

21 September 2021

Senator the Hon Richard Colbeck
Minister for Senior Australians and Aged Care Services, Minister for Sport
Chair, Food Ministers Meeting
Australian Parliament House
CANBERRA ACT 2600
FoodRegulationSecretariat@health.gov.au
Senator.Colbeck@aph.gov.au

Dear Minister Colbeck,

SUPPORT FOR FOOD REGULATION TO PRIORITISE PUBLIC HEALTH

As public health and consumer representatives, we write to you as Chair of the Food Ministers Meeting to ask that you support the positions outlined below and ensure:

- **Public health remains front and centre of reforms to the food regulatory system.** Public health must be prioritised to ensure the food regulatory system is equipped to effectively prevent diet-related disease, protect the health of the community, and promote a resilient population to support economic growth, now and into the future. Poor diet is a leading cause of preventable disease and dietary patterns are driven by what the food industry makes available, accessible, and appealing to consumers. Government inaction on creating healthy food environments already leads to diet-related diseases like dental decay, type-2 diabetes, heart disease, stroke, kidney disease and many cancers. This is by far the most significant public health issue linked to our food system today, a food regulatory system that does not prioritise public health would be a significant backwards step in public health protection for Australians and New Zealanders.
- **The responsibility for Food Standards Australia and New Zealand (FSANZ) is not moved to the Department of Agriculture.** Health Ministry oversight of FSANZ is a key element of Australia and New Zealand's bi-national reputation as a producer of safe foods and to guarantee a healthy food supply. Shifting the focus of the food regulatory system away from health and to production would prioritise the profits of the food industry at the expense of Australian and New Zealander's health and could have a detrimental impact the reputation of Australia and New Zealand as a safe and clean food producer.

Please be aware that on 20 August 2021 Public Health Association of Australia and Dietitians Australia wrote to all Members of Parliament to raise concerns about the future of food regulation in Australia (see attached). We strongly support these positions.

Thank you for your consideration of these critical issues.

cc: Members of the Food Ministers Meeting

Attachment: Public Health Association of Australia and Dietitians Australia letter to all Members of Parliament, 20 August 2021



AUSTRALIAN CHRONIC DISEASE PREVENTION ALLIANCE



20 August, 2021

Review of the Food Standards Australia New Zealand (FSANZ) Act 1991.

We write to raise urgent concerns about the future of food regulation in Australia. Australia has built a reputation as a producer of high quality safe and healthy food. Part of this reputation is based on high standards. Standards seeking to make our food both safe and healthy. A lowering of those standards would have an adverse effect on long-term health and on the long-term wellbeing of the Australian food industry.

For this reason, we strongly oppose a new and alarming proposal – very recently advanced by certain industry interests – to move the responsibility for Food Standards Australia and New Zealand (FSANZ) under the direction of the Department of Agriculture.

Access to sufficient amounts of safe and nutritious food is key to sustaining life and promoting good health and economic growth, now and into the future. The health of the nation must be prioritised over the pecuniary interest and short-term objectives of the processed food and alcohol industry who, we believe, are actively seeking to shift the focus of and thereby potentially undermine the role of FSANZ.

The national burden of unhealthy diets constitutes a major health and economic challenge. Of greatest concern is the excess production, promotion and over-consumption of sodium, sugars and fats, and low consumption of whole grains, pulses, vegetables and fruit. Government inaction on ensuring healthy food environments already contributes to diet-related diseases including overweight and obesity, type-2 diabetes, cardiovascular diseases and many cancers.

On 15 November 2019, the Australia and New Zealand Ministerial Forum on Food Regulation endorsed an ambitious plan to reform the bi-national Food Regulation System to ensure it remains strong, robust and agile into the future.¹

The review of the FSANZ Act commenced in July 2020 and is a comprehensive examination of its effectiveness and the associated operations and responsibilities of FSANZ. Extensive stakeholder consultation has been undertaken to date, and stakeholders have submitted their views on the draft Regulatory Impact Statement (RIS).

