



Review of Food Labelling Law and Policy

Submission of MADGE Australia Inc

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MADGE Australia Inc
PO Box 10
287 Brunswick St
Fitzroy, 3065
info@madge.org.au

Prepared by Rachel Carey

Authorised by:

A handwritten signature in black ink that reads "Frances Murrell".

Frances Murrell
Founder, MADGE

1. Introduction

MADGE thanks the Review Panel for the opportunity to contribute to this Review of Food Labelling Law and Policy.

MADGE Australia Inc is a network of consumers who are concerned about how our food is produced and the effects it has on our health and the environment. The network currently has around 950 members.

The MADGE network has a particular focus on **new technologies, such as genetic modification and nanotechnology**. We inform consumers about the issues surrounding these food technologies and advocate on their behalf to voice their views to stakeholders in government and the food industry.

One of the things that MADGE members are most concerned about is adequate food labelling to enable them to **make informed choices** about foods for themselves and their families.

2. Summary

MADGE requests that the Panel consider the following in its review:

- **Food labelling is the basis for informed consumer choice** – the most important principle guiding decisions about regulation on food labelling should be the right to know. See section 3
- **Current GM labelling laws mislead consumers** – we should move to full labelling of all foods that have been genetically modified. See section 4
- **Mandatory labelling should be introduced for all foods containing nano-ingredients** or nanotechnology packaging. See section 5
- **A standardised multi-criteria labelling scheme** should be considered to integrate ‘at a glance’ information about sustainability, nutrition and other issues related to food production. See section 6
- Research should be conducted into **what Australian consumers want and need from food labelling**. See section 7

3. Labelling is the basis for informed consumer choice

The most important principle guiding decisions about government regulatory intervention on food labelling should be **the consumer’s right to know** and **make informed decisions** about the food that they buy.

A focus on **consumer choice is central to key areas of Australian food policy**, such as obesity prevention and the introduction of GM foods. Consumers are expected to *choose* to eat healthily, and are assumed to have the choice to eat non-GM rather than GM foods if they desire. However, **consumers cannot**

make those choices unless they are given adequate information, and food labelling is an important part of that.

Concern about the regulatory burden imposed on business is often cited as a reason for not providing information to consumers. While it may be appropriate to introduce efficiency measures to reduce the regulatory burden, such as reducing variation in labelling requirements between states, reducing the regulatory burden **should not be an acceptable justification for failing to provide adequate information to consumers**, particularly where the principle of consumer choice is central to an area of food policy.

4. Current GM labelling laws mislead consumers

MADGE asks the Panel to reconsider Australia's GM labelling laws and to introduce **full labelling of all food ingredients produced by a process of genetic modification**, including:

- processed oils, refined sugars and starches
- food from animals fed GM feed
- enzymes and additives that have been genetically modified or have been derived from a GM crop

Under current Australian food labelling laws, only foods with 'detectable' levels of GM proteins or DNA need to be labeled. FSANZ's current position is that no GM proteins or DNA are detectable in highly refined products such as oils. However, there is a growing body of evidence that proteins do persist in refined oils and may trigger allergic reactions in some individuals¹.

GM oils are not labeled in Australia and nor is food from animals fed GM feed or food containing GM enzymes and additives. Since most GM ingredients enter the Australian food chain in these forms, **most GM foods in Australia remain unlabelled**.

Several surveys have shown that **Australian consumers want all GM foods to be labeled**, and that **they want labelling to be based on the process of genetic modification** (as it is in the EU), not on the presence of GM DNA or protein in the final food.

FSANZ carried out a review of GM labelling in 2003², and concluded that:

"It is obvious from the consumer submissions to this review that there is a measure of support in Australia for labelling that is process based which means labelling all foods and ingredients derived from an organism produced using gene technology irrespective of whether novel DNA and/or novel protein is present in the final food"

¹ e.g. Awazuhara et al. (1998) and Crevel et al. (2000)

² FSANZ (2003), p5

CHOICE carried out a consumer survey of GM labelling in 2003³. They found that 94% of people thought there should be comprehensive labelling of GM foods and that 75% disagreed with current laws exempting GM canola oil from carrying GM labelling.

