

# Legislative and Governance Forum on Food Regulation

## FINAL COMMUNIQUÉ

**27 June 2014**

The Legislative and Governance Forum on Food Regulation met in Sydney today and considered a range of issues including the Health Star Rating System, progress made by industry in Australia and New Zealand in placing pregnancy warnings on alcohol products, the review of the policy guideline on the regulatory management of caffeine in the food supply and a policy on the labelling of food produced using new technologies.

The Forum consists of all Australian and New Zealand Ministers responsible for food regulation and is chaired by the Australian Government Assistant Minister for Health, Senator the Hon Fiona Nash.

### **Health Star Rating (HSR) System**

Ministers today continued discussion of the voluntary introduction of a Health Star Rating (HSR) system. The Forum welcomed the announcement from New Zealand to join the voluntary HSR system.

Ministers considered two new reports - a cost benefit analysis prepared by PricewaterhouseCoopers which explores the cost borne by industry, governments and non-government organisations and the potential benefits to public health with the voluntary introduction of the HSR, and the findings of an independent qualitative study by the Centre for International Economics on the impact of the HSR system for small business.

In light of the research presented to Ministers, and the significant goodwill and genuine collaboration amongst many stakeholders, the Forum agreed that the HSR system should be implemented voluntarily over the next five years with a review of the progress of implementation after two years with a commencement date of 27 June 2014. The implementation time-frame has been extended to enable cost effective implementation and the potential for food reformulation and consultation with small and medium sized enterprises.

To support the implementation of the voluntary HSR system an education campaign is close to being finalised, at which point the HSR website will be launched. This will inform both consumers and industry to encourage their participation in the initiative.

To ensure industry can adopt the system without delay, the Forum agreed that the HSR style guide and calculator will be made available on the Australian Health Ministers' Advisory Council website at <http://www.ahmac.gov.au>.

The Forum also endorsed a process for the HSR Advisory Committee to consider potential anomalies identified in relation to the HSR Calculator, where a star rating may be inconsistent with the Australian Dietary Guidelines or when its use to make comparisons within a food category or across comparable food categories the star rating may mislead consumers. The Forum agreed to New Zealand's representative on the Advisory Committee.

Note: The PricewaterhouseCoopers report and the study by the Centre for International Economics will be available on the Food Regulation website shortly at <http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-front-of-pack-labelling-1>.

## **Pregnancy warnings on Alcohol Labels**

Ministers considered the evaluation of the action taken by the alcohol industry in Australia and New Zealand in placing pregnancy warnings on alcohol products.

Ministers noted that the overall percentage of products with a pregnancy health warning label was encouraging, in particular the wine, beer and cider industries, but that there is a wide band of variability across product types.

In particular Ministers noted and expressed concern with the low uptake in the mixed alcoholic beverages or ready to drink category.

In light of these results the Forum agreed to extend the existing trial on voluntary uptake of pregnancy health warnings on alcohol product labels, and to undertake a review in two years. Ministers agreed to continue to work with industry to ensure increased uptake particularly with companies where the uptake is lower such as the ready to drink industry. This approach recognises the work already undertaken by the industry to place warnings on products and also takes into account the longer turn-over of labels in some areas. Work with industry on consistent and effective messaging in this area will also continue, acknowledging that work to inform and target at risk consumers should be part of a broader strategy, including community education and targeted advice to women who are pregnant or planning pregnancy.

The evaluation reports will be available on the Food Regulation website shortly at <http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-stakeholder-publications>.

## **Revised policy guideline on the regulatory management of caffeine in the food supply**

In 2003, Food Ministers issued the Ministerial Council Policy Guideline on the Addition of Caffeine to Foods. Since 2003, the number of products containing caffeine on the market has increased. Public concerns have been raised that this may be associated with increased dietary exposure, particularly amongst vulnerable populations. In May 2011, the Forum agreed that it was time to review the 2003 Ministerial Council Policy Guideline.

At its meeting today, the Forum endorsed the revised Policy Guideline on the Regulatory Management of Caffeine in the Food Supply which takes into account the issues raised by stakeholders.

The agreed Policy Guideline provides a framework for the regulatory management of caffeine in the food supply and will supersede the 2003 Ministerial Council Policy Guideline. The Forum has provided the Policy Guideline to Food Standards Australia New Zealand for guidance in the development or review of food standards.

## **Policy guideline on the labelling of food produced using new technologies**

Food Ministers also agreed the Policy Guideline on the labelling of foods produced or processed using new technologies. The Policy Guideline provides guidance on the expectations of the Forum for the case-by-case consideration of both regulatory (i.e. labelling) and non-regulatory measures of foods produced or processed using a new technology.

The scope of the Guideline is limited to foods that require a pre-market safety assessment because they use a new technology. It is recognised that any labelling of products is for consumer information only and is not related to a public health and safety issue.

The two Policy Guidelines will be available on the Food Regulation website shortly at <http://www.health.gov.au/internet/main/publishing.nsf/Content/foodsecretariat-policy-guidelines>.

The Forum acknowledged the appointment of Professor Jane Halton as the Secretary of Finance and thanked her for her dedication and strong leadership over more than 12 years as the Chair of the Food Regulation Standing Committee.

The next Forum will be held in January 2015 in New Zealand.

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