

Ai GROUP SUBMISSION

Response to the Healthy Food
Partnership Voluntary Industry
Best Practice Guide for Serving Size

AUGUST 2021



About Australian Industry Group

The Australian Industry Group (Ai Group) is a peak industry association in Australia which, along with its affiliates, represents the interests of more than 60,000 businesses in an expanding range of sectors: manufacturing, engineering, construction, automotive, food, transport, information technology, telecommunications, call centres, labour hire, printing, defence, mining equipment and supplies, airlines, health and other industries. The businesses which we represent employ more than one million people. Ai Group members operate small, medium and large businesses across a range of industries. Ai Group is closely affiliated with many other employer groups and directly manages a number of those organisations.

The Ai Group represents the Australian and New Zealand confectionery industry through its Confectionery Sector, comprising manufacturers of chocolate, sugar and gum confectionery; suppliers of ingredients, machinery, packaging materials and services to the industry, and wholesaler and distributor firms. The Ai Group has approximately 120 confectionery sector members. Major confectionery manufacturing plants are principally located in New South Wales, Tasmania and Victoria, including in a number of regional locations (eg Ballarat and Lithgow) and in South Australia, Queensland and New Zealand where SME businesses are based.

Australian Industry Group contact for this submission

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Submission: Healthy Food Partnership Voluntary Industry Best Practice Guide for Serving Size - Public Consultation

The Australian Industry Group (Ai Group) Confectionery Sector welcomes the opportunity to make this submission in response to the Healthy Food Partnership Voluntary Industry Best Practice Guide for Serving Size.

We make this submission on behalf of the confectionery industry in Australia and New Zealand with a specific focus on the chocolate and chocolate confectionery category.

Consultation questions

The Ai Group Confectionery Sector's comments focus on areas specifically affecting the confectionery industry.

Introduction and demographics

1. What is your name?

Australian Industry Group - Confectionery Sector

2. What is your email address?

jennifer.thompson@aigroup.com.au

3. Are you answering on behalf of an organisation (and have authorisation to do so)?

Yes

If you answered yes to the question above, please provide your organisation's name.

Australian Industry Group

4. Where do you live, or where is your organisation based? Please select one item.

National

5. What is your background/interest group?

Industry

6. What role best describes you? Please select one item.

Regulatory affairs

7. Do you consent to your submission being published in whole or in part?

Yes

Part A - Serving size goals

1. Do you support portion guidance and serving size goals as a complementary public health measure? Why, why not? Please provide evidence.

Yes

Background to the confectionery industry's serving guidance

The Australian confectionery industry has long supported portion guidance and serving size goals, in the confectionery category, as complementary to public health measures.

The industry established voluntary serving size guidance (see Appendix 1) in 2009 to guide industry and support consumers. This guidance is underpinned by the Australian Dietary Guidelines (ADG), which advises a discretionary food serve as being the amount that provides about 600 kilojoules (kJ).

Notwithstanding, the 2013 ADG provides numerous serve size examples of discretionary foods, including a ½ a small chocolate bar (25g) and 40g of sugar confectionery (about 5-6 small lollies), to which the industry applied a commonsense approach and agreed a 25g serving size for all confectionery, albeit with some exceptions. Whilst guidance is helpful it's not exact – a one size fits all approach is not always helpful – given variability in energy density, physical constraints and intended consumer.

It is important to also note the industry guidance is supported by consumer messaging (see section on *Be treatwise*).

The confectionery industry's serving size guidance was also embedded in the Health Star Rating (HSR) System, when it was established in 2014, and is one of only two industry agreed standardised serving sizes (see Table below, extracted from the *HSR System Calculator and Style Guide*). This is recognition of the confectionery industry's progressive health prevention initiatives and demonstrates the value of industry working with government.

Table 8: Current industry agreed standardised serve size

Category	Standardised serve size	Notes
Beverages	Product less than or equal to 600mL – serve size is the entire product Products greater than 600mL – serve size is 250mL	
Chocolate / Sugar confectionery	25g +/- 5g The nominated reference measure (e.g. per row for share pack of chocolate / per 3 snakes etc.) can be used when the nominated reference amount equals 25g +/- 5g	Pack should specify what the actual confectionery serve size is, e.g. 23g

In conjunction with the HSR agreement, the 25g serve size evolved to 25g +/- 5g to provide some flexibility. The arbitrary nature of 25g was recognised. For example, one jelly snake might weight 7g. Therefore, three snakes would be 21g and four snakes 28g. The absurdity

and unhelpfulness of a consumer serving size suggestion of three and a half snakes was understood.

