

Ai GROUP SUBMISSION

Response to the draft National
Obesity Prevention Strategy
2022 – 2032

Enabling Australians to eat well and be active

NOVEMBER 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: draft National Obesity Prevention Strategy 2022-2032 - Public Consultation

The Australian Industry Group (Ai Group) Confectionery Sector welcomes the opportunity to make this submission in response to the draft National Obesity Prevention Strategy 2022 - 2032.

We provided comments on the previous consultation in December 2019, and reiterate positions on issues raised then in this consultation. The Ai Group Confectionery Sector also submitted to and attended the Senate Select Committee Inquiry into the Obesity Epidemic and participated in the National Obesity Summit.

Our comments in this submission focus on areas specifically related to the confectionery industry, including the role we play in assisting consumers to make informed choices to manage their energy intake and how the industry is contributing to collaborative activities with government and other partners and empowering consumers to continue to understand the role of confectionery, as a treat food.

Consultation questions

1. Do you consent to your submission being published on the Department's website, and accessible to the public, including persons overseas, in accordance with the following preference:

Publish response without my name but including my organisation's name

2. Please read and agree to the below declarations:

I consent to the Department collecting the information requested in Citizen Space about me, including any sensitive information, for the purposes indicated above.

By making a submission, I acknowledge that:

- I understand that the giving of my consent is entirely voluntary
- I am over the age of 18 years
- I understand the purpose of the collection, use, publication or disclosure of my submission
- I understand that copyright in the content of my submission will vest in the Commonwealth of Australia
- Where relevant, I have obtained the consent of any individuals whose personal information is included in my submission, to the Department collecting this information for the purposes outlined in this notice
- I understand that, where I have provided consent to my submission being published, the Department has complete discretion as to whether my submission, in full or part, will be published.

I have read, understood and consent to the above statements.

Section 2: Introduction

3. What is your name?

Jennifer Thompson

4. What is your email address?

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5. What is the name of your organisation?

Australian Industry Group (Ai Group)

6. Are you completing this survey on behalf of your organisation?

Yes

7. What sector do you represent?

Food/drinks production/manufacturing/retail/advertising

Section 3: Overarching concepts

8. Do you agree with the overall approach of the Strategy?

The Australian Industry Group (Ai Group) Confectionery Sector **strongly agrees** with the overall approach.

We support the development of a 10 year National Obesity Prevention Strategy that guides all governments and many non-government partners, in a coordinated and collaborative manner, that encourages and enables healthy weight and healthy living for all.

A focus on prevention as the centerpiece of the approach is welcome. We **strongly support** an increased focus on prevention that builds on and complement existing efforts (including the National Preventive Health Strategy, Healthy Food Partnership) without duplication, is holistic, systematic, funded and puts extra focus on priority population groups with sustained effort through:

- supportive environments
- empowering people to stay healthy with active living, and
- access to early intervention and primary health care

9. The current title is National Obesity Prevention Strategy. Does the title reflect the content of the Strategy?

The Ai Group Confectionery Sector **strongly agrees** with the current title of ‘National Obesity Prevention Strategy’.

The inclusion of ‘prevention’ in the title is appropriate, offers encouragement and clear direction of intent. ‘Prevention is better than the cure’.

10. The Strategy includes two Guiding Principles outlined on page 11 of the draft. Do you agree with the Guiding Principles?

Equity and Sustainable development

The Ai Group Confectionery Sector **agrees** with the two Guiding Principles of Equity and Sustainable development. This includes interventions to counterbalance the barriers that result in health inequity; and sustainable development in the areas of social equity and economic growth.

In terms of environmental protection, the Ai Group is not aware there is evidence directly linking the sustainable impact of food with obesity. It is our view that environmental protection be considered out of the draft strategy scope. Notwithstanding, there are significant industry and individual company initiatives in place and evolving in this area.

11. The Strategy includes a high-level Vision outlined on page 12 of the draft. Do you agree with the Vision?

Vision: For an Australia that encourages and enables healthy weight and healthy living for all.