It is important to recall that the legislated objectives and current functions of FSANZ is in ‘protecting public health’. The primary objective of the Act is to ensure a high standard of public health protection, and in practice, food regulatory measures established by the Act are already being used to protect both short- and long-term health. In 2013, the Food Ministers’ Meeting (then the Forum) issued a ministerial guideline which indicated that “public health and safety in relation to food refers to all those aspects of food consumption that could adversely affect the general population or a particular community’s health either in the short- or long-term, including preventable diet-related disease, illness and disability as well as acute food safety concerns.”

The Food Ministers’ Meeting has issued several policy guidelines relating to long-term public health, including those relating to food labelling to support consumers make informed health choices,

nutrition, health and related claims; fortification of foods with vitamins and minerals; and front of pack labelling, among others. FSANZ has also finalised a number of amendments to food standards over the years which related to long-term public health, including the use of additives in highly processed products such as sugar sweetened beverages and appropriate information labelling.

We are aware that the Alcohol Beverages Australia (ABA) – a body representing the alcohol industry – made a submission to the Review of the Act: re Modernising the FSANZ Act: Draft RIS in May 2021.² The ABA's number one recommendation states: ***the only case for when the lens of public health can be considered is after first satisfying that the issue related to the primary purpose of FSANZ which is safety. This will remove all ambiguity and ensure a meaningful and appropriate work load for FSANZ officials. This should be achieved by amending section 18 to require that the regulatory measure relates directly to a food safety issue.*** This suggestion would, in our view be a regressive and destructive pathway. The rationale provided is that the expansion of FSANZ into public or preventive health will impact a meaningful and appropriate workload for FSANZ officials. In our view protecting public health is a key activity of these officials, not some onerous and dispensable burden.

It should be noted the estimated cost of alcohol harm to Australia is \$36 billion per year. In Australia, nearly 6,000 lives are lost every year and more than 144,000 people hospitalised, making alcohol use one of our nation's greatest preventive health challenges.³ In addition, alcohol use is causally linked to over 200 disease and injury conditions.⁴

A food regulatory system that is fit for purpose in achieving its primary objectives of protecting public health must be inclusive of protecting Australians from long-term health and preventable diet-related disease.

Particularly pertinent is protecting the nation's youngest people. Two recent studies have revealed more than half of supermarket products marketed at kids are unhealthy,⁵ and similarly of 78 packaged meals and snacks marketed specifically for toddlers found that more than half contain sugars that are harmful to health, contribute to childhood obesity and many are highly processed.⁶ (Note: 1 in 4 Australian children are overweight or obese).⁷

We ask for your urgent attention to this matter. We urgently need all Members of Parliament to ensure that public health outcomes are prioritised ahead of the short-term commercial interests of some industry sectors.

Now more than ever we should all appreciate that public health is integral to Australia's society and economy. Undermining the FSANZ Act to exclude public health protection will jeopardise the health and vitality of the nation.

Please do not hesitate to contact us about this issue.

Yours Sincerely,



Terry Slevin
Chief Executive Officer
Public Health Association of Australia



Robert Hunt
Chief Executive Officer
Dietitians Australia

References:

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3. Lensvelt E, Gilmore W, Liang W, Sherk A, T. C. Estimated alcohol-attributable deaths and hospitalisations in Australia 2004 to 2015. Perth: National Drug Research Institute, Curtin University, 2018.
4. Rehm J, Gmel GE, Gmel G, Hasan OSM, Imtiaz S, Popova S, Probst C, Roerecke M, Room R, Samokhvalov AV, Shield KD, Shuper PA. The relationship between different dimensions of alcohol use and the burden of disease—an update. *Addiction*. 2017;112(6):968-1001.
5. Obesity Policy Coalition (2017) More than half of foods aimed at kids are unhealthy. Available from: <https://www.opc.org.au/media/media-releases/more-than-half-of-foods-aimed-at-kids-unhealthy-research.html>
6. CHOICE (2021) Sugars in packaged toddler foods. Available from <https://www.choice.com.au/babies-and-kids/feeding-children/making-healthy-choices/articles/sugar-in-packaged-toddler-foods>
7. Australian Institute of Health and Welfare (2020) Overweight and Obesity among Australian children and adolescent. Available from: <https://www.aihw.gov.au/reports/overweight-obesity/overweight-obesity-australian-children-adolescents/summary>