

## **FSANZ Consultation Paper – Labelling Review Recommendation 17: Per serving declarations in the nutrition information panel**

### **Submission from Food Safety and Nutrition Branch, SA Health 12 February 2015**

SA Health welcomes the opportunity to comment on this consultation paper.

**In summary, SA Health does not support Labelling Review Recommendation 17: *That the declaration in the nutrition information panel of amount of nutrients per serve be no longer mandatory unless a daily intake claim is made.***

The South Australian Government did not support this Recommendation when it was first proposed in the *Labelling Logic Review of Food Labelling Law and Policy (2011)* and we have not changed our position.

This submission responds to the questions posed in the FSANZ Consultation Paper, and provides further rationale to support SA Health's position.

#### **Q1 How do you or your organisation use per serving information in the nutrition information panel on food labels?**

SA Health dietitians and food regulation staff use the per serving information on food labels consistent with the usage outlined in section 3 of the consultation paper. The non-enforcement related uses listed in section 3 of the consultation paper are also consistent with a survey of Australian nutrition professionals (n=240) about label reading criteria.<sup>1</sup> Conducted in 2008-09, 84% of survey respondents indicated that when educating consumers regarding label reading, they provide nutrient criteria on relevant nutrients in the nutrition information panel (NIP) either per serving or per 100g.

Recent feedback from SA Health dietitians working in clinical and outpatient settings indicates they use per serving information on the NIP as part of client/patient education about label reading. Clients are then able to identify appropriate food choices for general health and specific dietary conditions, based on the profile of the specific nutrients of interest of one or more 'servings' of the food (as deemed by the manufacturer). Examples of how SA Health dietitians use per serving nutrient information in specific clinical conditions in adult, maternal and paediatric dietetic practice include:

- Type 1 and Type 2 diabetes where patients are required to count carbohydrate in grams **per serve** of food to manage their blood sugar levels, and for Type 1 patients, their insulin dose;
- Gestational diabetes where patients are required to count carbohydrate content **per serve** of food to manage their blood sugar levels;
- Cystic Fibrosis where patients are required to count the amount of fat in grams **per serve** of food to determine the dose of pancreatic enzyme therapy required to digest the fat in the food;
- Renal patients who require a salt restricted diet and are required to count the amount of sodium in mg **per serve** to ensure they do not consume too much salt;

- Label reading guidance (**per serve** and per 100g) is often provided in dietary advice for individual clients and the general public interested in healthy eating for themselves and their families. This guidance assists individuals and the public to limit their intake of excess kilojoules, saturated fat, sugar and sodium, and consuming adequate fibre in line with the Australian Dietary Guidelines and Australian Guide to Healthy Eating.<sup>2</sup>

These examples highlight that without the per serving information being mandatory on all food products, clients with special dietary needs are further burdened and challenged in determining the suitability and volume of foods to select in order to meet their individual needs. Whilst not all consumers use the NIP, those that do should be able to have per serving information as an easier guide to their nutrients of interest, rather than having to mathematically manipulate per 100 g information. At a minimum, nutrition information on the label provides all consumers with nutrition information they are entitled to, and should be implemented in the most useful manner to consumers.<sup>3</sup>

**Q2 Are there any particular food categories or types of food packages (e.g. single serve packages) for which per serving information is particularly useful? If so, what are they? Explain why the information is useful.**

Per serving information is useful for all food categories whether a product contains a single or multiple serves. Per serving information is very helpful for single serve food packages; it provides a complete nutrient profile for the given single serving. Per serving information is also useful for products with more than one serving, so that the consumer can have some idea about how many serves the manufacturer considers the product contains, and the nutrient profile of one serve of the given product.

The per serving information is useful for the following reasons:

- 1) Most consumers refer to the NIP in some way, with both the per serving column and the per 100g column used.

FSANZ conducted research (2004) on consumer attitudes towards and knowledge and use of food labels to assess the impact of mandatory NIPs when introduced to the Food Standards Code.<sup>4</sup> Two thirds of consumers reported using the NIP, either most of the time or when buying food for the first time. More consumers used the 'per serve' column than the 'per 100g' column when selecting the 'healthy choice' between two NIPs for similar products.

A later survey by FSANZ (2008) showed that Australians' continue to refer to the NIP for specific information on various nutrients (e.g. 61.8% of consumers surveyed refer to the NIP for information about the amount of fat). Consumer reference to the per 100g column for nutrition information was slightly more common (24%) than use of the per serving column (21%).<sup>5</sup>

- 2) Consumers have difficulty in deriving per serve information from per 100g information

A systematic review (2005) of studies exploring consumer understanding of nutrition labelling found that consumers had difficulty converting information from g per 100g to g

per serving.<sup>6</sup> Furthermore, consumers could fairly accurately use numerical information to perform simple calculations, such as to calculate the amount of a nutrient in a serving of a particular product, but accuracy levels fell as the complexity of the task increased. In some studies this was influenced by lower levels of educational achievement and increasing age.