The Ai Group Confectionery Sector **strongly agrees** with the strategy Vision. In our view, the desire for a healthy weight and healthy living is appropriately ambitious and positive. Success lies in a holistic, evidence-based approach with multi-stakeholder coordination and collaboration, working together through a sustained effort and goes beyond food products and importantly includes consumer education and physical activity.

12. The Strategy includes a Target outlined on page 12 of the draft. Do you agree with the Target?

Target: Halt the rise in obesity by 2030: as a signatory to the World Health Organization Global Target.

The Ai Group Confectionery Sector **strongly agrees** with the proposed Target outlined in the draft strategy of *halting the rise in obesity by 2030*.

Inroads are being made, as the draft strategy (consultation) paper reports “with national childhood rates of overweight and obesity stabilising” but will take time, “just as the increase of overweight and obesity has occurred over time, so too will its decrease” (page 9).

With the cost of overweight and obesity projected to increase from \$11.8b in 2018 to an estimated \$87.7b in 10 years (page 3) and given that for every dollar invested in obesity prevention there is a six fold return – ‘a stitch in time saves nine’.

13. The Strategy includes five Objectives outlined on page 12 of the draft. Do you agree with the Objectives?

Objectives:

1. More supportive and healthy environments	Agree
2. More people eating healthy food and drinks	Agree
3. More people being physically active	Agree
4. More resilient systems, people, and communities	Agree
5. More accessible and quality support for people	Agree

The Ai Group Confectionery Sector **agrees in principle** with the five Objectives to effect a national, coordinated, system wide approach with the central focus of prevention.

For our part, confectionery – as a treat food – offers the ‘fun’ part which can be enjoyed as part of a healthy diet and lifestyle.

Evidence confirms the vast majority of the Australian population know and understand that confectionery is a treat food and is a food that may be enjoyed ‘*sometimes*’ or ‘*rarely*’ⁱ. This understanding aligns with the Australian Dietary Guidelines (ADG) which suggests a treat/discretionary food may be consumed ‘*sometimes and in small amounts*’.

The Australian confectionery industry also recognises the role of treat confectionery in the context of a healthy diet and lifestyle and is deeply committed to pursuing ways to help consumers manage their energy intake and enjoy their confectionery. The confectionery industry has a long and successful track record of doing so. This includes:

- provision of **information** for consumers to help them make appropriate confectionery choices in the context of their diet and lifestyle;
- variety, appropriate **portion** sizes and more smaller options to help consumers moderate their confectionery intake; and
- **education/awareness**.

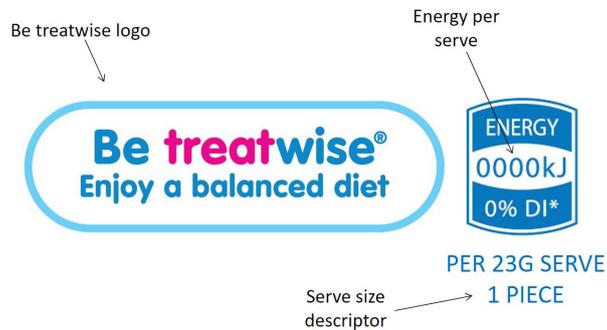
The industry’s voluntary *Be treatwise* program, provides the umbrella messaging designed to empower consumers and ensure they continue to understand confectionery as a treat food. These efforts are ongoing.

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



Be *treatwise* serves as the banner underwhich the industry brings its commitments together, including:

- Consumer information – www.betreatwise.info, ingredient and nutrition information, front of pack labelling
- Portion/serve sizes
- On and off pack communications, including digital, point of sale retail merchandise (see Figure 2)
- Responsible marketing commitments
- Commitment to ongoing promotion of community education and awareness

Figure 2 : Be treatwise messaging extended to customer marketing displays



Education is fundamental to people knowing how to be healthy and has been found to be one of the most significant interventions to combat the prevalence of overweight and obesityⁱⁱ.

The Ai Group Confectionery Sector unconditionally supports programs that skill the community to encourage the consumption of everyday core foods and promote physical activity as the best way to stay healthy.

14. Are there any Objectives missing?

The Ai Group Confectionery Sector has no further Objectives to offer.

