

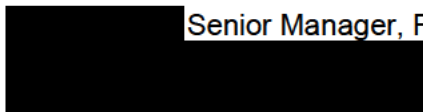
Proposal P1050 – Submission Template

Please use the template below to provide your submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages. Please submit this to FSANZ as a word document (if required, a pdf of the submission may also be provided in addition to the word document).

For information about making a submission, including what your submission should include, visit the FSANZ website at [information for submitters](#).

Submission to Proposal P1050 – Pregnancy warning labels on alcoholic beverages

A. Name and contact details (position, address, telephone number, and email address):

 Senior Manager, Food Safety Unit, Department of Health and Human Services

These comments have been prepared by the Victorian Departments of Health and Human Services and Jobs, Precincts and Regions.

Comments to specified sections of P1050 Call for Submissions (CFS) report:

D. Literature review on the effectiveness of warning labels (section 3.1.1 of CFS)

No comment

E. Consumer testing of warning statements (section 3.1.2)

The departments note the consumer research. Overall, the weight of evidence most strongly supports the statement, 'Any amount of alcohol can cause lifelong harm to your baby' as best conveying the public health message. While 'Any amount of alcohol can harm your baby' also performed well, only 24% of the target group chose this statement as best conveying the message versus 52% for 'Any amount of alcohol can cause lifelong harm to your baby'.

F. Pictogram (section 3.2.2.2)

The departments support the preferred approach.

G. Warning statement (section 3.2.2.3)

FSANZ's preferred statement for the warning label is: 'Any amount of alcohol can harm your baby'. While this statement performed quite well in consumer testing, the statement which refers to 'lifelong' harm performed significantly better overall. FSANZ's view that a shorter statement is preferable is not supported by the consumer evidence in the CFS.

The consumer research indicated consumers identified the 'lifelong/ permanent' element of the preferred statement as being important. Inclusion of this element is also supported by some evidence which showed that people who understood the *lifelong* nature of FASD used less

alcohol in pregnancy¹.

The departments understand that sentence length was not an initial consideration when the statements were designed for consumer research. For labelling purposes, there is merit in using the shortest statement that conveys the necessary information, in the simplest language possible. We suggest an alternative statement that captures the lifelong/ permanent element supported by the evidence:

- Any amount of alcohol can harm your baby for life

Given the consumer research looked at, and supported, the foundations of this statement, we believe adding the terms 'for life' captures the lifelong element simply, yet does not alter the statement significantly enough to require further consumer testing.

H. Design labelling elements (section 3.2.2.4)

The departments note the principles and discussion of the design elements and associated evidence which highlights the importance of the warning label being clear and noticeable. The departments support the proposed prescriptive approach for the design elements.

The departments support the inclusion of the signal words before the warning statement, 'Health Warning'. This is preferred over 'Pregnancy warning', because it more accurately reflects the adverse health effects of alcohol are not limited to the pregnancy period but are born by affected individuals for life.

The departments support prescribing the colour of the warning label to ensure it is clearly visible.

I. Summary of proposed pregnancy warning label design (section 3.2.2.5)

No further comments.

J. Beverages to carry the pregnancy warning label (section 3.2.3)

The departments do not support the proposed approach to require pregnancy warning labels on beverages with more than 1.15 % alcohol by volume (ABV).

This approach was to align with the requirement in the Code to label alcohol content above 1.15 % ABV and with the definition of liquor in some jurisdictions. This would avoid a pregnancy warning label on beverages not represented as alcohol and potential confusion with consumers. We note however that some confusion may already exist given the requirement in the Code for standard drinks labelling to apply above 0.5% ABV.

In Victoria, where liquor is defined as > 0.5% ABV, FSANZ's preferred approach will mean some alcoholic beverages between 0.5 – 1.15 % ABV will not be required to carry the warning label. This creates an inconsistency with the message that 'any amount of alcohol' can cause harm. It is also possible that pregnant women may select these lower alcohol drinks without warning labels in the belief that the level of alcohol is safe during pregnancy.

In light of the Victorian definition of liquor and the national requirement in the Code for some degree of alcohol labelling above 0.5% ABV, we suggest pregnancy warning labels should apply to beverages with more than 0.5 % ABV.

¹ Peadon, E et al. (2011). Attitudes and behaviour predict women's intention to drink alcohol during pregnancy: The challenge for health professionals. BMC public health. 11. 584. 10.1186/1471-2458-11-584.

K. Application to different types of sales (section 3.2.4)

The departments support the preferred approach to require the warning label on all packaged alcohol for retail sale, which excludes wholesale sales (except to caterers).

L. Application to different types of packages (section 3.2.5)

The departments support the proposed approach.

We note FSANZ's comment that the recent Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) permits imported wine and spirits to carry only a supplementary label fixed to the container. We seek further clarity on how all the prescribed design requirements, including labelling of inner and outer packaging, will be met through supplementary labels.

M. Consideration of costs and benefits (section 3.4.1.1 of CFS)

No comment

N. Transitional arrangements (section 4.1 of CFS)

The departments support the transitional arrangements including exemptions for alcoholic beverages packaged and labelled before the end of the transition period.

O. Draft variation to the Australia New Zealand Food Standards Code (Attachment A of CFS)

No comment

P. Other comments (within the scope of P1050 – see section 1.5 of the CFS)

There are other food standards proposals that impact the labelling of alcoholic beverages (energy labelling and sugar and carbohydrate content claims). Where possible, efforts should be made to reduce the burden of multiple label changes on industry. This may be achieved through aligning transition arrangements subject to timeframes.