandings and disagreements be overcome?

Clear labelling information mandatory requirement to indicate use by dates, identification of allergens, directions for use and storage etc to protect and provide health safety. Many 'use by dates' and 'best before' stickers are unreadable and when damp fall off product packaging eg meat, fresh and frozen.

Q8. In what ways can food labelling be used to support health promotion initiatives?

Key nutrition messages reflected on packaging to indicate health benefits where approval given eg Heart Foundation tick and traffic lights where there is no dispute. Accept governments may mandate certain information or disclosure on labels to complement wider health promotion initiatives following discussion.

Q9. In what ways can disclosure of ingredients be improved?

Disclosure of ingredients – examples as listed – need to be adequately disclosed. Also the way they represented – scientific versus generic names are particularly confusing to consumers. Following concerns raised and recommendations made in submissions refer to FSANZ and Food Regulation Council to review.



Q10. To what extent should health claims that can be objectively supported by evidence be permitted?

Responses agree that all health claims should continue to be restricted even if objectively supported by evidence. Some statements made may improve the health of the community and augment broader public health messages – eg “high in calcium for healthy bones” – dependent however on the amount of calcium and type of calcium.

Q11. What are the practical implications and consequences of aligning the regulations relating to health claims on foods and complementary medicine products?

“The Development of a Natural Health products Bill: Consultation Paper” is currently available for comment and submissions due on Monday 17th May 2010 in New Zealand. It is recommended to await the outcome of this paper to give a response to this question. Currently restricted in labelling claims – but needing review.

Q12. Should specific health warnings (e.g., high level of sodium or saturated fat per serve) and related health consequences be required?

Yes – responses agreed that this was important to protect consumer’s health and safety, particularly levels of sodium or saturated fat. This information should ideally be given in wider health promotion initiatives and by the Public Health system, Heart Foundation etc to educate consumers.

Q13. To what extent should the labelling requirements of the Food Standards Code address additional consumer-related concerns, with no immediate public health and safety impact?

The most important message is to inform the consumer of the contents of the product and country of origin on the labels. The immediate concern is public health and the safety impact. It is not possible to include all consumer related concerns on a label eg environmental, sustainability, and animal welfare.

Q14. What criteria should be used to determine the inclusion of specific types of information?

Criteria must include country of origin labelling that is correct – eg Italian kiwifruit on the bag, NZ on the price ticket. Confusion exists for the consumer, particularly on unpackaged products. COOL could develop criteria that should be used. Need to expand beyond Australia and New Zealand or a similar system be set-up.

Q15. What criteria should determine which, if any, foods are required to have country of origin labelling?

Criteria should be developed to determine which foods are required to have country of origin labelling as multi-ingredient products pose a problem. The focus should be on whole foods or single ingredient products as this is where most concerns have been raised by consumers.

Q16. How can confusion over this terminology in relation to food be resolved?

Consumers should know the difference between ‘Made in NZ’ and ‘Product of NZ’. Clarification of terminology is necessary for the consumer to make an informed choice eg products of Australia or New Zealand and where imported from. Bar codes should show where the product is made eg



companies have head offices in a country that may be different from the country making/growing the product.

Q17. Is there a need to establish agreed definitions of terms such as ‘natural’, ‘lite’, ‘organic’, ‘free range’, ‘virgin’ (as regards olive oil), ‘kosher’ or ‘halal’? If so, should these definitions be included or referenced in the Food Standards Code?

Yes – responses agreed that there was confusion existing regarding the definitions used on product labelling eg ‘lite’ considered to be lower fat. It must be evidence-based to support healthier food choices and use of definitions.

Q18. What criteria should be used to determine the legitimacy of such information claims for the food label?

Evidence-based information following research in relation to methods of production should determine criteria.

Q19. In what ways can information disclosure about the use of these technological developments in food production be improved given the available state of scientific knowledge, manufacturing processes involved and detection levels?

Responses expressed concern that consumers may be unaware that genetic modification (GM) irradiation and nano-technology were not considered necessary information for disclosure.

