

Submission to the
Consultation on front of pack nutrition labelling

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The Institute of Public Health in Ireland

The remit of the Institute of Public Health in Ireland (IPH) is to promote cooperation for public health between Northern Ireland and the Republic of Ireland in the areas of research and information, capacity building and policy advice. Our approach is to support the Departments of Health and their agencies in both jurisdictions, and maximise the benefits of all-island cooperation to achieve practical benefits for people in Northern Ireland and the Republic of Ireland.

Key Points

- Obesity and related chronic conditions are already very prevalent and are expected to increase over the next decade, placing greater financial burden on health care services.
- Helping consumers to make informed choices about their diet is an important aspect of tackling obesity.
- Providing clear consistent and easy to understand front of pack (FoP) nutrition information is important in helping consumers to make healthy choices.
- IPH would support FoP nutrition information using the traffic light labelling scheme and High/Medium/Low text.
- FoP nutrition labelling should be supported by a public information campaign to educate consumers about portion sizes and recommended daily intakes of fat, sugar and salt.
- IPH would support a nutrition labelling approach which empowers and enables consumers to take responsibility for their own health through informed dietary choices.
- The FoP traffic light labelling scheme has the potential to encourage healthier product formulation as manufacturers pursue market share. This in turn would contribute to wider availability of healthier products.

Introduction

IPH welcomes the opportunity to respond to this consultation given the wide range of factors influencing food choice and the significant impact of diet on health. We believe these proposals provide an important opportunity for all stakeholders to work together to help consumers make informed, healthy choices, and in so doing, will support efforts to tackle overweight and obesity.

The scale of the challenge is clear, given the findings of the Health Survey Northern Ireland 2010/11^[1]:

- Fifty-nine per cent of adults measured were either overweight (36%) or obese (23%). A similar proportion of males and females were obese however males were more likely to be overweight (44%) than females (30%).
- In relation to children, aged 2-15 years, 8% were assessed as being obese based on the International Obesity Task Force guidelines, 8% of boys and 9% of girls.

Obesity is a known risk factor for several chronic conditions including hypertension, stroke, coronary heart disease and diabetes. IPH has produced a report on population prevalence estimates and forecasts of these chronic diseases. The report shows that we can expect a substantial rise in the number of people living with a chronic disease. This is because our population is growing and ageing but also because lifestyle risk factors such as obesity are becoming more common.^[2]

A study undertaken for the Food Standards Agency,^[3] revealed that a large proportion of people in Northern Ireland are consuming more high fat and high sugar foods than is currently recommended. These findings concur with the results of the National Diet and Nutrition Survey,^[4] which also reported that intakes of saturated fat and sugar still exceed the recommended levels.

According to a recent study published by the Foods Standards Agency,^[5] consumers recognised that overconsumption of foods high in fat and/ or sugar can have a negative effect on health, but would appear to be unconcerned about their eating patterns and willing to face the consequences later in life. It is ever more important then, that all possible efforts are made to highlight the nutritional content of food and that FoP nutrition labelling includes the energy, fat, saturated fat, sugar and salt content illustrated in the most easily understood format. This position has been adopted by the European Public Health Alliance, which believes that efficient and understandable labelling is part of a first step to tackle the obesity problem and enhance better food information to consumers.^[6]

Consultation Questions

I. To what degree does your organisation believe that greater consistency in UK FoP labelling would be beneficial to consumers? Is your organisation willing to work with the UK Governments to achieve this?

IPH considers consistency in FoP nutrition labelling essential to enable consumers: to see at a glance the key nutritional elements of a product; understand the information presented; and make informed dietary choices. Recent research would support the case for consistent FoP nutrition labelling.^[7-9] Clear, consistent FoP labelling also allows consumers to make comparisons between products and across product categories.

The introduction of FoP labelling has led to product reformulation and the development of new food products with a healthier nutrient profile. Examples include countries such as the Netherlands, Australia and New Zealand where FoP labelling has prompted reductions in the salt and saturated fat content in some products.^[10]

There is strong evidence that FoP labelling can influence consumers' food choice.^[8] Research would suggest that, in the main, consumers who actively seek FoP nutrition information, do so for specific health purposes, e.g. lowering blood pressure through a reduced salt diet; calorie counting as part of a weight loss programme.^[11]

In addition, the emergence and reported success of products labelled as 'healthy' is further evidence that consumers see and read information displayed on the front of packaging and base purchasing decisions on this information.