- 3) A survey of Australians' numeracy skills suggests that many struggle to interpret numerical data.

The Australian 2011-12 *Programme for International Assessment of Adult Competencies* survey measured participants' skills in literacy, numeracy, and problem-solving in technology-rich environments and assigns them to a number of different levels.<sup>7</sup> Level 3 or above for literacy and numeracy represents relatively advanced skills. 53.5% of Australians had numeracy skills at Level 2 or below, and 43.6% had literacy skills at Level 2 or below. This finding suggests that over half of Australians have lower levels of numeracy, and might struggle with mathematical calculations involving conversion of per 100g nutrient values to another chosen proportion (e.g. a 30g serving). Therefore, the less mental arithmetic consumers have to do themselves, the better. Such arithmetic would be required by consumers if the per serving information is not mandatory and therefore not included on products of interest to the consumer. They would then have to mentally calculate the nutrient profile of the amount they eat by relating this to 100g - e.g. one third, one half, double, triple.

Roberto and Khandpur (2014)<sup>3</sup> also note the issue of limited literacy and numeracy skills in US and international surveys, and the subsequent challenges this poses for label reading. One study cited by these authors found that people consistently made errors when trying to mathematically manipulate serving size information to draw a conclusion about a food's nutritional profile; and that low numeracy and literacy skills were also significantly associated with poor understanding of nutrition labels

These findings support the need to maintain per serving information as mandatory on all products.

### **The need for serve size standardization**

However, whilst per serving information is useful, SA Health considers it opportune to raise in this submission issues of concern with regard to the use of per serving information by the food industry and its impact on consumer understanding of appropriate serve sizes in support of an overall dietary intake in line with the Australian Dietary Guidelines and Australian Guide to Healthy Eating (AGHE). Several Australian papers note the issue of differing per serving sizes across product brands, and even for the same product available in different pack/container sizes within the same brand:

- A survey of 3,204 products across 25 food categories from ten Australian supermarkets (2006-2008) found that serve size was significantly different between private label and branded food products for seven categories.<sup>8</sup>
- A report by The George Institute (2011) of serving sizes in six processed food categories (snack foods, ready to eat breakfast cereals, cereal and nut bars, ready meals, soup and yoghurts) found all categories had inconsistent serving sizes, with some product types ranging up to ten-fold in serving size.<sup>9</sup> For example, the serving

sizes for fruit yoghurts varied from 50g to 500g, muesli from 25g to 80g, potato chips from 19g to 50g and frozen meals from 115g to 450g.

This issue of serving size variation and need for serving size standardization is also noted internationally<sup>3,10</sup>. Serving size standardization is proposed to address variation within product categories<sup>10</sup> and for foods commonly consumed in a single sitting<sup>3</sup>. It is suggested that consideration be given to standardizing serve sizes so they support dietary patterns and overall dietary intake in line with the Australian Dietary Guidelines and Australian Guide to Healthy Eating (AGHE). This could involve government leading a discussion that engages the food industry and other relevant stakeholders. Serve size standardization that supports the public to consume the recommended daily serves of the AGHE five food groups and limit discretionary food consumption requires consideration of:

- the AGHE serve sizes, and the variation in practical serve size descriptors within the AGHE food group categories e.g. one serve of breakfast cereals (30g) is  $\frac{2}{3}$  cup for wheat cereal flakes vs  $\frac{1}{4}$  cup for muesli;
- the portion size people commonly eat in one sitting and over a day;
- product serving sizes supplied by food industry, including what is listed as one serving in relation to the size of the pack or container it comes in.

**Q3 The Labelling Review recommendation suggests that per serving information be voluntary unless a daily intake claim is made. Do you support this approach? That is, do you think declaration of per serving information in the nutrition information panel should be mandatory if a daily intake claim is made (e.g. %DI or %RDI)? Give reasons for your answer.**

No. SA Health does not support that per serving information be voluntary unless a daily intake claim is made.

SA Health recommends maintaining the status quo that information about nutrient value per serve on the label of all food products as per current Standard 1.2.8 continues to be mandatory. This supports transparency for consumers, who can easily identify the nutrient profile of the recommended serve size on any food product (rather than a select few products) as a reference point for comparing their own portion size. The rationale for this is outlined in responses to Questions 1 and 2.