15. The Strategy includes three Ambitions outlined on page 12 of the draft. Do you agree with the Ambitions?

Ambitions:

- | | |
|--|--------------|
| 1: All Australians live, learn, work, and play in supportive and healthy environments: creating environments that make it easier to lead healthier lives | Agree |
| 2: All Australians are empowered and skilled to stay as healthy as they can be: building knowledge, skills, strengths, and community connections to support healthy eating and physical activity, and enable healthy weight | Agree |

3: All Australians have access to early intervention and primary health care: ensuring a skilled workforce and referral to appropriate services, including helping people who experience a greater risk of overweight or obesity to take early action, and supporting those with overweight or obesity to access better support **Agree**

The Ai Group Confectionery Sector **in principle supports** the three draft strategy Ambitions.

Building knowledge and communications

The Ai Group Confectionery Sector recommends more needs be done to communicate healthy diet and healthy lifestyle leveraging the Australian Dietary Guidelines and Physical Activity Guidelines.

What we eat and the amount we eat are important learnings. In the case of confectionery, as a treat food, amount is key. Unlike the Health Star Rating (HSR System) that rates foods in categories, *Be treatwise* speaks to quantity and frequency in a whole of diet context.

The Ai Group Confectionery Sector has also been supporting the government's Healthy Food Partnership (HFP) through the development of the Industry Best Practice Guide for Serving Sizes. Although currently a work in progress, the HFP Industry Best Practice Guide uptake and success, in reducing portion sizes, will be contingent on funding for promotion to industry and complementary communication to consumers.

From a confectionery standpoint, the confectionery industry has been a leader in serving size guidance. See Question 18, Strategy 1.4 (below).

Physical activity plays an important role in people's general health and wellbeing. Given the insufficient activity levels across the population, more education and action is also required in this area.

Funded and sustained education is necessary to upskill and educate the population with strategies to educate from the early years through to adulthood.

The industry is playing its part in providing consumers with information about their confectionery choices and continues to approach this in an evolving manner. Over the past twelve months, the industry has invested in two campaign waves to educate 18 plus year olds about *Be treatwise* - the place for confectionery in a healthy diet alongside being physically active - and is committed to ongoing investment in consumer education.

16. The Strategy includes three Enablers outlined on page 12 and pages 42-44 of the draft. Do you agree with the Enablers?

Enablers:

1. Lead the way: collaborative government providing strong leadership and fostering partnerships and social responsibility across all sectors at all levels. **Strongly agree**

2. Use evidence and data more effectively: contribute to strengthening the evidence base and data systems for overweight and obesity monitoring and support. **Strongly agree**

3. Invest for delivery: appropriate and sustained funding to prevent overweight and obesity and to build workforce capacity for change across sectors. **Strongly agree**

The Ai Group Confectionery Sector **strongly supports** all three Enablers in the draft strategy.

We strongly support the need for whole of government leadership with cross-sector multi-stakeholder collaboration and action. The Ai Group Confectionery industry has and continues to support government led initiatives, eg HSR System, HFP; as well as our own industry led voluntary initiatives, for example portion size, consumer information and innovation (reformulation), etc.

We acknowledge the importance of sound evidence and data necessary to inform, monitor and evaluate initiatives and make adjustments as activities progress. Conducting frequent national dietary and physical activity surveys are required, as is the need to keep abreast of emerging science and issues to provide the required evidence for decision making and actions to combat and prevent overweight and obesity.

In recent years, for example, sugar has inappropriately attracted a tag as public health enemy number one for its contribution to overweight and obesity. The balance of science does not support this claim. Researchers are now concluding that public health interventions to prevent obesity should focus on the quality of the whole diet rather than on sugar alone^{iii iv}.

In Australia the intake of free sugars have decreased over time and close to the World Health Organisation target of 10%. Australian Bureau of Statistics (ABS) data also shows that the number of people exceeding the WHO limit is declining. A public health focus on sugar illustrates the need for current evidence and need to adopt a multifactorial approach to health.

Sustained funding for research, evaluation of interventions, monitoring and surveillance through regular national surveys is essential to build the knowledge base and to direct programs and their resources.

Emphasis on improving food, nutrition and health related literacy in the community and workforce is **strongly supported** by the Ai Group Confectionery Sector.