Q20. Should alcohol products be regulated as a food? If so, should alcohol products have the same labelling requirements as other foods (i.e., nutrition panels and list of ingredients)? If not, how should alcohol products be regulated?

Responses did not agree that alcohol products be regulated as food. It should be dealt with through regulatory arrangements other than FSANZ. However, it was agreed that nutrition panels and list of ingredients should be a requirement and health advisory information also on packaging to promote safe drinking.

Q21. Should minimum font sizes be specified for all wording?

Agreed this would be an advantage so labelling requirements are consistent. A minimum font size should also be legible, clear and readable for a wide range of consumers.

Q22. Are there ways of objectively testing legibility and readability? To what extent should objective testing be required?

Reproduction quality, line spacing, font style and colour contrast are important. Clarity of wording on small labels can cause difficulty in interpretation eg many labels on soft packaging become illegible or difficult to read for many consumers. Objective testing should be carried out.

Q23. How best can the information on food labels be arranged to balance the presentation of a range of information while minimising information overload?

Responses were in agreement that this was a problem. The design of labels to balance the presentation of a range of information required and minimise information overload needs to be left to the experts in consultation with the Review Panel and Ministerial Council.



Q24. In what ways can consumers be best informed to maximise their understanding of the terms and figures used on food labels?

Ongoing education and information to increase consumers ability to read, understand and use the information contained on product labels (eg websites, media articles, TV, advertising promotions and leaflets).

Q25. What is an appropriate role for government in relation to use of pictorial icons on food labels?

The use of pictorial icons was considered to be an optimal way to convey information to consumers. Those that have been used and accepted are consistently used and well publicised and are effective.

Has their usefulness in conveying information to consumers been proven by any research? They are most effective and informative for the aged population and deterioration of vision that comes with age and many minimise the need for multi-lingual labels to assist consumers with English as a second language.

Q26. What objectives should inform decisions relevant to the format of front-of-pack labelling?

Front of pack labelling is appropriate for health ticks, traffic lights and icons. Responses agreed that consistent use by food manufacturers and investment in broadly based public awareness campaigns will be needed and important to ensure consumers can comprehend and utilise the information regardless of which presentation format is selected.

Q27. What is the case for food label information to be provided on foods prepared and consumed in commercial (e.g., restaurants, take away shops) or institutional (schools, pre-schools, worksites) premises? If there is a case, what information would be considered essential?

Information as to content/origin of food should be readily available on request. Consumers need information to make a decision regarding allergens, type of oils/fat used in cooking, country of origin of food eg fish and shell fish etc.

Q29. In what ways can consistency across Australia and New Zealand in the interpretation and administration of food labelling standards be improved?

Further comprehensive reviews of food labelling law and policy by the Australia and New Zealand Food regulation Ministerial Council using independent review panels. Ongoing dialogue between FSNZ and FSANZ to achieve consistency and enforcement of outcomes.

Q30. In what ways can consistency, especially within Australia, in the enforcement of food labelling standards be improved?

As above. Uniform enforcement of outcomes in respect of a breach by means agreed.



Q36. In what ways does such split or shared responsibility strengthen or weaken the interpretation and enforcement of food labelling requirements?

Split or shared responsibility was considered by responders to strengthen the interpretation and enforcement of food labelling requirements. Collaboration between consumer's affairs agencies and Standards Australia and Standards New Zealand can be an advantage and offer wider perspective on specifications, regulations on issues that may differ in opinion.

Q37. What are the strengths and limitations of the current processes that define a product as a food or a complementary medicine?

It was agreed that there are strengths and weaknesses in the current processes and differing legislation. "The Development of a Natural Health Products Bill; Consultation paper" has been circulated in NZ for consideration and feedback. The outcome of this may change the current process that defines a product as a food or a complementary medicine.

Q39. Should food imported through New Zealand be subject to the same AQIS inspection requirements?

Responses agreed that this would be an advantage to achieve consistency in inspection requirements.

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