Manufacturers were also encouraged to incorporate a 'serving size descriptor', as consumer research, at the time, indicated most consumers did not appreciate what a serving quantity looked like. The serving size descriptor translates the serving size (weight) into consumer-friendly language, ie 'x pieces', '1 bar'.

The confectionery industry continues to advocate the importance that consumers understand portion/serving size (in combination with energy). The importance of energy and portion are shared by Hall & Partners Open Mind¹, research conducted in 2013 during the development phase of the HSR System, and McKinsey Global Institute. The McKinsey 2014 overcoming obesity report found reducing portion size had the greatest impact on reducing obesity compared to other obesity interventions².

Given the importance of portion/serving size we note the Healthy Food Partnership (HFP) serving size guidance is for industry without consideration as to what information the consumer would use or value.

Recommendation 1: The Ai Group Confectionery Sector recommends the HFP industry serving size initiative and voluntary Best Practice Guide for Industry on Serving Sizes be complemented by government led and funded consumer education on broad dietary advice, dietary construction, quantity and frequency.

3. Chocolate and chocolate-based confectionery: Retail sector

The recommended (maximum) serving size for this category is 50g.

This applies to single consumption bars that are not portion controlled or portionable (ie single serve chocolate portions, chocolate bars for individual consumption in a single sitting). For multiserve products, defer to [existing industry guidance](#) ie 25g +/-5g and portionability criterion.

1. Do you agree with the definition of this category? Is there anything that needs to be added/deleted?

Category definition:

Plain chocolate or chocolate-based confectionery, including all chocolate [and compounded chocolate](#) varieties (white, milk, dark [or ruby](#) chocolate) sold in the retail setting. Excludes cooking chocolate.

This applies to single consumption bars that are not portion controlled or portionable (ie single serve chocolate portions, chocolate bars for individual consumption in a single sitting). For multiserve products, defer to [existing industry guidance](#) ie 25g +/-5g and portionability criterion.

¹ Proposed Front-of-Pack Labelling Design: Qualitative Research Outcomes – Hall & Partners Open Mind, March 2013

² McKinsey Global Institute, 2014, Overcoming obesity: An initial economic analysis – Discussion Paper

Yes No

If yes – go to next question.

If no – please provide detail.

We suggest several amendments to the definition, as indicated by the track changes above.

Compounded chocolate has been included to clarify the scope. Compounded chocolate technically is not chocolate, as defined by the Australia/New Food Standards Code (FSC), however, is chocolate style confectionery and may be used as a substitute for chocolate.

Ruby chocolate is a relatively recent discovery. Our view is that the definition could include the different chocolate varieties or omit the bracketed text.

Recommendation 2 : The Ai Group Confectionery Sector recommends the inclusion of ‘compounded chocolate’ in the category definition for clarification of the product scope and ‘ruby chocolate’ for completeness.

2. What have you or your company done in the past or are currently doing within this category in relation to portion or serving size guidance?

Please provide examples of case studies/initiatives. Examples may be used in the guidance document to provide real world practical advice.

Existing industry guidance

The existing industry guidance is explicit. It guides that:

“a single portion/serving of confectionery is the entire ‘single’ portion in a bar, a pack or amount that supplies approximately 25g +/- 5g”

The guidance also considers the target audience, portionability and practical issues such as providing meaningful consumer information, consistency across similar products, serve size rounding/whole units, product type, packaging formats, equipment and other limitations such as composition eg ingredients with laxation effect, resealable packs, etc (see Appendix 1).

Some serving size examples include:

- a 1kg chocolate Easter egg the serving size would be 25g
- a 43g chocolate confectionery bar, without perforations/portion/segmentation cues would be the whole bar
- a 60g 2 pack chocolate confectionery bar, the servings per pack would be two by 30g servings
- a multiserve bag of loose chocolate confectionery would apply the 20-30g serving size range
- a block of chocolate would apply the 20-30g serving size guidance and consider the natural breaking point, eg ‘1 row’

International serve size initiatives

Against the international context, the Australian and New Zealand industry's serving size guidance has led the way and is in step with key jurisdiction reference amounts.