17. Are there any Enablers missing?

The Ai Group Confectionery Sector has no additional Enablers to contribute.

Section 4 : Ambition 1 - All Australians live, learn, work, and play in supportive and healthy environments.

18. Ambition 1 Strategies are outlined on pages 15-28 of the draft. Do you agree with the Strategies in Ambition 1?

Strategy 1.1 Build a healthier and more resilient food system.	Strongly agree
Strategy 1.2 Make sustainable healthy food and drinks more locally available.	Strongly agree
Strategy 1.3 Explore use of economic tools to shift consumer purchases towards healthier food and drink options.	Disagree

Strategy 1.4 Make processed food and drinks healthier by supporting reformulation.	Agree in part
Strategy 1.5 Make healthy food and drinks more available and accessible and improve nutrition information to help consumers.	Agree in part
Strategy 1.6 Reduce exposure to unhealthy food and drink marketing, promotion and sponsorship especially for children.	Agree in part
Strategy 1.7 Build more connected and safe community spaces that inspire people of all ages, abilities and cultures to engage in regular physical activity.	Strongly agree
Strategy 1.8 Grow participation in walking, cycling, public transport, active recreation and sport by minimising cost and access barriers.	Strongly agree
Strategy 1.9 Build the capacity and sustainability of the sport and active recreation industry.	Strongly agree
Strategy 1.10 Enable school and early childhood education and care settings to better support children and young people to build a positive lifelong relationship with healthy eating and physical activity.	Strongly agree
Strategy 1.11 Enable workplaces to better support the health and wellbeing of their workers.	Strongly agree
Strategy 1.12 Enable government agencies, care facilities, tertiary and training institutions, sporting and recreation facilities, and community organisations to lead the way by supporting breastfeeding, providing access to healthy food and drinks, and encouraging more physical activity.	Strongly agree

As mentioned previously, the Ai Group Confectionery Sector's submission is confectionery focussed and concentrates on the efforts the industry is responsibly and responsively taking to assist consumers to make healthy dietary choices and how the industry contributes to collective and collaborative activities in partnership with government and other stakeholders.

Specific comments are made in relation to Strategies 1.1 to 1.6. and 1.10.

Strategy 1.1 : Build a healthier and more resilient food system that favours the production, processing and distribution of healthy food and drinks. Improve food systems, while protecting economic growth, land, sea and biodiversity, and reducing waste.

The Australian Industry Group (Ai Group) Confectionery Sector is **strongly in favour** of this strategy to build a healthier and more resilient food system.

Dietary patterns

We object, however, to the claim that *"Our current food system promotes obesity by favouring the production and supply of unhealthy food and drinks, which are often highly processed and packaged, and can be cheaper than healthier products. This leads us to consume too many unhealthy foods and drinks that are not essential for health (page 16).*

The cause of overweight and obesity in the community is well recognised as being complex, multifaceted and extends beyond effects from the food system.

A fundamental for the food industry is that foods are safe and, to this end, processed foods play an important role in our safe food supply, from pasteurisation of milk, production of

bread or freezing of peas and manufacture of chocolate, for example. In line with the Australian Dietary Guidelines (ADG) the key to eating well is to enjoy a variety of nutritious foods from each of the Five Food Groups (FFG) (and drinking plenty of water). Confectionery as a treat/discretionary food, is an occasional food and may be enjoyed as part of a balanced diet, in line with the ADG. It is unhelpful to suggest food processing is a negative or in some way demonising food quality. The notion of good and bad foods is misleading, confusing and flawed as is a single nutrient focus. Indeed the focus needs to shift to good/healthy diets.

Strategy 1.2 : Make sustainable healthy food and drinks more locally available. *Implement land use planning and urban design, drive community agriculture initiatives and strengthen access to traditional hunting, fishing and gathering practices and rights with Aboriginal and Torres Strait Islander peoples.*

The Ai Group Confectionery Sector **supports** Strategy 1.2. *Making sustainable healthy food and drinks more locally available* aligns with the draft strategy guiding principles of equity and sustainable development.