SA Health notes that whilst the Health Star Rating System (HSRS) is a voluntary interpretive system on the front of pack food label, it does not interpret nutrients per serve, but rather per 100g. Nutrient information will only be listed on HSRS in the per serve format for foods sold as a single serve pack, or where there is an industry agreed portion serve (at this stage only 'per 250mL' for beverage products greater than 600mL'; 'per 25g serve' for chocolate or sugar confectionery). Therefore if per serving information is not mandatory, consumers who want per serving information would need the time and numeracy skills to convert nutrients per 100g to nutrients per serve. As already outlined, such mathematical manipulation is too complex for many consumers and therefore undesirable.

SA Health recommends that the NIPs continue to list per 100 gram to allow easy comparison between similar products, and per serve to indicate the nutrient profile as a useful reference point or guide for consumers.

If nutrients per serve become voluntary, SA Health supports

- retaining the general statement on serve size and further recommends that the serve size description should be easily interpreted (e.g. 20g = 1 slice);
- a declaration of per serving information in the nutrition information panel should be mandatory if a daily intake claim (%DI or %RDI) is made.

SA Health therefore considers it is premature to make the declaration of nutrients per serve in the NIP voluntary, and recommends that further Australian consumer research be undertaken (ensuring a representative population sample) to ascertain current Australian consumer understanding and practice in regard to nutrition information per serving on labels.

**Q4 As noted in Section 4, there is currently variation in the format of NIPs on food labels because of voluntary permissions for the use of %DI labelling and the option to include a third column for foods intended to be prepared or consumed with at least one other food. If per serving information in the NIP was voluntary this would result in more variability in the format of NIPs across the food supply. Do you think this would be a problem? Why/why not?**

Yes, SA Health considers that voluntary per serving information in the NIP in addition to the current voluntary use of %DI labelling and voluntary inclusion of an optional third column for foods intended to be prepared or consumed with at least one other food would be problematic and result in more variability in the format of NIPs across the food supply, and therefore potentially confusing for the public. SA Health recommends maintaining the status quo under the existing Standard 1.2.8 to facilitate consistency in the format of the NIP across retail food supply for the benefit of consumers.

**Q5 If per serving information in the nutrition information panel was voluntary, do you think the inclusion of per serving information in the nutrition information panel should be mandatory when a nutrition content claim about vitamins, minerals, protein, omega-3-fatty acids or dietary fibre is made? Give reasons for your answer.**

Yes, if per serving information in the NIP was voluntary, the inclusion of per serving information in the nutrition information panel should be mandatory when a nutrition content claim about vitamins, minerals, protein, omega-3-fatty acids or dietary fibre is made. The rationale is that some nutrient content claim criteria specify certain amounts or percentages of the nutrient in question per serving; hence the NIP should be transparent about this for the benefit of both consumers and regulators. Clause 4 of Standard 1.2.8 already states that nutrient content claims or health claims requiring nutrition information is made in relation to a food, a NIP must be included on the label on the package of the food; and Schedule 1 of Standard 1.2.7 requires per serving criteria be met for vitamins, minerals, protein, omega 3 and dietary fibre.

**Q6 If per serving information in the nutrition information panel was voluntary, do you think the inclusion of per serving information in the NIP should be mandatory in any other specific regulatory situations? Explain your answer.**

Standard 2.6.4 Formulated Caffeinated Beverages stipulates that a formulated caffeinated beverage must state how much caffeine per serve and per 100ml it contains. We understand this would override any general exemptions under the general food labelling standard; and encourage this to remain the case so that consumers can determine the caffeine content per serving.

If per serving information in the NIP was voluntary, it would be important for per serving information in the NIP to be mandatory for Special Purpose Foods, specifically Standard 2.9.3 Formulated Meal Replacements and Formulated Supplementary Foods; and Standard 2.9.4 Formulated Supplementary Sports Foods. For these categories it is useful for consumers, dietitians and food enforcement staff to be able to easily identify nutrient information per serving in line with dietary needs and compliance requirements, particularly for those nutrients that have nutrient content criteria based on per serving.

**Q7 What additional studies examine consumer use and understanding of per serving information in the nutrition information panel on food labels? Please provide a copy of studies where possible.**

FSANZ may wish to consider references 1, 3, 4, 6, 7, 8, 9 and 10 of our submission. These references explore

- use and understanding of nutrition information panels by consumers and dietitians;
- the issue of wide variation in per serving sizes across food product categories.

