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Food Standards Australia New Zealand
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By Email: submissions@foodstandards.gov.au

To whom it may concern

SUBMISSION – APPLICATION A1026: MINIMUM ALCOHOL CONTENT FOR WINE

The AER Foundation and the Public Health Association of Australia write in response to the request for submissions regarding Application A1026: Minimum Alcohol Content for Wine.

Alcohol is a major cause of preventable death, illness, injury and hospitalisation which costs Australians \$36 billion annually. There is a causal relationship between alcohol and 60 types of disease and injury, including road fatalities, stroke, coronary heart disease, high blood pressure, some cancers, and pancreatitis. Alcohol accounts for 3.2% of the total burden of disease and injury, a loss of 85,435 disability adjusted life years (DALYs) and 3,430 deaths are attributed to alcohol annually.¹ It is estimated that 5,070 cases of cancer (or 5% of all cancers) are attributable to long-term chronic use of alcohol each year in Australia.² It is also estimated that 22 percent of breast cancer cases in Australia are linked to alcohol consumption. Alcohol also contributes to a range of social harms, including crime.

As a principle, we support moves to lower alcohol content products in Australia. This is particularly pertinent for wine, where the average alcohol content by volume has increased over the last decade from 11.4% in 1998-99, to 12.7% in 2008-09.³ We support the production of a greater range of alcohol beverages with lower alcohol content and, therefore, we are supportive of adjusting the definition of wine to allow wine makers to produce lower alcohol wine.

¹ Begg, S., Voss, T., Barker, B., Stevenson, C., Stanley, L. & Lopez, A., *The burden of disease and injury in Australia 2003*. PHE 82. Canberra: AIHW, 2007.

² Winstanley, MH., Pratt, IS., Chapman, K., Griffin, HJ., Croager, EJ., Olver, IN., Sinclair, C., and Slevin, TJ., 'Alcohol and cancer: A position statement from Cancer Council Australia', *The Medical Journal of Australia*, 194 (9), pp. 479-482, 2011.

³ Chikritzh, T., Allsop, S., Moodie, R., and Hall, W., 'Per Capita Alcohol Consumption in Australia: Will The Real Trend Please Step Forward?', *The Medical Journal of Australia*, 193 (10), 15 November 2011.

While we welcome the application to lower the alcohol content of wine, we would like to ensure that the Food Standards Code is robust enough to protect against these products claiming to be lower in alcohol (despite having the same or higher alcohol content as full strength beer) and making any positive health claims (such as being low or lower in calories). We therefore believe that changes need to be made to the Food Standards Code to protect against this.

Our concern is in part a result of the Food Standards Australia New Zealand (FSANZ) Assessment Report, which states that one of the main reasons for the application from the Wine Federation of Australia is the increasing 'demand for low alcohol and low calorie wines in Australia and internationally'.⁴

The practice of labelling wine products to imply positive health benefits is already occurring in the market. A particular example of this is the McWilliams' *Balance* range of wines which are labelled as 'lower' in alcohol. Standard 2.7.1, Clause 4, states that 'an alcoholic beverage which contains more than 1.15% alcohol by volume must not be represented as a low alcohol beverage'. This standard makes no comment as to the use of other words which have a similar meaning to 'low' and should be amended accordingly to ensure that low alcohol products cannot be promoted as a healthier alternative.⁵ The name of the product, *Balance*, also implies that the product can be consumed as part of a 'healthy and balanced' lifestyle.

The product has also been endorsed by the *Weight Watchers* diet program as a low calorie alcoholic beverage option and this is advertised on the product labelling by stating the number of *Weight Watchers* points per standard drink.⁶ This is concerning given that *Weight Watchers* has a very large consumer base, with over 1.8 million Australians following the diet program annually.⁷

Product labelling which uses wording such as that highlighted in the above example can easily mislead the consumer to believe that alcohol, a potentially harmful product, can be consumed in a 'healthy' way. This form of product labelling runs the risk of contravening one of the main objectives of the FSANZ Act 1991 as stated in section 2A(c), 'the provision of adequate information relating to food to enable consumers to make informed choices'.

In order to guard against adverse outcomes, FSANZ needs to tighten the regulations contained within Standard 2.7.1 of the Food Standards Code in two ways. Firstly, we propose that Clause 4 of Standard 2.7.1 should be extended to specify that alcohol producers cannot either suggest or imply that their product is low in alcohol unless the product contains less than 1.15% alcohol by volume. This would prohibit not only the use of the term low, but also any interpretation of the word low, such as 'lower' alcohol.

Secondly, we propose that a clause is added to Standard 2.7.1 that prohibits the labelling of alcoholic beverages above 1.15% alcohol by volume from containing language that may be interpreted as a

⁴ Food Standards Australia New Zealand, Application A1026: Minimum Alcohol content for Wine Assessment Report, 21 April 2011.

⁵ McKenzie, S., Leslie, E., Miller, P., 'Lower Alcohol, Lower Calorie' Wines: Harm Reduction or Harm Production', *The Medical Journal of Australia*, to appear in the June 6, 2011 edition.

⁶ <http://www.mcwilliams.com.au/australian-first/>

⁷ McKenzie, S., Leslie, E., Miller, P., 'Lower Alcohol, Lower Calorie' Wines: Harm Reduction or Harm Production', *The Medical Journal of Australia*, to appear in the June 6, 2011 edition.

positive health claim. This clause would be in line with a similar resolution adopted by the European Parliament.⁸

Thank you for the opportunity to make a submission on Application A1026: Minimum Alcohol Content for Wine. We support the lowering of alcohol content in wine and call on FSANZ to make changes to the Food Standards Code to ensure that these products are labelled and promoted responsibly.

Yours sincerely



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⁸ Miller, P., McKenzie, S., De Groot, F.P., Davoren, S., Leslie, E., 'The Growing Popularity of "Low-Carb" Beers: Good Marketing or Community Health Risk, *The Medical Journal of Australia*, 192 (4), 15 February 2010.