IPH would be willing to work in partnership with UK Governments and other relevant agencies to achieve the much needed consistency of FoP labelling to keep consumers better informed and facilitate healthy choices. We believe this is an important measure as part of the overall public health approach to tackling obesity and diet related diseases.

II. If you are not a food retailer or manufacturer, please provide your views on the current provision of FoP labelling in the UK.

IPH acknowledges the steps taken by food manufacturers and retailers to provide FoP nutrition labelling; however, it is regrettable that there has not been industry wide agreement on this issue. IPH believes the current range of FoP labelling styles may be confusing for consumers, for example, monochrome colour schemes which fail to highlight foods high in fat, sugar and salt.

Inconsistency and variation in the information provided, can lead to mixed nutritional messages for consumers. International studies suggest that consumers most easily understand simplified FoP nutrition information that incorporates traffic light color-coding and corresponding High/Medium/Low text. This is especially true for older consumers or consumers of lower socioeconomic status.^[10] Therefore, IPH would advocate for industry wide implementation of traffic light colour coding for FoP nutrition information to enable consumers to make informed choices. This would help

ensure all sections of the population are able to understand and use nutrition information appropriately.

Partial information on the front of pack has the potential to obfuscate the true nutrient profile of the product. Whilst a product may be high in fibre, it could also be high in sugar. Similarly, products promoted as low in calories could have a high salt content. The use of 'pings' (usually circular labels used to highlight information about one key nutrient, e.g. '120 calories per pot' or 'high fibre') is becoming increasingly popular and more widely used as a marketing tool within the food industry. For this reason, IPH is strongly supportive of always supplying information FoP on energy, fat, saturates, sugars and salt rather than selective highlighting of individual nutrients.

III. In what circumstances do you think it might be appropriate to give an energy declaration alone FoP, instead of energy, fat, saturates, sugars and salt? Please detail the reasons for your views.

Note for Industry - We would also be interested in understanding to what degree complying with the FIR impacts your answers to this question i.e. to what extent is your answer dictated by space restrictions and to what extent is it driven by other considerations?

In relation to an 'energy only' declaration, IPH believes that consistency of approach remains the most effective way to inform consumers and help them make healthy choices. It is necessary to present the energy, fat, saturated fat, sugar and salt content of the product on the front of the pack, to provide consumers with all the information they need to make an informed choice.

We believe an 'energy only' declaration could be misleading for consumers, making it more difficult to compare products. Indeed, an 'energy only' declaration has the potential for misuse by food manufacturers and retailers who want to market their products based on calorie content, whilst product reformulation to achieve this, may have led to an increase in other nutrients such as salt or sugar.

For the reasons stated, we believe it is essential that information relating to all key nutrients is clearly presented on the front of food packaging.

IV. Whilst market penetration of FoP labelling is key, there will be some food products on which consumers will not find it useful. Do you concur that products listed in Annex V of the FIR – foods that are exempt from mandatory nutrition labelling - should not carry voluntary FoP labelling (see Annex E)?

IPH accepts that there are some food products for which it is not necessary to present nutrition information. However, having reviewed the exemptions listed in Annex E of the consultation document, we have some concerns about the exclusion of food products listed as unprocessed (comprise single ingredients or category of ingredients) and processed products (only processing they have been subjected to is maturing and that comprise single ingredients or category of ingredients). On further examination of the Regulation (EU) No 1169/2011 (Annex V) the provision of food

information to consumers, we believe there are certain food items for which the nutritional value is changed through the processing techniques listed and others which vary in nutritional value depending on the actual ingredient.

To highlight this point further, we have presented some examples below:

1. Unprocessed products. Using the example of nuts (which could be described as a single ingredient or category of ingredients), we believe it is necessary that these items should carry FoP nutrition information. The nutritional value of nuts varies significantly and in the context of helping consumers make healthy choices, it is essential that such products are clearly labelled. Furthermore, the addition of fat, salt and sugar to nuts is commonplace, and whilst for example, honey roasted or salted nuts would not be exempt from FoP labelling, it is important that unprocessed nuts carry nutrition information in order for consumers to make accurate product comparisons.
2. Processed foods. According to the regulations outlined above, processed products which are exempt from FoP labelling, include items which have been for example: minced, boned, or skinned.^[12] However, this exclusion raises some concerns about meat produce. For example the fat content of chicken fillets varies according to whether they are sold as skinless or with skin on. Minced beef can also vary in its fat content depending on the cuts of meat and processing methods used. For consumers following a low fat diet, in particular low in saturated fat, it is essential that FoP nutrition information is available to help them make informed choices.