For example:

- the US Reference Amounts Customarily Consumed (RACC) is **30g** (reduced from 40g in 2018)
- the Canadian Reference Amount (RA) is **40g**
- US single serves contains up to 200% of RACC, ie **60g** and Canada 50-200% of RA ie maximum **80g**
- Public Health England (PHE) sugar reduction and calorie or portion size guidelines for chocolate confectionery on a calories per serve basis (ie per portion of a product likely to be consumed by an individual at one time) is 200 calories (**836kJ**) on a sales weighted average basis and up to a 250 calorie maximum (**1046kJ**)

About the bar category

The grocery sector, is the major retail channel for confectionery, representing approximately 75% of sales³. The balance being convenience and traditional route trade. Within grocery, bars account for less than 17% of the total category. The grocery category segmentation is as follows:

- Chocolate 65% (Blocks (20.9%), **Bars (16.8%)**, boxes (13.7%), share packs (7.7%), other (7.6%)
- Sugar 27.5%
- Gum 6.5%

Grocery and convenience bar segment data analysed⁴ found 33% of bars, non-portioned/non-partitioned ie single consumption format, exceed 50g (1012 kJ). **This equates to 21 bars.**

Recognising single consumption bars, in the grocery channel, make up less than 17% of all types of sugar and chocolate confectionery, the industry queries the drivers for further 'regulation' for a small section of the market (**about 6% of the total confectionery/chocolate/gum category**).

According to the ADG, 50g is the equivalent of about two discretionary food serves. The ADG suggests a discretionary food serve is the amount that provides about 600kJ. It is not inappropriate for consumers to enjoy the equivalent of approximately two discretionary food serving (as one sitting) sometime, in line with the ADG.

We note the 2017 study, by Zheng, Rangan and Meertens referenced in the consultation paper, which-examined changes in portion sizes between the 1995 and 2011-2012 national dietary surveys. It found that portion sizes had increased for half of the discretionary foods and beverages surveyed⁵. However, this was not so for chocolate. **Typical energy and grams**

³ Nielsen, 2014

⁴ Nielsen, 2020 (Moving Annual Total 6/9/20 and Moving Annual Total 2/8/20, being grocery and convenience, respectively)

⁵ Zheng M, Rangan A, Meertens B, Wu J. Changes in Typical Portion Sizes of Commonly Consumed Discretionary Foods among Australian Adults from 1995 to 2011–2012. *Nutrients*. 2017 Jun 6; 9(6):577. DOI: 10.3390/nu9060577

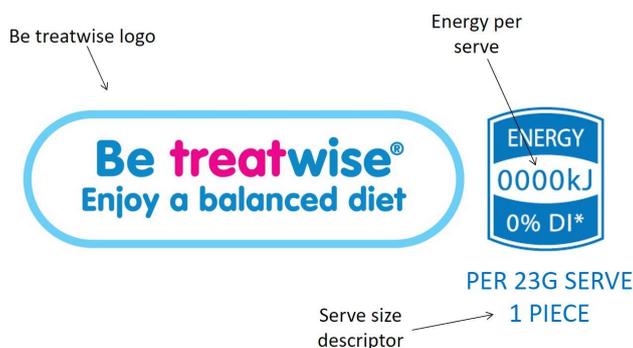
per portion for chocolate has remained unchanged between this period. The study supports the effectiveness of the industry serving size guidance.

About *Be treatwise*[®]

Be treatwise[®] was originally launched in 2006 – a confectionery industry initiative designed to provide consumers with information to help explain the place confectionery has, as a treat food, in a healthy, balanced diet and active lifestyle. *Be treatwise*, together with its tagline ‘*Enjoy a balanced diet*’, is an on front of pack message to consumers to treat mindfully. The *Be treatwise* logo is displayed with energy per serving and where possible a serving size descriptor (Figure 1).

The front of pack (voluntary) messaging works with the mandatory Nutrition Information Panel (NIP) on back of pack.

Figure 1 : *Be treatwise* logo, energy per serving and serving size descriptor



Independent research conducted, by Nielsen Australia, during 2016 and 2017 found the *Be treatwise* message is recognised and understood by 20-22% of Australians aged 18 years plus (n=1503 and 1501, respectively), on an unprompted basis. Very importantly the highest levels of familiarity of the message and logo come from 18-24 year olds (55%)⁶ and young families (51%)⁷.

