

NUTRITION AUSTRALIA

RESPONSE TO:

CONSULTATION RE: KILOJOULE LABELLING FOR FAST FOOD
OUTLETS

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About Nutrition Australia

Nutrition Australia is a not for profit, non government organisation which leads the way in delivering nutrition education to the community. We have been working to empower Australians to achieve good health and wellbeing through informed food choices since the 1980's.

Our team of nutrition professionals work alongside government, other non government and corporate agencies to develop and implement healthy eating initiatives in the community. This makes us, extremely well-placed to provide valuable insights for the consultation re kilojoule menu labelling in food outlets.

Consultation question 1: Are you aware of any other pending or completed evaluations that have relevance to the Australian experience?

Nutrition Australia has identified the following research evaluating aspects of kilojoule menu labelling that have relevance to the Australian experience:

1. Cancer Council of Victoria 2012

B Morley et al (2013) "What types of nutrition menu labelling lead consumers to select less energy-dense fast food? An experimental study." Appetite, 67: 8-15

Supports usefulness of kilojoule menu labelling and suggests the outcomes may be strengthened by an accompanying traffic light or other highly visual icon system to ensure the lower kilojoule options are readily identifiable.

2. Public Health Nutrition – The Nutrition Society, Cambridge University Press.

Vol.19, Issue 12, August 2016 pp. 2106-2121

"Menu labelling is effective in reducing Energy Ordered and Consumed: a systematic review and meta-analysis of recent studies."

3. Wellard, L et al. 'The availability and accessibility of nutrition information in fast food outlets in five states post-menu labelling legislation in New South Wales' Australian and New Zealand Journal of Public Health, 2015, vol 39, issue 6, pp 546-549.

Research found that energy values were not provided for all menu items or meals. Overall, more nutrition information was available in the fast food stores surveyed in 2010 (pre-legislation) compared to 2012. The menu labelling legislation should compel fast food chains to provide accessible nutrition information that includes nutrient values in addition to energy for all menu items in-store. Reinforces the need for public education campaigns to ensure consumers can use energy values.

4. Global Obesity Centre, Deakin University – Food Systems and Policy Analysis stream

This stream focuses on food environments and related food policy to generate evidence on improving the health of food environments in Australia and globally. The stream leaders are Dr Gary Sacks and Dr Adrian Cameron.

In 2015-16, this research centre facilitated a project which examined the impact of changes to 'within-store' supermarket marketing and promotion strategies on the healthiness of food purchased.

<http://www.deakin.edu.au/cphr/our-research/global-obesity-centre/research-projects>

5. Cochrane review of evidence re: Menu boards in cafes and restaurants.

Found that overall, the evidence supports use of kilojoule display next to menu items although quality of evidence is low and it was recommended that more research with stronger, scientific rigour is required.

https://www.sciencedaily.com/releases/2018/02/180227142111.htm?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+sciencedaily%2Fhealth_medicine%2Fnutrition+%28Nutrition+News+--+ScienceDaily%29

Consultation question 2: Are there any other issues in relation to exempt businesses that should be considered?

Nutrition Australia recommends that the basis for exemptions from the legislation needs more discussion.

Business size (number of sites)

In jurisdictions with large geographical regional and rural areas, smaller food businesses form a significant proportion of where consumers in these areas purchase fast food. Given that it is well-established (AIHW, 2011¹) that the rates of overweight, obesity and chronic disease are higher in rural and regional areas, it is imperative that consumers in these regions have equity of access to the same information about their food purchases.

While it may not be viable for food businesses with only 1 or 2 sites, perhaps lowering the threshold as defined in the 'mode' for State jurisdictions could be considered. We recommend reducing this to 10 in a state or 20 nationally

Service Stations

Service stations are regularly frequented venues by a large proportion of the population. Unhealthy food and drinks are often available and heavily promoted. It is essential that customers of these venues have an opportunity to make an informed food choice – especially as the food and drinks offered are commonly 'grab and go' items. Little time is spent in service stations so communications about these food and drink items need to be simple and understood quickly.