Whilst we have only selected a small number of food products to illustrate our point, our overarching concern would be that without this information, consumers are making purchasing decisions that are less than fully informed. Providing consumers with accurate information to make informed choices is an important tool in tackling obesity and diet related diseases.

V. Currently FoP labelling in the UK is based on ‘per portion’. The FIR permits expression of FoP information per 100g or per portion, but where per portion information only is provided, energy should be provided per 100g in addition. Views are sought on whether per portion remains the right basis for consistent FoP declarations.

From the outset, we would highlight the need for consistency in whichever approach is adopted. IPH would support the presentation of nutrition information based on ‘per portion’. We believe information presented in this way is more meaningful for consumers and more applicable in terms of the overall management of their dietary intake. This is an important consideration in the context of tackling obesity where portion sizes in certain food categories (namely bread and ready meals) have increased over the years and the availability of multi-packs and ‘share-type’ packs have also grown.^[13]

To ensure portion sizes used on packaging are appropriate IPH would advocate the development of a list of evidence based standardised portion sizes. Consistent use of these standardised portion sizes across industry would facilitate meaningful

comparisons by consumers of nutrient content across products. This in turn would enable consumers to make genuinely informed choices.

A study commissioned by FSA^[5] found that many people in Northern Ireland are unaware of what constitutes a portion size, which inevitably leads to over-eating, particularly foods high in fat and/ or sugar. IPH would support a campaign to improve knowledge and understanding among the population of appropriate portion sizes. This could make a significant contribution to tackling levels of overweight and obesity.

Whilst we support the presentation of nutrition information as 'per portion', we would recommend that the traffic light colour coding criteria are based on per 100g or 100ml.

VI. The FIR allows nutrition information to be provided on an 'as sold' or 'as consumed' i.e. in a cooked or prepared, ready-to-eat form. Views are sought on how useful it would be to seek agreement on the types of product that should express FoP nutrition information on an 'as consumed' basis to bring further consistency and comparability to FoP labelling, bearing in mind full manufacturers' cooking instructions must accompany such declarations. If 'as consumed' labelling is supported, please indicate the categories of food that should carry this information.

IPH recommends that the 'as consumed' nutrition information should apply to products where an additional ingredient is required in the preparation process to make the product edible or where the nutritional value of a product is changed through the cooking process.

We believe this approach should be used consistently across the industry, and that products within a particular category should be based on similar preparation guidelines. We consider this approach to be more meaningful to consumers and more effective in the overall monitoring of dietary intake.

VII. We are also interested in gaining an insight into how the agreement of the FIR might affect the provision of FoP labelling in the UK. Please indicate whether, following implementation of the Regulation's requirements, your company will be providing around the same amount of FoP information and whether more or fewer of your products will carry FoP information. Please detail the reasons for your answer.

N/A

VIII. The FLABEL4 study indicated that consistency in positioning of the FoP label also played a part in gaining consumer attention. Views are sought on the degree to which position on pack could be harmonised.

IPH recognises FoP nutrition labelling competes for space with other manufacturer information such as brand/ product name, logo, and images. IPH considers providing nutrition information on front of pack in the most effective format, more important than the precise location within the overall front of pack design. It is vital that manufacturers and retailers adhere to the FSA's technical guidelines,^[14] so the importance of FoP nutrition information is not diminished or surpassed by marketing information. IPH is in favour of the traffic light colour coding scheme along with High/Medium/Low text.

It is recognised that products marketed as 'healthy' are commercially successful. Therefore widespread adoption of consistent FoP labelling would encourage manufacturers to reformulate their products to compete in the marketplace.

IX. Views are sought on whether % Reference Intakes (%GDAs) should be used on all FoP labels.

% GDAs may be helpful for consumers managing particular aspects of their diet for health reasons. However, there are a number of limitations in the use and interpretation of %GDAs. For instance, a single GDA figure does not reflect the differing dietary requirements of a young child and adult male. A further limitation is the lack of consumer understanding that GDAs are a maximum intake value rather than a daily intake target.^[15]

Current lack of consumer awareness of these issues could lead to misinterpretation. Traffic light colour coding along with High/Medium/Low text has been shown to be the most effective format of nutrition labelling from the viewpoint of consumer understanding.^[11, 15]

X. Given current market practice, and the research on consumer preference, a move towards more consistency would require most interested parties to make some changes alongside the changes that would be required by the FIR. Views are sought on interested parties' preference for the following options for a single approach:

- %GDA only;
- % GDA + HML text + interpretative CC based on standardised nutrient levels;
- % GDA + HML text;
- % GDA + interpretative CC based on standardised nutrient level;
- Colour coding only;
- Colour coding + %GDA;
- Colour coding + HML text.