**Q8 From your perspective, what are the advantages and disadvantages of per serving information in the nutrition information panel being voluntary? Please provide evidence where possible.**

Advantages: Given our position, from an SA Health perspective we cannot identify any advantages of the per serving information in the NIP being voluntary.

Disadvantages:

- More conditional use potentially increases the likelihood of labelling breaches by food manufacturers. More conditions in per serving information are potentially more confusing for food manufacturers and makes it more likely for them to inadvertently breach the nutrition labelling standard.
- More conditional potentially increases consumer confusion about using NIPs for nutrient information.
- Voluntary per serving information disadvantages many consumers with special dietary needs who require per serving information on food products in order to easily implement their special dietary requirements.

**Q9 Do you think the declaration of the amount of energy and nutrients per serving in the NIP should be voluntary? YES/NO/UNCERTAIN**  
**Please give reasons and evidence to support your view.**  
**If you are UNCERTAIN, please indicate what information you would need in order to form a view.**

No, as outlined in responses to questions 1, 2, 3, 4, 5, 8.

In summary:

- There is a need for consumers with special dietary needs to easily identify nutrients of interest to them in a per serving format.
- Nutrition information in the per serving format assists:
  - the general public to assess the nutritional profile including energy content of the processed food they select;
  - dietitians in educating clients and the general public about label reading to support health;
  - food regulation staff in assessing nutrition labelling breaches (e.g. nutrient content claims which require nutrients in specific amounts per serving).
- There is research indicating Australian consumers use the per serving information, that consumers struggle with mathematical calculations to convert per 100g information to other amounts, particularly those with low literacy and numeracy and that 53% of Australian adults have lower levels of literacy and numeracy.

South Australia also suggests that consideration be given to:

- commissioning further Australian consumer research to ascertain current Australian consumer understanding and practice in regard to nutrition information per serving on labels, and how this influences their own portion size consumed;
- standardizing serve sizes so they support dietary patterns and overall dietary intake in line with the Australian Dietary Guidelines and Australian Guide to Healthy Eating (AGHE).

## References

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<sup>1</sup> Pratt, IS, Muhlmann, L, & Erickson, H 2013. Label reading nutrient criteria: A survey of Australian nutrition professionals. *Nutrition & Dietetics*, vol. 70, no. 1, pp. 54-58.

<sup>2</sup> National Health and Medical Research Council (2013) *Eat for Health Australian Dietary Guidelines Summary*. Canberra: National Health and Medical Research Council  
[www.eatforhealth.gov.au](http://www.eatforhealth.gov.au)


<sup>3</sup> Roberto, CA, & Khandpur, N 2014, 'Improving the design of nutrition labels to promote healthier food choices and reasonable portion sizes', *International Journal of Obesity*, vol. 38, pp. S25-S33. Available from: 10.1038/ijo.2014.86. Accessed 3 February 2015.

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<sup>4</sup> Baines, J, & Lata, S 2004. Consumer understanding and use of Nutrition Information Panels, Asia Pacific Journal of Clinical Nutrition, vol. 13, p. S160. (Poster presentation summary). Accessed 5 February 2015.

<sup>5</sup> TNS Social Research (2008) Consumer Attitudes Survey 2007. Canberra <http://www.foodstandards.gov.au/publications/pages/consumerattitudes/Default.aspx> . Accessed 9 February 2015.

<sup>6</sup> Cowburn, G, & Stockley, L 2005. Consumer understanding and use of nutrition labelling: a systematic review. Public Health Nutrition, vol. 8, no. 1, pp. 21-28. Accessed 3 February 2015.

<sup>7</sup> Australian Bureau of Statistics. 4228.0 - Programme for the International Assessment of Adult Competencies, Australia, 2011-12  Accessed 23 January 2015.

<sup>8</sup> Cleanthous, X, Mackintosh, A, & Anderson, S 2011, Comparison of reported nutrients and serve size between private label products and branded products in Australian supermarkets, Nutrition & Dietetics, vol. 68, no. 2, pp. 120-126. Accessed 9 February 2015.

<sup>9</sup> The George Institute. Examination of serving sizes of selected food products in Australia. Report for Choice. November 2011. <http://www.choice.com.au/consumer-action/food-labelling/nutrition-labelling/percentage-daily-intake-guides-discredited.aspx> Accessed 9 February 2015.

<sup>10</sup> Vanderlee, L, Goodman, S, Sae Yang, W, & Hammond, D 2012, 'Consumer understanding of calorie amounts and serving size: implications for nutritional labelling', Canadian Journal Of Public Health, 103, 5, pp. e327-e331, MEDLINE Complete, EBSCOhost, viewed 3 February 2015.