Strategy 1.3 : Explore use of economic tools to shift consumer purchases towards healthier food and drink options and make them more affordable. *Establish actions across the food supply chain from farming to retail.*

The Australian Industry Group (Ai Group) Confectionery Sector **strongly supports** the availability of affordable, safe and nutritious foods for all Australians. However, we are concerned regarding the example of action to *investigate policy approaches that use price to reduce consumption of sugar-sweetened drinks and snacks high in sugar, salt and/or saturated and trans-fat while minimising impacts on disadvantaged populations.*

Food taxes

The Ai Group Confectionery Sector **supports** retaining the current goods and services tax (GST) exemption that applies to core foods, however, additional fiscal measures, such as single nutrient food taxes are **not supported**. Experience from applying sugar/fat food taxes elsewhere in the world has been without compelling evidence or success. Experts cannot agree on their effectiveness, there is insufficient evidence, it is difficult to quantify health benefits due to food switching, switching to cheaper brands or bulk buys and the regressive nature of the tax.

For example, the Danish tax on saturated fat was introduced in 2011 but abolished within 18 months of introduction. Consumers were driving across the border to avoid it and politicians identifying it as a funding source rather than for health initiatives. Their sugar tax plans were similarly averted.

In Mexico, where a sugary beverage tax was first introduced, there was an initial consumer reaction but over time sales crept back up and in the end the tax made no impact on consumption.

In the US, research found there was no noticeable effect from the introduction of a sugar sweetened beverage (SSB) tax in the states of Ohio and Maine. There are cases where SSB taxes have also been repealed, for example Cook County removed the tax just nine days after it came into effect in 2017.

The McKinsey Global Institute looked at a range of interventions to reduce obesity and found taxation to be one of the least effective tools to tackle obesity, finding *'no direct evidence for change in weight or change in consumption or physical activity levels'*^v.

The Gratten Institute also found a sugary drinks tax in Australia would *have 'minimal impact on the levels of obesity'* and reported *'no one ingredient was found to be the contributor to obesity'*^{vi}.

The 2017 report commissioned by the New Zealand Ministry of Health^{vii} found *'the evidence that sugar taxes improve health is weak'*.

Taxing particular foods, ignores the reality that there is a need to educate consumers about diet and consumption choices in line with the ADG while encouraging people to move more. A new tax is not the way to make our nation healthier.

Strategy 1.4 : Make processed food and drinks healthier by supporting reformulation efforts that limit energy and nutrients of concern (such as added sugar, salt, and/or saturated and trans fat) and reduce serving sizes

The Ai Group Confectionery Sector **supports** the role of reformulation and reducing serving sizes as a strategy to make processed food and drinks healthier, however from a confectionery perspective the opportunities to reformulate are reasonably limited.

Compositional reformulation

As a treat food, confectionery it is just that.

Although confectionery industry innovation has spanned more than a decade, specifically in the areas of energy, sugar and/or saturated fat reduction – these products offer consumer variety but remain largely niche, eg sugarfree or reduced sugar chocolate. In the sugar confectionery segment consumers have been presented with many sugarfree alternatives, but they are not always viable.

With limited scope for acceptable reformulation, portion/serving size is the key device to meeting consumer needs together with consumer information.

The role of serving size was recognised by the HFP for the chocolate category with reformulation considered an unviable option. As work of the HFP Industry Best Practice Guide working group has progressed it took on a focus on chocolate/confectionery bars.

In recent times, research and development has lead to new approaches to sugar reduction. Despite industry's innovation push, however, the confectionery product have failed to attract sustained consumer acceptance. Taste matters!

As a treat food, the confectionery industry's focus is on serving size and portion. Small serving sizes have long been a feature of the category. Industry is also moving to provide more smaller options as a percentage of the category in response to consumer demand.

Portion/serving size and guidance

The confectionery industry has been a leader in serving size guidance.

In 2009, the industry established voluntary serving size guidance, underpinned by the Australian Dietary Guidelines (ADG) which suggests a discretionary/treat serve is about the amount that delivers 600 kilojoules (kJ) – approximately 25g chocolate. At that time, industry’s 25g serving size was voluntarily adopted.

The confectionery industry’s progressive, agreed serve size was recognised during the establishment of the government led Health Star Rating (HSR) System, established in 2014^{viii}, and was embedded in the System (Figure 3).