The purpose of FoP nutrition labelling is to help consumers make informed choices. Numerous studies have shown that the most effective way of achieving this is with traffic light colour coding along with High/Medium/Low text.^[10, 11, 15]

However, traffic light labelling, in some instances, has been opposed by the food industry. The Food and Drink Federation claim traffic light labelling is confusing for consumers and could mislead consumers as 'traffic lights' fail to take account of portion sizes and the consumption of a particular food in the context of the whole daily diet.^[16] The Confederation of the Food and Drink Industries of the EU claim that traffic light labelling will further fragment the EU single market, creating additional burdens for industry operating across several markets.^[17]

In June 2010 the European Parliament rejected proposals for EU wide implementation of traffic light nutrition labelling for several reasons. Traffic light labelling was rejected on the basis that it was first introduced for ready meals and therefore is not applicable to single food items. For example, nutrients in certain food products could be labelled as 'low' or 'green' (eg the sugar content of soft drinks with no added sugar), whereas the sugar content of fruit juices could be categorised as 'high' or 'red' for sugar due to the presence of natural fruit sugars. It has also been suggested that product reformulation may lead to the use of artificial ingredients to replace sugar and salt.^[18]

Whilst we acknowledge there are some limitations with all front of pack labelling schemes, based on the evidence available, we believe traffic light labelling provides nutrition information in a format that is simple, recognisable, easy to understand and accessible to all consumers.^[10, 11, 15]

XI. Do you have any alternative suggestions that might fulfil the Governments' ambition to see a more uniform approach to FoP labelling?

No.

XII. If your business already provides FoP information, what form of FoP labelling do you use and why? Do you have any research that supports your choice of FoP scheme that you would be willing to share*? We are particularly interested in research (especially unpublished work) that:

- addresses consumer preferences, consumer understanding and comprehension (particularly amongst lower literacy and lower socio-economic groups (C2, D, E), those of different ages, disabilities (including those with learning disabilities), long-term conditions, gender, race, religion or belief, pregnancy and maternity);
- Demonstrates any impact on consumer choice;
- Demonstrates any effect FoP has had on the reformulation of food products.

N/A

XIII. If your business uses interpretive additional forms of expression, such as HML text, and/or colour coding, how do you determine the cut-off points between each category? Does this differ between types of foods, or are the same criteria applied to all of your FoP labelled products, and, if so, why?

N/A

XIV. The FLABEL research recommends the use of health logos accompanied by repeat nutrition information as a form of labelling that might provide a way forward in delivering a consistent form of FoP labelling across the EU for the future. Interested parties' views and experience of using health logos are sought.

***We appreciate that some of the information requested may be commercially sensitive to your organisation and that you may not wish it to be shared more widely. Please ensure that any responses of this nature to these or previous questions are clearly marked accordingly and please read the „confidentiality of information“ section below.**

Health logos have been shown to enhance healthy product choice^[19] and contribute to small improvements in the nutritional value of certain products, leading to reductions in intakes of saturated fat and sugar.^[20]

IPH would support the use of a health logo to complement, where appropriate, FoP nutrition labelling. We would recommend independent assessment of products against agreed evidence-based criteria. One such example is the 'Choices Programme' which brings together the food industry, retailers and catering sector to encourage healthy product innovation and reformulation. Companies have their products evaluated against a set of qualifying criteria, based on international dietary guidelines and reviewed by an independent International Scientific Committee. These criteria take into account a product's level of fat, sugar, salt and fibre to determine its eligibility to carry the front-of-pack Choices logo.^[21]

We believe implementation of robust criteria against which health logos are awarded, will increase consumer confidence in the validity of any such scheme and encourage the food industry to reformulate and/ or develop new products which are nutritionally beneficial for consumers.

XV. What are your views on further emphasising the energy content per portion of the FoP (e.g. by increasing the font size or prominence of this information or the use of 'pings') in order to help those looking to reduce their calorific intakes?