CHOICE also found that **44% of respondents thought that the absence of a GM label on food meant that the product had not been genetically modified.**

As the terms of reference for this review note, “a stated objective of food laws is to prevent misleading or deceptive conduct in relation to food”, but the results of the CHOICE survey indicate that **our current system of GM labelling misleads consumers**, who seem to think in terms of process labelling rather than in terms of the presence of GM DNA or protein.

Consumer research commissioned by Biotechnology Australia in 2007 also confirmed that consumers feel misled by current GM labeling⁴:

“There is a widespread belief that Australians are currently unknowingly eating GM foods, because such foods are not labeled properly. As a result, some people felt they were being misled into eating GM foods that they didn’t want to”

A consumer survey by Swinburne University in 2007 showed that consumers are still very concerned about GM foods and that they have not become more comfortable with GM foods over time, as has been claimed elsewhere⁵.

It is unacceptable that current GM labelling laws in Australia mislead consumers. MADGE urges the Panel to consider process-based GM labelling as exists in Europe.

5. Mandatory nanotechnology labeling

Mandatory labelling should be introduced for all food and food packaging ingredients produced using nanotechnology or manufactured in nanoparticle form. There is currently no requirement for either nano-ingredients or nanotechnology packaging to be labelled in Australia.

The health impacts of nanotechnology food ingredients and packaging are as yet unknown, and full labelling is important for public health reasons, to allow possible adverse impacts to be traced, as well as to enable informed choice⁶.

³ CHOICE (2003)

⁴ Eureka (2007), p26-27. The Eureka study also suggested that

⁵ Swinburne University (2007)

⁶ FOE (2008) reviews current knowledge on nanotechnology in food, as well as potential health and environmental impacts

6. Standardised ‘multi-criteria’ labels

The **issues around food production are becoming more complex**, both health issues such as obesity prevention and sustainability issues such as water use and greenhouse gas emissions.

Overseas surveys show that **consumers increasingly want information about nutrition, sustainability** and other aspects of food production to help them make informed choices⁷.

Some overseas retailers are trialing labelling schemes for carbon emissions from food products⁸, and labelling schemes for water footprinting are also being discussed⁹.

Sustainability issues in food production are **likely to become increasingly important to Australian consumers**, and Australian retailers will almost certainly follow the lead of overseas companies in exploring sustainability labelling.

Sustain argues that the proliferation of sustainability labelling schemes for food products in the UK is leading to confusion for consumers, and that **a single ‘at a glance’ labelling scheme is needed that incorporates multiple sustainability criteria**. Sustain has developed a possible version of such a scheme in the shape of a flower, in which each ‘petal’ represents a different sustainability factor¹⁰.

Tim Lang has also argued that there is a need for a ‘universal’ labelling scheme in the UK that incorporates nutritional and sustainability information¹¹.

A standardised, multi-criteria labelling scheme that presents information ‘at a glance’ (as icons rather than text) could enable a range of complex information about food to be conveyed to consumers in a simple way. MADGE requests that the Panel consider the option of implementing a framework for such a labelling scheme. The scheme could incorporate relevant aspects of information about nutrition, sustainability and other aspects of food production.

⁷ E.g. FSA (2006) and FSA (2007). There is little research into what Australian consumers want from food labelling.

⁸ DPI (2009) and KRAV/ Swedish Seal (2009)

⁹ Segal and MacMillan (2009)

¹⁰ Sustain (2008)

¹¹ Connor (2008)

7. What do Australian consumers want from food labels?

Little research has been conducted in Australia into what consumers want and need from food labels and MADGE believes that such research should be done.

MADGE refers the Panel to research conducted by the Food Standards Agency in the UK into consumer needs of food labels¹². This research indicates that:

- Consumers prefer more information on packaging than less if it is presented in an understandable way
- Labelling can be hard for consumers to use - icons are better for communicating information 'at a glance' than text
- Standardised labelling (industry wide) is easier for consumers to understand than labelling that varies between retailers and manufacturers

MADGE believes that consumer representatives can and should be involved in the development of new food labelling schemes to ensure that such schemes meet consumer needs.

Research conducted by the UK Food Standards Agency provides a possible model for involving consumers in the development of new labelling schemes in Australia¹³

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