Figure 3 : HSR System confectionery industry serving size

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

The Ai Group Confectionery Sector has been supporting the government’s Healthy Food Partnership (HFP) through development of the Industry Best Practice Guide for Serving Sizes.

In collaboration with the HFP, the confectionery industry is taking steps to strengthen its industry serving size guidance, relating to single consumption bars ie setting a maximum 50g. These efforts build on portion size reductions and increasing offer of smaller portioned products. Beyond individual consumption bars (the majority of the confectionery category), the HFP working group considered and recognised industry’s existing 25g (+/- 5g) serving size and portionability criterion was working well and there was a high level of compliance.

Industry leadership and collegiality demonstrates its responsiveness in taking action on serving size without the need for regulation.

Individual companies support portion control, serving size guidance with a range of additional measures including:

- increasing the proportion of smaller portions as a percentage of their portfolio
- for children’s and fun size products the target is ≤ 110 cal (460kJ) per serve
- on pack cues to encourage appropriate consumption, eg family pack, share pack, 2 pack share bars (Figure 4), fun size bars (bite size controlled portions)
- resealable pack formats on multi-serve products, designed to make it easier for consumers to share treats or save for later (Figure 5)
- single serve packaging - multiple individually wrapped fingers packed together in one package eg 43g Kinder Bueno
- on-pack portion guidance (Figure 6)
- portion guidance device (Figure 7) – a simple visual tool to help educate consumers on appropriate portion consumption for a single occasion.

- chocolate block moulds are designed, 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 4 : Two pack bar for sharing + Be treatwise and energy per serving



Figure 5 : Peel and reseal packaging guidance



Figure 6 : On pack portion guidance (per 25g (approx. 4 pieces))



Figure 7 : Nestlé’s portion guidance education device on back of pack



Strategy 1.5 : Make healthy food and drinks more available and accessible and improve nutrition information to help consumers make healthier choices at the time of purchase.

The Ai Group Confectionery Sector **agree in principle** with strategy 1.5 to making healthy food and drinks more available and accessible and improve nutrition information to help consumers make healthier choices.

Health Star Rating System

The Ai Group Confectionery Sector, was actively involved in the development of the government led Health Star Rating (HSR) System. This included being a member of the initial Executive Committee and then on the HSR Advisory Committee overseeing its implementation.

With or without HSR, the industry’s commitment to front of pack labelling is unified by its approach to its voluntary *Be treatwise* message (logo) and tagline “*Enjoy a balanced diet*” (which speaks to quantity and frequency consumed), energy per serving and serving size descriptor (where possible). The crux of the industry’s voluntary approach to front of pack labelling embodies consumer information, based on energy per serve and serving guidance, as relevant to the category. The front of pack labelling approach is found on millions of confectionery labels ie more than 90% of major confectionery manufacturers’ branded products and a growing number of small and medium size company’s products.

Given the importance of energy per defined serving for our products, the treat nature of confectionery (which is well understood) and the concept that healthier confectionery is a falacy (determined by using HSR stars) the HSR 2020 amendments, as they apply to confectionery, are flawed. Despite the rating applying in category, the industry has previously argued that 3 stars on some confectionery is an inappropriate measure.

It is vital that the HSR improvements are evidence-based, the System evolves accordingly and is robust. On that point, the confectionery industry retains its original support for HSR based on use of the (former) energy only icon.

Warning and advisory labels

The example of action in the consultation paper for the use of ‘*prominant advisory labels for unhealthy ingredients*’ eg added sugar is **rejected** by the Ai Group Confectionery Sector.

Call outs on products containing 'nutrients of concern' inappropriately singles out and demonises individual nutrients, duplicates the factual mandatory nutrition information panel, would add unnecessarily costs, and, in the case of confectionery, in particular, for little purpose.

Confectionery aside, a single nutrient focus is unhelpful and potentially misleading. Rather, the focus needs to invest in nutrition literacy and constructing healthy dietary patterns.

Consideration also needs to be given to the amount of information required on food labels.