In States with large geographical areas (eg Queensland and Western Australia) service stations are often frequented for fast food purchasing. Often they may be the only quick food service outlet available within a large geographical radius. Again, this is a point of sale where consumers would greatly benefit from being better informed with kilojoule menu labelling.

It would also benefit truck drivers, who as a workforce population, have a greater than average population risk of becoming overweight, or obese and developing chronic disease – this is, in part, due to the highly sedentary nature of their occupation, but also a result of the high energy, often poor nutritional quality food available at 'truck stop' service stations. Providing the kilojoule content of foods available at point of sale will assist truck drivers in making more informed food choices.

Cinemas

Cinemas are notorious for offering unhealthy food and drink choices (those high in kilojoules, saturated fat, sugar and or sodium). Portion sizes of food and drinks are often very large, providing excessive kilojoules. Providing kilojoule content information at these food outlets would empower consumers to make better choices. These food outlets are frequently visited by children and many outlets do not allow consumers to bring in food and drink from home, resulting in consumers purchasing food they perhaps otherwise would not.

¹ Australian Institute of Health and Welfare. Australian burden of disease study: impact and causes of illness and death in Australia 2011. Published and unpublished data. ABSD series no.3 BOD 4. AIHW: Canberra, 2016

Most cinemas are part of large national chains, so it seems inconsistent that these are exempt from the kilojoule menu labelling legislation in some jurisdictions.

Mobile food and drink vendors

Mobile food and drink vendors are increasing in popularity, and often selling high kilojoule food and drinks. Again, as this is a food outlet they should not be exempt. Consumers would greatly benefit from being better informed with kilojoule menu labelling at these sites.

Consultation question 3: What could be done to ensure kilojoule information is available in as many outlets as possible? What are the pros and cons of your suggested approach?

As identified in the response to question 2, consideration could be given to adjusting the threshold for the number of outlets before exemptions apply. For example, within State jurisdictions, if the Mode was changed from 20 to 10 or more outlets before exemptions apply, this would significantly increase the number of outlets where the information would become available for consumers. The businesses with 10 or more outlets within a State jurisdiction are likely to have the infrastructure to implement a project of this nature.

Another option could be to remove all exemptions across all jurisdictions. However, while this would seem the most efficient way to ensure the kilojoule information is available consistently, and displayed in as many outlets as possible (across jurisdictions) it may not be viable due to the cost burden for smaller food service businesses.

To help overcome the issue of viability, consideration could be given by government in different jurisdictions to:

- providing resource templates and training for staff about the initiative, to minimise barriers for small businesses to voluntarily engage with the initiative.

Voluntary engagement will be more likely if there is some formal recognition of the effort a business has made to engage with the kilojoule menu labelling initiative. This could be achieved through the establishment of a recognition program. For example, perhaps consider something similar to the star rating for food safety compliance, issued to small businesses, by local government authorities in Queensland. This star rating icon provides a visual statement to consumers about the effort the business has made, and its success in being a foodsafe business.

- subsidizing smaller businesses to roll out the initiative
- providing nutrition consultancy resourcing for the food outlets to utilize free of charge (for example, by funding Nutrition Australia to work with these businesses)
- If it is preferred that the exemptions remain in place, then Nutrition Australia recommends government strongly encourage exempted businesses to implement the kilojoule menu labelling initiative in a voluntary capacity by introducing a recognition program.

Consultation question 4: Are there any other issues in relation to legibility that should be considered?

Nutrition Australia supports provisions that help ensure the kilojoule information is easy to see and use. This is essential for the initiative to be effective in impacting on consumer choice. More consumer research may be needed to identify minimum requirements to ensure adequate legibility.

Marketing experts are well aware of the impact of colour in marketing messages. It is important that colours, size and font used encourage people to consider the information provided not detract from its use.

