



Nestlé Submission  
Application A 1230 – Very Low Energy Diets (VLED)

December 2021

# Nestlé submission: Application A 1230 – Very Low Energy Diets (VLED)

## Introduction

This submission is made on behalf of Nestlé Australia Ltd., and Nestlé New Zealand Ltd.

Nestlé is a manufacturer and importer of a wide variety of foods for the Australian and New Zealand markets and is globally one of the largest manufacturers of foods.

Nestlé thanks FSANZ for its work on this Application and welcomes the opportunity to provide comment in response to the Call for Submissions for Application A 1230 – Very Low Energy Diets (VLED).

Nestlé also wishes to acknowledge FSANZ's timely consideration of this Application with the important objective of clarifying the regulatory arrangements for VLED products.

## Overall position

Nestlé is in general agreement with the risk analysis contained in the document 'Call for Submissions (CFS) A1230 Very Low Energy Diets' and its supporting documents, and the proposed drafting amending Standard 2.9.5 to include Very Low Energy Diets (VLED) and Very Low Energy Foods (VLEF).

Inclusion of such products in the Australia New Zealand Food Standards Code (Code) supports both consumers and manufacturers, providing these products with regulatory certainty and clarifying their regulatory status in Australia and New Zealand.

Nestlé supports the inclusion of these products within the Standard 2.9.5 of the Code as the most relevant placement, and the adoption of the Codex STAN 203-1995 nutrient composition with relevant labelling measures, as proposed, to facilitate appropriate use. This approach supports international harmonisation, trade and innovation.

Nestlé fully supports the regulatory intent of A 1230 and the discussions contained within the consultation paper, and wishes to provide comment in relation to regulatory clarity in the draft variation of the Code.

In this respect - Nestlé wishes to comment on the following matter:

- i. Nutrition labeling and information requirements

## Nutrition labeling and information requirements

### *Recommendation:*

Nestlé suggests for consistency with other FSMP foods, as well as consistency of regulatory intent in A1230 for VLEDs and VLEFs, that where additional nutrients listed in S29-20 are used, that the drafting be clear that the relevant Nutrition Information be included.

*Rationale:*

*Current drafting*

The proposed drafting (2.9.5-13 (2)) requires certain nutrition information to be included on VLEF labels. Notably, the proposed S29-22 lists minimum requirements for a number of vitamins and minerals prescribed by CODEX STAN 203-1995, and considered essential for health when on a very low energy diet. There is a specific requirement to include nutrition information for any substance listed in S29-22 that has been used in the food.

Nestlé supports this requirement.

*Addition of other nutrients*

Current nutrition practice leads manufacturers to use a number of substances including those set out in S29-20. These substances can be considered relevant nutrients for a healthy very low energy diet. (See also CFS SD1 Section 5, and Table 5.1).

However, the current draft variation (2.9.5 -13(2)) is not clear on the provision of Nutrition Information where other permitted substances listed in S29-20 are added.

Nestlé suggests for consistency with other FSMP foods, as well as consistency of regulatory intent in A1230 for VLEFs, that where additional nutrients, listed in S29-20 are used, that the drafting be clear that the relevant Nutrition Information be included.

**Authorised by:**

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