

Front-of-pack nutrition labelling in Australia and New Zealand

John White
PhD Candidate



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Made in Australia?

- NZ signed an agreement with Australia in 1995 commonly known as the “Food Treaty”
- As a result the same government-mandated food standards generally apply in both countries
- A Ministerial Forum sets policy for the joint standards
- NZ has 1 of 8 votes on the Forum – the other 7 are Australian
- When it comes to front-of-pack labelling, we may well find that what happens in NZ is ...



The Review of Food Labelling Law and Policy

- Established by the Food Regulation Ministerial Council (now the Forum) in 2009
- Report (*Labelling Logic*) released in January 2011 recommended interpretive front-of-pack labelling

Interpretive labelling allows consumers to see how healthy a product is 'at a glance'

- Recommended this be a multiple traffic light system

White J, Signal L. Aust N Z J Public Health. 2012;36(5):446-51.

The Ministerial Forum's response to the Review

- The Ministerial Forum on Food Regulation responded to the recommendations in *Labelling Logic* in December 2011
- Agreed to implementation of interpretive labelling
... but not traffic lights
- The Forum set up a process to develop a new interpretive system, resulting in the Health Star Rating system
- Agreed to implementation of the Star system in June 2013

Australian supporters of the Star system

The Public Health Association of Australia

The National Heart Foundation of Australia

Cancer Council Australia

Australian Medical Association

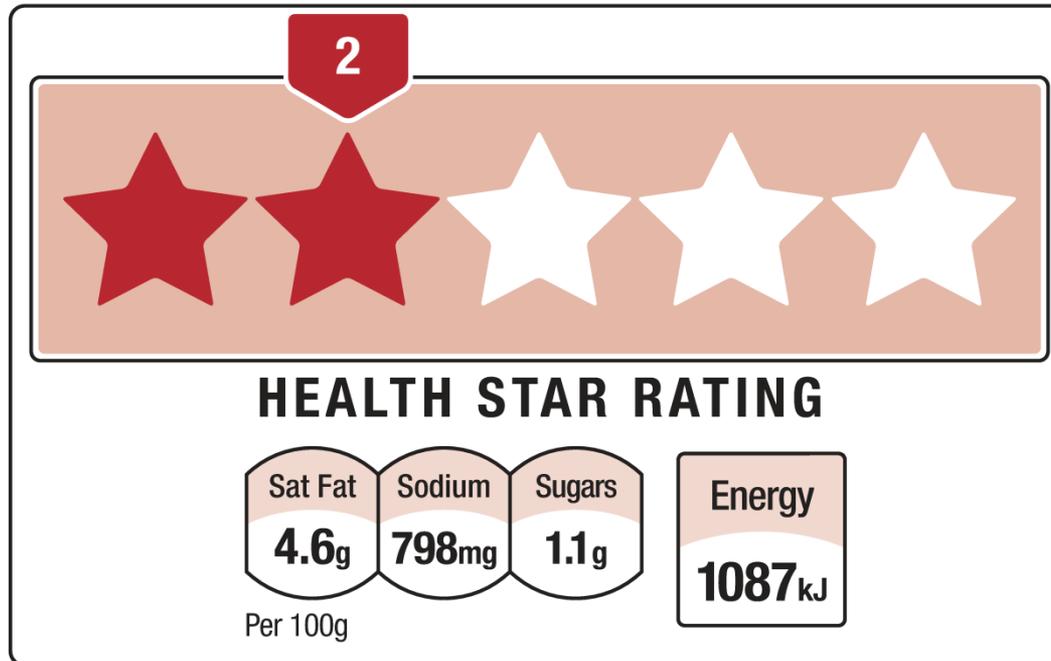
Obesity Policy Coalition (Jane Martin)

Australian Chronic Disease Prevention Alliance

Professor Mike Daube

Choice (Australia's main consumer organisation)

What's so different?



Mike Rayner's "better form of traffic-light labelling"

Recent developments relating to the Star system

- Deemed non-compliant with Australian regulatory requirements because it lacked a Regulatory Impact Statement
- But still supported by the Ministerial Forum in December 2013
- However, the Australian Federal Government wants more investigation

Why not a Regulatory Impact Statement?

“[T]he principles of best regulatory practice are unlikely to provide clear justification for mandatory labelling with reference to chronic diseases. In essence, this is because the benefits flowing from regulation depend on changed consumer behaviour. Such change will likely remain uncertain, particularly given the multitude of factors that influence consumer behaviour and the inevitable time lag between the imposition of a labelling requirement and any effects on the chronic condition. Such uncertainty should not prevent action.” (*Labelling Logic*, pp.46-7)

NZ Government position on regulation

“We will ... [r]equire there to be a **particularly strong case** made **for any regulatory proposals that are likely to ... impose additional costs on business ... [or] impair private property rights, market competition, or the incentives on businesses to innovate and invest**”.

NZ Government Statement on Regulation, Better Regulation, Less Regulation, August 2009.

Regulatory requirements vs the precautionary principle

A tension between reducing the 'regulatory burden' on the food industry and protecting public health runs through the Review and its outcomes.

The political power of Big Food

- The NZ statement on regulation captures part of what I call the ideological power of business
- This power has been particularly strong in recent decades following the rise of neoliberalism
- Ideological power adds to other aspects of business power, such as importance of food industry investment to the economy, that give Big Food substantial influence on government policy

Implications for New Zealand

- NZ is “actively considering” joining the Health Star Rating system
- There will be an ongoing ideological battle around reducing the ‘regulatory burden’ and the ‘precautionary principle’
- NZ’s position in this battle in the next few years could influence the outcome
- Can NZ go it alone with an interpretive front-of-pack system?
 - the Food Treaty makes a mandatory NZ system very unlikely
 - a voluntary system has practical difficulties, and is unlikely to deliver what public health advocates want
- Supporting implementation of the Health Star Rating system on both sides of the Tasman seems the best bet for public health

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john.white@paradise.net.nz