If Queensland businesses are able to meet the colour requirement, then it potentially could be applied successfully in other jurisdictions.

Consultation question 5: What can be done to ensure kilojoule information is as easy to use as possible by the consumer?

Additional consultation with consumers regarding legibility would provide this information. It is important that how the kilojoule information is presented provides an accurate message for consumers. For information to be easy to use, it also needs to be easy to understand and interpret.

Australian research indicates that there are substantial knowledge deficits in consumer awareness of the energy density of common fast food items. Community education regarding kilojoule information and its relationship with healthy food choices is required to ensure such information is used effectively. More social marketing and consumer education about the energy content information, what to look for and how to use it, would make it easier for consumers to use. <http://onlinelibrary.wiley.com/doi/10.1111/1747-0080.12011/full>

Consultation question 6: What can be done to facilitate businesses to address legibility issues? What are the pros and cons of your suggested approach?

Guidelines about minimal standards for size, font, colour/contrast with clear examples of what is acceptable and what is not acceptable would help facilitate businesses to address legibility issues. Consideration may need to be given to different for static and electronic/dynamic menu boards.

Further consultation with businesses to gain their input into barriers and enablers for addressing legibility issues, and how to move forward with this to gain the most effective outcome for the initiative, would provide a starting point to address this.

It is possible that implementation of a random audit process that includes looking at legibility of the kilojoule information could help to ensure that businesses continue to meet legibility requirements.

Consultation question 7: Are there any other issues in relation to menu customisation that should be considered?

Businesses offering a standard menu item served with a choice of a standard menu item in different sizes may find it challenging to display all of the kilojoules due to space.

For example, a business offering a standard main meal with a standard side, may find it unpractical to label the 'complete' meal for each size as this could mean that one main meal menu item would need to be displayed multiple times.

An example is provided below:

- Beef and black bean - served with steamed rice (regular)
- Beef and black bean – served with steamed rice (large)

- Beef and black bean – served with fried rice (regular)
- Beef and black bean – served with fried rice (large)
- Beef and black bean – served with vegetables (regular)
- Beef and black bean – served with vegetables (large)

Nutrition Australia supports kilojoule labelling for standard ingredient items (eg beef and black bean and then individual standard sides) separately, as part of customized menu items, according to the unit weight it is normally sold in. This may provide a feasible option when these items are ordered via self-service devices.

An example of how this might look is as follows:

- Beef and black bean (regular)
- Beef and black bean (large)

- rice (regular)
- rice (large)
- fried rice (regular)
- fried rice (large)
- steamed vegetables (regular)
- steamed vegetables (large)

The benefits with this display method is that the sides (rice, fried rice, steamed vegetables etc) are likely to be used in a menu board multiple times, but can be listed once saving space.

Nutrition Australia supports kilojoule labelling for standard ingredient items as described above, as part of customized menu items, for menu boards including when these items are ordered via self-service devices.

Consultation question 8: What could be done to enable healthier choices when customising menu items? What are the pros and cons of your suggested approach?

Customising menu items is not dissimilar to preparing food onsite at school canteens where in most jurisdictions there is a traffic light system utilized for commercial food products (or in the case of NSW, the Health Star Rating system is used). These food selection guide systems are applied across food prepared on site in school canteens with consideration being given to the proportion of food in the ‘on-site’ prepared item that is considered ‘green’ or good nutritional quality. For example, if salad is included on a sandwich or breadroll, then it is considered ‘greener’ than an item without the vegetable component. Nutrition Australia in Queensland has developed a concept of a ‘greening scale’ which helps school canteens identify better choices. This ‘greening scale’ concept has also been taken up and applied by other health-promoting school canteen organisations in jurisdictions outside Queensland.

