

Response ID ANON-JN9Z-F8FR-1

Submitted to P1062 - Defining added sugars for claims
Submitted on 2023-10-06 13:03:15

Complete your submission

Your details

What is your name?

Contact person:

[REDACTED]

What is your email address?

Email address:

[REDACTED]

What is your telephone number?

Telephone:

[REDACTED]

Which one of the following groups do you most affiliate with?

Food industry

If other, please specify:

What is the name of your organisation?

Please write N/A if this does not apply.:

ALDI Stores

What is your position title?

Please write N/A if this does not apply.:

[REDACTED]

Are you the contact person for your organisation?

Yes

If you are not the contact person for your organisation, please provide an alternative contact and details. If not applicable, please leave blank.

Contact person's name:

Email address:

Telephone:

Position title:

Have you read the P1062 – Defining added sugars for claims call for submission paper?

Yes

Confidential information

All submissions will be published, including redacted versions of confidential submissions. We will not publish material that we accept as confidential. Does your submission contain confidential information?

No. My submission does not contain confidential information.

Proposed changes to 'no added sugar(s)' claim conditions

1 FSANZ proposes to continue to set 'no added sugar(s)' claim conditions based on the addition of ingredients to foods (see section 5.2 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI notes the changes made are relating to;

- Clarifying the definition of refined sugars (including brown sugar, molasses, raw sugar, golden syrup, and treacle as examples) while mentioning that this is not an exhaustive list.
- Clarifying that food with a 'no added sugar(s)' or 'unsweetened' claim cannot have added compound ingredients containing sugars added (such as jam consisting of fruit and sugar).
- Removing the allowance for brewed soft drinks, electrolyte drinks, electrolyte drinks bases, juice blends, formulated beverages, fruit drink, vegetable juice, mineral water or spring water and non-alcoholic beverages to carry 'no added sugar(s)' or 'unsweetened' claims when they are sweetened by concentrated fruit juice or deionised fruit juice. However, when the product is fruit juice and the only ingredient is the identified fruit, the 'no added sugar(s)' and 'unsweetened' claims can still be made.
- An exemption will apply for concentrated and deionised lime and lemon juice.

ALDI agrees with the proposal as it will have the desired effect of not allowing 'no added sugar(s)' or 'unsweetened' claims on products that have been sweetened by adding ingredients to a product with the intention to sweeten the final product. This will aid consumers to make better choices by focusing on products with 'no added sugar(s)' and 'unsweetened' claims only where these claims are technically correct.

2 FSNZ proposes a food displaying a 'no added sugar(s)' claim must not contain an 'added sugars' as an added ingredient including an ingredient of a compound ingredient. FSNZ proposes defining 'added sugars' for this claim condition (see section 5.2.1.4 of the Call for submissions document).

Do you have any comments on this approach or the defined added sugars (see below)?:

ALDI agrees with the proposal as the clarified requirement will aid industry in implementing the 'no added sugar(s)' and 'unsweetened' claims correctly.

3 FSNZ proposes 'no added sugar(s)' and 'unsweetened' claims are not permitted on foods containing the hexose monosaccharide D-tagatose, as an ingredient, consistent with existing claim conditions in the Code. As D-tagatose is a hexose monosaccharide, it is captured in the definition of 'added sugars' (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI agrees with the proposal as the dairy based hexose monosaccharide D-tagatose is used to sweeten products. However, ALDI suggests changing the wording to "food containing the hexose monosaccharide D-tagatose as an ADDED ingredient" to clarify that products naturally containing this component are excluded from the requirement.

4 FSNZ proposes foods containing low energy sugars (mono- and disaccharides), as ingredients, listed in subsection S11—2(3) of Schedule 11 not be permitted to display 'unsweetened' claims (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI agrees with the proposal as it will have the desired effect of not allowing 'no added sugar(s)' or 'unsweetened' claims on products that have been sweetened by adding ingredients to a product with the intention to sweeten the final product. This will aid consumers to make better choices by focusing on products with 'no added sugar(s)' and 'unsweetened' claims only where these claims are technically correct.

5 FSNZ proposes a food displaying a 'no added sugar(s)' claim must not contain the fruit products listed below as an added ingredient (including as an ingredient of a compound ingredient). FSNZ proposes to exempt fruit products which are lemon or lime fruit (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach or the fruit products listed?:

ALDI agrees with the proposal as it will have the desired effect of not allowing 'no added sugar(s)' or 'unsweetened' claims on products that have been sweetened by adding ingredients to a product with the intention to sweeten the final product. This will aid consumers to make better choices by focusing on products with 'no added sugar(s)' and 'unsweetened' claims only where these claims are technically correct.