Consumer awareness/education

The industry has collectively and individually engaged in consumer education, starting with the millions of messages consumers see on confectionery labels. The *Be treatwise* logo is found on more than 90% of major confectionery manufacturers’ branded products and a growing number of small and medium size company’s products in Australia and New Zealand.

Industry also activates the *Be treatwise* consumer messaging through off pack communication channels, including print, digital, advertorial and point of sale retail merchandise (Figure 2a and Figure 2b).

⁶ Nielsen Australia, April 2017

⁷ Nielsen Australia, April 2016

Figure 2a : Be treatwise messaging extended to customer marketing displays



Figure 2b : Example of website messaging



The industry’s own website www.betreatwise.info also supports the *Be treatwise* consumer message. The website has an information hub for consumers with content to explain *Be treatwise* and how it works, the role of confectionery as a treat food in a balanced diet and active lifestyle, information such as understanding food labels, dental health, physical activity and provides links to other complementary information sites, including the ADG and Health Star Rating (HSR) System.

Many of the major confectionery companies also provide important nutrition, health, wellness and physical activity education, to support the understanding of confectionery as a treat, to consumers and health professionals via their respective websites and partnerships. Such partnerships include Save the Children, Ride to Work Day, with dental and nutrition professionals and other education initiatives promoting nutrition and activity.

Our most recent industry initiative involved pump television (TV) ie television at the petrol bowser. A 30 second *Be treatwise* message was conducted in two campaign waves. The message was shown on the screen while customers pump their petrol. The first wave was conducted during Q3, 2020 in New South Wales, Queensland and South Australia. Val Morgan Outdoor (VMO) reported unique reach over the planned and bonus period in excess of 1.7million with 76% of the audience being people aged 25-54 years⁸. The positive impact of the activity, reaching age appropriate Australians, supported industry’s continuing investment and a second wave was conducted nationally, during Q1, 2021.

⁸ VMO post campaign – wave one report, October 2020

Commitment to responsible advertising and marketing

The confectionery industry is also committed to responsible advertising and marketing.

In June 2021 the advertising industry refreshed codes pertaining to advertising and marketing, which lifted the age of a child from 12 to 14. Media channels were also broadened to cover all forms of defined advertising media. The result being that where under 15 year olds make up 25% or more of the audience (reduced from 30%) advertising of confectionery is not permitted.

At the product level

The Australian and New Zealand confectionery industry has made significant progress on portion and serving size guidance over many years and this work continues.

Indeed, the confectionery industry offers a wide variety of product **choice** for all tastes and confectionery occasions – including chocolate, sugar and gum confectionery – **in varying sizes** and suitable for individual consumption, sharing and gifting occasions, so that consumers can enjoy the right product for the occasion.

Small serve sizes have always been a feature of the confectionery/chocolate category, from bars, to blocks, boxed chocolates or share bags, many which are portion controlled or individually wrapped.

Bars lend themselves to self-consumption, although not all bars are configured for consumption by a single person in a single sitting. Bars may be portioned and unportioned – portion controlled, segmented or portionable, some with and some without individual wrapping (Figure 3, 4 and 5).

Figure 3 : A four piece 58g bar (4 x 14.5g pieces)



The front of pack calls out ‘Four Pack’ and the serving size descriptor declares ‘1 bar’ on front and back of pack. The four internal sticks are separate, portion controlled, units in the package.

Figure 4 : 35g single consumption bar



Some bars are in single consumption formats, eg 35g Crispy Peppermint Bar (Figure 4). This is a one piece bar, with no on product portion cues. In these cases, the whole bar is taken to be the serving.

In Figure 5, this multiserve bar has on product portion cues, in the way of markings, to indicate the suggested serving. 70g KitKat Chunky bar, for example, has four 17g chunks. In addition to the on product delineation, the serving size is reinforced in the mandatory nutrition information panel (NIP) and voluntary front of pack Health Star Rating (HSR) System or Daily Intake Guide (DIG) labelling. Note the 'Share Bar' call out.