Perhaps a similar system could be developed for customized menus, with consideration being given to what proportion of lower energy, more nutritious food options are included in the customized product. Perhaps simple coding of main food items eg the meat patty, wholegrain rolls, vegetables/salad versus higher energy, less nutritious options such as pastry and deep fried items, processed and fattier meats, and helping consumers to understand what food items will be least likely or most likely to increase the kilojoule content of the meal would be helpful. For example, the addition of a serve of hot chips, bacon, sausage meats, gravies, and creamy sauces will significantly increase kilojoule content.

Consultation question 9: Are there any other issues in relation to rolling menu boards that should be considered?

Nutrition Australia agrees that rolling menu boards should not provide an avenue for food service outlet to avoid displaying the kilojoule information consumers need to make informed food choices.

Consultation question 10: What could be done to ensure kilojoule information is easy to access and that consumers can compare products easily? What are the pros and cons of your suggested approach?

Exploring technology options which allow online information to be immediately accessible would be beneficial. Pop-up boxes when you hover over information could provide the information needed at a touch without needing to click through further. Consultation with website developers and other information technology experts could help to resolve the online menu problems. Simple, easy to consider options for consumers might include either:

- using a symbol (simple icon) to identify the lowest kilojoule option within a menu category (eg burger or pizza)
- or a coding system be developed to highlight in simple way (eg star rating or colour icon) the relative energy density of a food in a similar food category. Such software would have to be adaptable to different food businesses, would need to be financially viable and would need to be sufficiently agile to manage frequent changes to menus.

Consultation question 11: Are there any other issues in relation to on-line ordering that should be considered?

While food delivery agents are not a food business, it would be expected they would have a duty of care regarding the safety of the food they are delivering. This same principle could be applied with respect to the requirement to display kilojoule content information on their online menu ordering platforms, where the food being offered is from businesses that are covered by, not exempt from the kilojoule menu labelling legislation.

Consultation question 12: What could be done to ensure kilojoule information is included on all web-based ordering platforms? What are the pros and cons of your suggested approach?

Nutrition Australia recommends that the legislation be extended to cover point of sale menu boards and online menu ordering platforms (where applicable) for all businesses that are required to meet the kilojoule menu board requirements.

Food businesses can already provide this information and e-technology options can be utilised to design a way to display this information on food delivery websites.

There may be additional costs incurred by both the food business and the food delivery service for this to occur – but it is important for this to occur if the intent and integrity of the legislation is to be maintained.

Consultation question 13: Are there any other issues in relation to combination meals that should be considered?

The clarity provided by the industry user guides in NSW could be adopted by other jurisdictions. If other jurisdictions choose not to provide similar clarity for food businesses then it would be

imperative that they provide information to consumers alerting them to the gaps in the kilojoule content information in their jurisdiction.

Drinks and side dishes may contribute more kilojoules than the main food item. For example, for a combination meal consisting of a burger as the main food item with a sugary drink and a side of 'fries', the kilojoules contributed by the drink and the fries is likely to exceed those contained in the burger. To maintain the intent of the legislation more rigour in this area is essential.

Consultation question 14: What could be done to ensure kilojoule information is provided for the whole meal? What are the pros and cons of your suggested approach?

The definition of a standard food item could be expanded to include a statement about including all items in meal deals including pre-packaged items such as pre-packaged drinks. This would provide clarity for all food businesses and remove the ambiguity. This clarification would need to be effectively conveyed to all food businesses not exempt from the legislation.

Consultation question 15: Are there any other issues in relation to additional and interpretive information that should be considered?

Nutrition Australia agrees that the kilojoule labelling information needs to be clear, and easy to interpret, accurate and meaningful so people can make more informed food choices. Keeping messages simple is the key to successful marketing. Nutrition Australia supports the availability of nutrition information for consumers – either via in-store brochures/posters and/or online. However, if additional information is to be incorporated into the menu board kilojoule messages, such as sugar or saturated fat or salt content of a food item, then this may make the message more complex. Adequate consumer research needs to be done to ensure that effectiveness of the simple kilojoule labelling messaging is not lost.