6 FSNZ proposes a fruit product which is the food for sale (e.g. fruit juice) be permitted to make a 'no added sugar(s)' claim. This includes when the food is sold as a singular fruit (e.g. apple juice) or a blend of different fruits (e.g. blend of fruit juices), providing the food contains no 'added sugars' or other products identified in claim conditions, as added ingredients. A blend or combination of different fruit products (e.g. fruit juice and fruit purée) will not be permitted to make the claim. FSNZ also proposes to clarify that fruit does not include legumes, fungi, herbs, nuts and spices for the purpose of the claim conditions (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI notes that tropical fruit juice products in particular often have percentages of fruit puree. These percentages are often low and are purees of tropical fruits such as banana, mango, passionfruit, and dragon fruit. ALDI recommends that instead of stating a product cannot have fruit puree to make the 'no added sugar(s)' or 'unsweetened' claim, a maximum percentage of puree should be prescribed (e.g. 15 per cent).

7 FSNZ proposes 'no added sugar(s)' claims are not permitted when the concentration of sugars in the food is increased from the hydrolysis of carbohydrates during food manufacture, except when the sugars concentration in cereal-based plant milks made using hydrolysis is $\leq 1.5\%$ (and the product otherwise meets claim conditions) (see section 5.3.2 of the Calls for submissions document).

Do you have any comments on this approach?:

ALDI notes that the sugars in cereal-based plant milks are formed using hydrolysis. The sugars therefore originate from the oats in the product and are not added to the product.

Customers are not typically educated about the fact that hydrolysis is used in cereal-based plant milks and would not understand how there could be added sugars to a product that has no sugars in the ingredient list. ALDI also notes that the cereal-based plant milks are an alternative for cow's milk which has a sugar level of 4 per cent on average. It would therefore not be beneficial to set this requirement for cereal-based plant milks while cow's milk could carry the claims and be perceived healthier. ALDI recommends keeping the definition of added sugars the same as the proposed list under Question 2.

8 FSANZ proposes to maintain the existing condition that a food displaying an 'unsweetened' claim must meet the conditions for a 'no added sugar(s)' claim, noting that the amended 'no added sugar(s)' claim conditions will apply (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI agrees with the proposal as it will have the desired effect of not allowing 'no added sugar(s)' or 'unsweetened' claims on products that have been sweetened by adding ingredients to a product with the intention to sweeten the final product. This will aid consumers to make better choices by focusing on products with 'no added sugar(s)' and 'unsweetened' claims only where these claims are technically correct.

9 FSANZ proposes to maintain the existing condition for intense sweeteners, sorbitol, mannitol, glycerol, xylitol, isomalt, maltitol syrup or lactitol. FSANZ proposes a food containing low energy sugars (mono- and disaccharides) listed in subsection S11—2(3) of schedule 11, as an ingredient (including an ingredient of a compound ingredient), not be permitted to display an 'unsweetened' claim (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI agrees with the proposal as it will have the desired effect of not allowing 'no added sugar(s)' or 'unsweetened' claims on products that have been sweetened by adding ingredients to a product with the intention to sweeten the final product. This will aid consumers to make better choices by focusing on products with 'no added sugar(s)' and 'unsweetened' claims only where these claims are technically correct.

10 FSANZ is proposing a two-year transition period to allow producers, manufacturers and importers time to make any required labelling changes for products carrying 'no added sugar(s)' or 'unsweetened' claims to comply with the new claim conditions (see section 7 of the Call for submissions document).

Do you have any comments on this approach?:

ALDI recommends a three year transition period as a minimum. Products with 'no added sugar(s)' and 'unsweetened' claims currently in the market that may no longer be allowed these claims under the proposed changes by FSANZ come in a variety of packages. Some of those products have high order volumes as well as long changeover and printing processes. ALDI recommends a longer transition period for reasons mentioned above as well as to minimise any potential waste of packaging material and/or product.

Data and evidence

11 Do you have any data or are you aware of published data on the number of products with 'no added sugar(s)' or 'unsweetened' claims in Australia and/or New Zealand (see data used for this proposal at section 3.1 of the Call for submissions document)?

No

If yes, please upload your file here.:

No file uploaded

12 Do you have any evidence or are you aware of published literature on consumer understanding of and responses to 'no added sugar(s)' or 'unsweetened' claims on food products (see evidence used for this proposal at section 3.2 of the Call for submissions report and Supporting Document 1)?

No

If yes, please upload your file here.:

No file uploaded

13 Do you have any data or know of any published data on the costs of labelling changes per stock keeping unit or package type (see data used for this proposal at Attachment E to the Call for submissions document)?

No

If yes, please upload your file here.:

No file uploaded

Additional comments

Comments and other input

Additional comments and input:

Please upload additional files here.:

No file uploaded

Feedback

What is your level of satisfaction with using this platform to complete your submission?

Very satisfied

Do you have any feedback you would like to provide to FSANZ regarding this new platform?

Yes

If yes, please provide details.:

Please send a summary of the feedback and a confirmation to the submitter for future reference.