Figure 5 : 70g KitKat Chunky – one piece equals one serving



With respect to health and nutrition improvements the industry has been making changes in the category since 2005 and this work continues. In addition to mandatory requirements, companies are:

- increasing the proportion of smaller portions as a percentage of their portfolio and introducing new products that are appropriately portioned. For some, these commitments means reducing single consumption bars to ≤ 250 cal (1046 kJ) with steps in progress reduce to ≤ 200 cal (837 kJ); for multi-serve bars the target is ≤ 200 cal (≤ 837 kJ) per serve; increasing the offering of portion controlled products with ≤ 200 cal (837 kJ) per serve.
- for children's and fun size products the target is ≤ 110 cal (460kJ) and typically 100 cal (418 kJ) per serve, respectively
- King Size bars were removed from the market and industry shifted to two packs in 2012 to encourage sensible treating (Figure 6)
- the fun size/share bags sub-category continues to grow, adding to the product diversity and repertoire of small, portion controlled confectionery product
- products have and are being reduced in size, including Nestlé Killer Python that was downsized in 2014 from 47g (630kJ) to 24g (336kJ), with commensurate price reduction
- Mars reduced the 65g Mars Bar by 12g to 53g and a further reduction has been implemented this year (2021) to 47g

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- Mondelez reduced Cadbury Dairy Milk Marble Bar from 54g to 52g this year (2021)
- Nestlé introduced 'one piece one portion' product configurations, to further assist consumers managing their intake
- other on pack cues are used to encourage appropriate consumption, eg family pack, share pack, 2 pack share bars, fun size bars (bite size controlled portions)
- more resealable pack formats and sharing size offerings are being introduced with on pack messaging, eg 'Peel open, share and reclose', making it easier for consumers to share treats or save for later (Figure 7a and 7b)
- the 'pre-teen' sub-category (this is an industry term for products that are typically enjoyed by a younger audience) is predominantly smaller in serve size given the target audience and most products are less than 25g, eg Nestlé Smarties 'fun size' boxes are 16g, reduced from 20g in 2014; Mondelez's Curly Wurly bar was downsized from 26g to 21.5g (98 cal/409 kJ), last year (2020).
- Ferrero offers most of its products in single wrapped portions. 89% of Ferrero marketed volume has a serving size with an energy load of ≤ 500 kJ (130 cal). A 43g Kinder Bueno comes with two individually wrapped fingers packed together in one package.
- in 2014, Nestlé introduced its Portion Guidance device for use on pack (Figure 8) – a simple visual tool to help educate consumers on appropriate portion consumption for a single occasion.
- mould changes were made during 2014 to reshape chocolate blocks, in line with consumer expectations, so a row is a serving in a block of chocolate – as an intuitive amount typically consumed in one sitting

Figure 6 : Mars Bar 2 pack



Figure 7a : Peel and reseal packaging

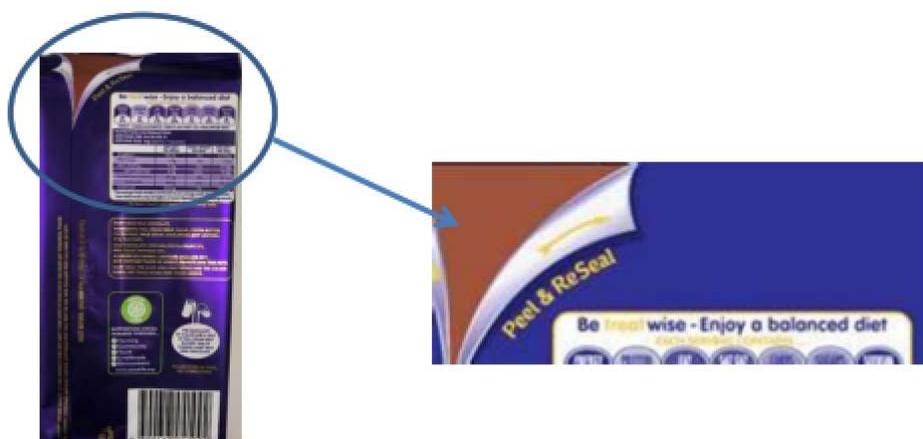


Figure 7b : Peel and reseal packaging



Figure 8 : Nestlé's portion guidance education device on back of pack



The key take out, for all types of confectionery, is that they are responsibly portioned and there is variety and **consumer choice**. Single serving, unportioned/unpartitioned, chocolate products range in size from around 12g through to 60g (60g being an outlier) with plenty of options in between.