This is not to diminish the importance of reducing salt and sugar intake, especially in terms of 'closing the gap' for indigenous communities. Nutrition Australia would strongly encourage governments in all jurisdictions to invest further in public health campaigns that address these issues. The Queensland government for example, is currently investing further in a 'Healthy Drinks' social marketing campaign.

To overcome the lack of understanding about kilojoules, more consumer education is needed. The report from the UK Health Forum (2018) identifies clearly that for public health and educational programs to be successful, there is a need for multilevel interventions to maximise behaviour change in response to mass media campaigns.

Consultation question 16: What could be done to ensure kilojoule information is as easy to interpret as possible? What are the pros and cons of your suggested approach?

Adequate, supporting consumer education and a multilevel approach for implementation of the messages from this campaign will achieve the most effective outcome in terms of changing eating behaviours.

It would be important to have additional consumer consultation around what icons give greatest clarity for accurate interpretation of the key message of this initiative, and to identify which factors or icons can help action changes in eating behaviour for the consumers. There is some evidence about the possible value of a walking icon. There is research which identifies that supplementing kilojoule (calorie) counts with physical activity equivalents may produce stronger results with respect to eating behaviour change (Appetite, Vol.105, 2006).

This will require additional investment into preventive health, but is key to a better return on the government investment, with respect to the health and wellbeing of Australians.

Nutrition Australia is the leading community nutrition education organisation, promoting healthy eating for over 30 years. We are well trusted by the public and known for our Healthy Eating Pyramid. Should you seek a provider to educate the public, Nutrition Australia is equipped to do this nationally.

Consultation questions 17: Are there any other issues in relation to kilojoule display that should be considered?

The 'serve size' described on Nutrition Information Panels on products needs to be the serve size provided. These serve sizes however, do not necessarily align well with the definition of 'a serve' as recommended by the Australian Dietary Guidelines (ADGs) for items in different food groups (eg bread and breakfast cereals are two examples where there is much variation). Nutrition Australia suggests that it may be best for this issue to be considered alongside the recommendations of the Healthy Food Partnership Portion Size Working Group.

Before moving to changes for supermarkets it would be important to address and come to more agreement about portion/serve size with food manufacturers, and ensure these recommendations better align with the Australian Dietary Guidelines.

Consultation question 18: What could be done to ensure kilojoule information is as easy to use and interpret as possible? What are the pros and cons of your suggested approach?

Further consumer education, possibly in combination with the use of a highly visual icon, could help to better ensure kilojoule information is as easy to use and interpret as possible.

Consultation question 19: Are there any other issues with current menu labelling schemes that should be considered during this review?

This strategy is but one string in a bow; only one tool in a tool box. For best outcomes for the population, would be achieved if other supporting legislation and initiatives are also considered eg limiting the number of fast food outlets per capita – especially in low socio-economic areas which currently have the greatest density of fast food outlets.

The current menu labelling schemes need to support the health of populations in greatest need. The most disadvantaged in the population have the highest health risk (AIHW, 2016). Messages need to be culturally intelligent and appropriate for all Australians, especially those

most vulnerable. Ensuring that healthier choices are affordable and available, and as accessible as fast food outlets.

In addition to this policy, there are in excess of 20 other policies/guidelines that food outlets need to comply with across a range of settings such as schools, universities, sporting and recreation centres, workplaces, and hospital and health services. These policies/guidelines mostly use a traffic light system to classify foods, It is imperative that national policies take this into account when looking at labelling requirements and understand what it means for food outlets in practical terms.

Compliance with legislation is the key to achieving an effective outcome as a result of this legislation. Consideration of a recognition scheme which acknowledges the efforts of businesses that are compliant, but also has consequences when there are compliance breaches, would strengthen positive health outcomes resulting from the kilojoule menu labelling initiative.