- **Are there particular types of product that might benefit from this type of additional FoP labelling?**
- **Are there any commercial limitations to providing this information on foods?**

- **What criteria underpin the use of ‘pings’ and has their provision been evaluated*?**
- **For those companies that currently colour code calories, do you have any research that demonstrates any impact of this approach?**
- **what criteria have been used to underpin the colour coding of calories*?**

***We appreciate that some of the information requested may be commercially sensitive to your organisation and that you may not wish it to be shared more widely. Please ensure that any responses of this nature to these or previous questions are clearly marked accordingly and please read the „confidentiality of information“ section below.**

Please see response to Consultation Question II, in relation to partial information.

XVI. Are there any further costs or benefits other than those set out in the costs and benefits section above that might accrue from the further voluntary harmonisation of the provision of front of pack nutrition information as set out in this consultation document?

The two key outcomes arising from greater consistency in display of effective FoP nutrition information are:

- Better informed consumers
- An incentive for manufacturers to develop healthier product formulation.

This in turn could lead to more appropriate nutrient intake across the population thereby making an important contribution to tackling overweight and obesity.

References

1. DHSSPS, *Health Survey Northern Ireland: first results from the 2010/11 survey*, 2011.
2. Balanda, K.P., et al., *Making Chronic Conditions Count: Hypertension, Stroke, Coronary Heart Disease, Diabetes. A systematic approach to estimating and forecasting population prevalence on the island of Ireland.*, 2010, Institute of Public Health in Ireland: Dublin.
3. Prior, G., et al., *Exploring food attitudes and behaviours in Northern Ireland: Findings from the Food and You Survey 2010*. 2011, Food Standards Agency: London.
4. Department of Health and Food Standards Agency, *National Diet and Nutrition Survey Headline results from Years 1 and 2 (combined) of the Rolling Programme (2008/2009 – 2009/10).*, 2012, Department of Health and Food Standards Agency: London.
5. Food Standards Agency, *Investigating how consumers and health professionals in Northern Ireland understand healthy eating messages*. 2012, Food Standards Agency: Belfast.
6. European Public Health Alliance, *Position of the European Public Health Alliance to the proposal on Regulation on the provision of food information to consumers*. 2008, European Public Health Alliance: Brussels.
7. Kelly, B., et al., *Consumer testing of the acceptability and effectiveness of front-of-pack food labelling systems for the Australian grocery market*. Health Promotion International, 2009. **24**(2): p. 120-9.
8. BMRB, *Citizen's forums on food: Front of Pack (FoP) Nutrition Labelling.*, 2010, Food Standards Agency: London.
9. Draper, A.K., et al., *Front-of-pack nutrition labelling: are multiple formats a problem for consumers?* European Journal of Public Health, 2011. **10.1093/eurpub/ckr144**.
10. Hersey, J.E., et al., *Policy Research for Front of Package Nutrition Labelling: Environment Scan and Literature Review*, 2011, Department of Health and Human Services: Washington.
11. BMRB, *Comprehension and use of UK nutrition signpost labelling schemes*, 2009, Food Standards Agency: London.
12. *REGULATION (EC) No 853/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on the hygiene of foodstuffs*.
13. Church, S., *Trends in portion sizes in the UK - A preliminary review of published information.*, 2008, Food Standards Agency: London.
14. Food Standards Agency, *Front-of-pack traffic light signposting labelling technical guidance*, 2007, Food Standards Agency: London.
15. Red C, *Food Labelling Research.*, 2010 The Irish Heart Foundation, The National Youth Council of Ireland and The Irish cancer Society: Dublin.
16. Food and Drink Federation, *Nutrition Labelling and Signposting Schemes: Policy Position*. Available at: <http://www.fdf.org.uk/keyissues.aspx?issue=628>
17. Confederation of Food and Drink Industries of the EU, *Manufacturers welcome positive vote to empower consumers to make more informed food choices*. Available at: http://gda.ciaa.eu/asp2/news_2.asp?doc_id=233
18. European Parliament, *Food labels: rapporteur Renat Sommer speaks after vote*. 2010. Available at:

- <http://www.europarl.europa.eu/sides/getDoc.do?type=IM-PRESS&reference=20100618STO76328&format=XML&language=EN>
19. van Herpen, E. and H. van Trijp, *Front-of-pack nutrition labels. Their effect on attention and choices when consumers have varying goals and time constraints*. *Appetite*, 2011. **57**: p. 148-160.
 20. Temme, E.H.M., et al., *Impact of foods with health logo on saturated fat, sodium and sugar intake of young Dutch adults*. *Public Health Nutrition*, 2011. **14** (4): p. 635–644.
 21. Choices Programme. *Product Criteria.*, 2011, Available at: <http://www.choicesprogramme.org/what-choices/science-research/product-criteria>

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