Servings/portions are communicated responsibly, and this goes beyond mandatory requirements and includes the industry's consumer facing *Be treatwise* message that aims to ensure consumers continue to understand confectionery is a treat food and consumption occasionally and in small amounts is appropriate, in line with the ADG.

It is the confectionery industry's very strong view that our leading voluntary industry serving size guidance is comprehensive, has served industry (and consumers) well for over a decade, it continues to do so, and **additional guidance is not necessarily needed**.

Recommendation 3: The existing confectionery industry serving size guidance appropriateness be recognised by the HFP.

Recommendation 4: If Recommendation 3 is not accepted, the confectionery industry would consider reviewing and evolving our guidance, with the support of the HFP. This way, there would be a single source of serving guidance (category specific) for the confectionery industry.

3. Are you aware of any technical constraints to reducing the serving size?

Yes No

If yes - please provide detail of the constraints and supporting evidence.

Without doubt, product reconfiguration to reduce serving size incurs cost on business due to technical constraints.

Changing product size at the serving level may seem a simple adjustment. However, serving size/portion changes have flow-on implications through production and packaging cycles – commencing with unit retooling. This flows into plant reconfiguration, production scheduling and packaging adjustments. In terms of packaging, this not only impacts at the product level, but may impact the inner (often used as a display box on the retail shelf) and outer packaging layer (the bulk container that carries multiple inner units). The impact continues at the commercial interface with retailers. Ostensibly a new product (lower weight) means a ‘new product’, resulting in new retailer line fees and discussions to get the product ranged! It’s not straightforward.

From a chocolate bar perspective, change in serving size may result in:

- changes at the product level ie width, length and/or height
- changes to ingredients/ingredient ratios to achieve weight reduction
- reducing the height using existing moulds could pose a potential risk for breakage and/or affect the protection of the food components inside. New moulds, as an alternative, would be very expensive.
- new product configurations may also require changes to packing equipment.
- new packaging may also drive requirements for new equipment, eg flow wrap and inner/outer packaging changes
- increased production costs due to lower mass per hour being produced due to the smaller bar
- different bars may be produced on different lines, due to different technologies, so costs may multiply
- plus the hidden costs of research and development, market testing, budgeting for new equipment, planning and internal business approvals

All changes, voluntary and regulatory, are complex and expensive and can’t always be passed on to the consumer. Costs on the food industry are ongoing and multiple changes can’t always be coordinated. On the agenda and in the pipeline, industry has to contend with allergen labelling, HSR, reformulation, country of origin, added sugar labelling, etc. **Changes on the food industry need to be moderated.**

Improved timelines to implement helps balance industry costs. Longer implementation timeframes assist industry offset costs.

The approach to gradual size/weight reduction over time, to minimise consumer impact, particularly if the price reduction is not matched, doesn't work in the same way it does for sodium reduction, where manufacturers are changing the flavour. Despite raw ingredient reduction, incremental size reduction has a multiplier cost effect on production.

In relation to price, it is clear that a size reduction doesn't necessarily equate to cost/price reduction. These are commercial challenges, that neither the consumer or the retailer necessarily appreciates.

A product which maintains its price for a reduced amount or serving/portion is unlikely to be a market winner.

To assist the HFP, the industry would be happy to share detailed technical insights that make changing serving size challenging.

4. Are there other concerns or challenges with reducing the serving size of this category?

Yes No

If yes, please provide detail of the concern/challenges and supporting evidence.

Australia is a relatively small market and so change costs take longer for food manufacturers to recover, impacting their competitiveness.

Australian companies compete domestically against imports and parallel imports which will likely disadvantage local businesses, as local companies implement costly changes, yet imports and parallel imports go under the compliance radar.

Serving sizes of imported product are unlikely to be adjusted for our local market, again, given the relativity of market size. Businesses, therefore, miss commercial opportunities and consumers lose out on innovations and choice.

The impact of covid-19 on the food industry should not be underestimated as supply chain, eg the importation of new smaller moulds and/or equipment, and compliance costs escalate.

If yes, please explain whether these challenges can be overcome.

Any portion/serving size reduction is, of course, possible. The key issue, however, is at what cost and competitive disadvantage to our local industry.

5. Are there other portion guidance and serving size initiatives in Australia you are aware of that impact this category?

Yes No

If yes, please provide detail.

NA

Part B - Best Practice Guide

1. Two samples of the Industry Best Practice Guide are provided above. Please review the samples before answering the following questions.

What do you like about the two samples, with regards to the look, feel and layout?

The two example guides provided in the consultation, (1) muffin, cakes and slices and (2) savoury pastries are:

- Clear and easy to understand
- Good balance between graphics and text
- Real life images and relatable size suggestions eg ball, pack of cards, credit card
- Icons used consistently through the suite of guides
- Good layout, section delineation and use of white space
- Hyperlinked resources

What would you change about the two examples, with regards to the look, feel and layout?

- Include brief rationale, as to why the guide is being established, for context
- Explain a discretionary food choice reference amount
- Ensure images correspond in weight to the size suggestions
- Consider size suggestions are compared to a metric measure, eg ruler, cup measure
- Explain discretionary serve size range, for example 1 = slices; 2.5 = muffins/cakes
- In the 'Need more help' section, call out and hyperlink to the definitions

2. How helpful is it to have the following pieces of information displayed in the Guide?

	Helpful	Neutral	Not helpful
Category definition	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Serving size recommendation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tips & tricks – category specific	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guiding principles for resizing	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
How to review the serving size information on labels of products	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
How to indicate a smaller serving size on pack (see comment below)*	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Case studies	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Rationale for the serving size recommendation



* As described and illustrated in this paper, the confectionery industry sets the benchmark for communicating serving size on pack. In addition to the mandatory NIP serving size requirements, the industry typically, and voluntarily, declares energy per serve on front of pack with the serve size eg '1 piece' in a two pack bar or '25g / 5 pieces' in a share bag of confectionery. This is accompanied by the *Be treatwise* message with tagline 'Enjoy a balanced diet' that speaks to mindful treating and frequency. Individually companies have various other initiatives that go beyond the voluntary industry approach, as discussed.

3. In what formats are you likely to access the Industry Best Practice Guide?

(Select all that apply)

- View online
- Download and print out copies
- Other - please specify below

If other, please specify

4. Which channels should be used to promote the Industry Best Practice Guide?

- Healthy Food Partnership website
- Public Health/NGO peak bodies
- Industry peak bodies
- Forums
- Other, please specify below.

If other, please specify

Other networks that offer opportunities to promote the Industry Best Practice Guidance include professional dietitian and nutrition groups, for example the Dietitians Association of Australia (DAA), The Nutrition Society of Australia (NSA) and the Australian Institute of Food Science and Technology (AFIST).

Part C - General Comments

1. Do you have any additional general comments?

The Ai Group Confectionery Sector, **supports the HFP voluntary approach to serving size.** It gives industry greater opportunities to coordinate changes.

The Ai Group Confectionery Sector requests that there are further rounds of consultation prior to the HFP serving size project being finalised.

Summary and recommendations

The Australian Industry Group (Ai Group) Confectionery Sector welcomes the opportunity to respond to the Healthy Food Partnership (HFP) serving size guidance consultation and we support the HFPs **voluntary approach**.

We reiterate the important and effective role the confectionery industry's existing serving size guidance has played, for industry and consumers, for over more than a decade and note the evidence presented in our response and in the consultation rationale document exemplifies this and industry's adherence with it.

Underpinning the Australian and New Zealand confectionery industry serving size approach is responsible consumption and marketing alongside physical activity. Education and creating consumer awareness of confectionery as a treat food have long been the hallmarks of the industry's *Be treatwise* program. Industry's commitment to ensuring consumers continue to understand the treat role of confectionery will continue to drive our activities.

Small serve sizes have long been a feature of the confectionery/chocolate category, as has consumer choice, in variety and size.

This submission provides evidence as to the scale of the Australian confectionery industry's portion/serving size progress – noting it continues to evolve and is work in progress.

Recommendations

Recommendation 1: The Ai Group Confectionery Sector recommends the HFP industry serving size initiative and voluntary Best Practice Guide for Industry on Serving Sizes be complemented by government led and funded consumer education on broad dietary advice, dietary construction, quantity and frequency.

Recommendation 2 : The Ai Group Confectionery Sector recommends the inclusion of 'compounded chocolate' in the category definition for clarification of the product scope and 'ruby chocolate' for completeness.

Recommendation 3: The existing confectionery industry serving size guidance appropriateness be recognised by the HFP.

Recommendation 4: If Recommendation 3 is not accepted, the confectionery industry would consider reviewing and evolving our guidance, with the support of the HFP. This way, there would be a single source of serving guidance (category specific) for the confectionery industry.

Again, thank you for the opportunity to comment and we look forward to working together.

In the meantime, if you have any queries or require further information, please do not hesitate to contact Jennifer Thompson on jennifer.thompson@aigroup.com.au or 03-98670181.

Appendix 1 : Confectionery industry serving size guide

Extract from the Guide for implementation of the voluntary Health Star Rating System for the Australian confectionery industry in conjunction with the Confectionery Trust's *Be treatwise*[®] trade mark (April 2016)

Appendix B – serve size

What is a serving?

“The serving size used in the NIP is not prescribed in the *Australia New Zealand Food Standards Code*. However, serving sizes specified by the manufacturer should reflect a realistic portion of the food that a person might normally consume.”¹ Consumer laws require that the serving size should not be false, misleading or deceptive.

To support *Be treatwise*[®] and the message of responsible consumption and marketing, to help explain the place that confectionery has, as a treat food, and as part of a healthy balanced diet and active lifestyle, the industry has devised the following guidance.

The industry serving sizes follow guidance provided in the *Australian Dietary Guidelines (2013)* www.eatforhealth.gov.au/guidelines that suggests the serving size of treat, ‘discretionary choices’ or extra foods is based upon the amount that provides about 600kJ of energy. For confectionery using the HSR icons, the serve/portion size is influenced by product format, type and other considerations.

In designing this guidance, the industry has considered:

- a single portion/serve of confectionery is the entire ‘single’ portion in a bar, a pack or amount that suppliers approximately 25g (+/-5g)
- the need to provide meaningful information to consumers that is realistic and not confusing
- serving size being applicable to the target market and not to manipulate energy and nutrients per serve declared through the serving size
- rounding the servings to the nearest logical whole number and declared as for example **approximately 3 serves** rather than 3½ serves, where the number of serves is not easily divisible and taking care to ensure the information makes good sense to the consumer
- the need for consistency in serving sizes across varying pack formats, where the confectionery is the same, whilst being sensitive to the single portion pack ie 35g single portion pack, 70g and 200g pack – serving sizes would be 1 x 35g; approximately 3 serves and 8 x 25g serves, respectively
- the portionability of a product
- packaging formats may also influence serving size, eg resealable packs, fun size/single portions within a multipack

The HSR System nominated reference measure for confectionery describe, where possible, the serve/portion in consumer friendly language as a serve size descriptor, such as per pack, per x snakes, per bar to enable the consumer to be better informed about the quantity of confectionery they

¹ Extract from the *FSANZ User Guide to Standard 1.2.8 – Nutrition Information Requirements, December 2013*

choose to consume. In the absence of an appropriate descriptor revert to 'per [serve size]' value, ie 25g (+/-5g).

The Ai Group Confectionery Sector has not defined a serving size for gum. Whilst confectionery, it is not considered a treat food.

Confectionery serve /portion sizes illustrated

Confectionery	Size / descriptor
All confectionery bar products and single portion controlled products	A single bar, eg 'per bar' A 23g bag of lollies, ie 'per pack' or 'per 23g pack'
Block chocolates	Share blocks, ie 'per row' (where each row is consistent with the industry agreed serve size of 25g (+/-5g)). Alternatively, 'per x pieces'.
Assortment products, boxed chocolates	Where the energy values between units do not differ appreciably, ie 'per x pieces'.
Loose confectionery in a share pack	A 150g bag with uniform pieces (the energy values between pieces do not differ appreciably) ie 'per x snakes' or 'per x pieces'. A 150g party mix bag where there is variance in the energy values of the pieces ie 'per 25g serve'.
Multipacks / variety packs	Based on the inner pre-packed unit quantity taking into consideration product variability, eg 'per inner pack', 'per 10g pack', 'per single pack', 'per piece', 'per bar'
Novelties, Easter eggs	As a guide, follow the principle that a serve is approximately 25g (+/-5g) and consider the pack configurations and any portionability. A single 15g egg, eg 'per egg' A 200g bag containing 15g eggs, eg 'per egg' or 'per piece' A non-portionable egg, eg 'per 25g serve'
Sugarfree confectionery and chocolate	Serving size for sugarfree products is largely self-limiting due to the typical laxation response. Serving size may also vary due to the polyol or combination of polyols used and the confectionery format.