Competition for labelling space is a premium, particularly on smaller packages. Increasing pressure on valuable labelling space is likely to compromise the clarity of mandatory requirements, result in consumer confusion, loss of essential food safety information eg allergens and existing advisory statement mandated by the Food Standards Code.

Restricting promotions and availability

The Ai Group Confectionery Sector has **concerns** with the example of actions to '*work with supermarkets and food retailers to increase the prominence, promotion and availability of healthy food and drinks in food retail, consistent with the Australian Dietary Guidelines, including removing shelf-space allocation differences between socioeconomic areas*'.

In particular, the Ai Group Confectionery Sector is **opposed** to restricting food and drink promotions. Promotions play a role in highlighting new product offerings to consumers, in-store or in catalogues, and encourage product trialling, reminding consumers of their options including brand switching and provide relevant messaging related to the occasion, their sustainability or country/region of origin or other credentials.

Restraint on trade and consumer choice, based on product promotion and information has the potential to breach competition and consumer laws.

Empowering consumers through information

As previously discussed, providing access to product information is integral to enabling consumers to make informed confectionery (and other food and beverage) choices.

In addition to the mandatory nutrition information requirements, introduced some twenty years ago, this also spans allergen and other advisory information that informs consumer choice.

The confectionery industry has lead the way in providing consumers with nutrition information and education.

In 2006, the industry introduced its voluntary front of pack *Be treatwise ... enjoy a balanced diet* message. The treating message is co-joined with serving size information, energy per serving and serving size descriptor to support consumers in their confectionery choices.

Information is provided on pack and supportive education extends to off pack communication channels from print, to point of sale, websites, social media and resources for professionals. In the past twelve month the industry has evolved its awareness campaign using pump TV (TV style screens at petrol station pumps). A 30 second *Be treatwise* message has been aired in two campaign waves. The first wave was conducted during Q3, 2020 in New South Wales,

Queensland and South Australia. A second wave was conducted nationally, during Q1, 2021. Val Morgan Outdoor (VMO) reported unique reach over the combined activity in excess of 2.9 million^{ix}. The positive impact, reaching age appropriate Australians, supported industry's continuing investment and a third wave is scheduled nationally, during Q4, 2021.

Strategy 1.6 : Reduce exposure to unhealthy food and drink marketing, promotion and sponsorship especially for children and where large numbers of people gather and transit through. This could include publicly-owned or managed settings, sports and major community events, and television and digital platforms.

The Ai Group Confectionery Sector **agrees in principle** to reducing the exposure to unhealthy foods drink marketing, promotion and sponsorship especially for children. Our concerns, however, relate to the potential for further and unnecessary regulation in advertising and promotion.

Responsible advertising and marketing

The Ai Group Confectionery Sector **supports** the current and effective self-regulatory system for advertising and marketing communication in Australia which was established by the Australian Association of National Advertisers (AANA). This includes an independent compliant handling system and remediation.

The AANA rules of the Food and Beverages Advertising Code were recently reviewed and strengthened and came into effect 1 November 2021. This means advertisers are prevented from advertising occasional foods and drinks to children under 15 years (up from 12 years), the children audience viewing threshold has been tightened (down from 35% of audience to 25%) and has been extended and applies across all media channels and platforms (traditional, outdoor digital) with no exceptions.

Sports sponsorship

With regard to sponsorship, the Ai Group Confectionery Sector **supports** the AANA position that allows the food industry to use master branding and logo in sponsorship and prohibits occasional food and drink or its packaging from being shown at sporting events or through sponsorship opportunities when the child audience exceeds a 25% threshold of the total audience.

Strategy 1.10 : Enable school and early childhood education and care settings to better support children and young people to build a positive lifelong relationship with healthy eating and physical activity. Integrate actions across leadership, policy, teaching and learning, environments and partnerships.

School canteens and fundraising

The Ai Group Confectionery Sector **supports** the approach to whole-of-school/facility policies and practices to support healthy behaviours and skills, including the incorporation of movement across the day, healthy school canteens and healthy fundraising.

School canteen controls either limit or restrict occasional food and drink offerings following changes to food policies. Despite the intent children invariably find alternative sources.

With regard to fundraising, the confectionery industry supports safe and responsible fundraising. This includes with adult control at all times and treat consumption. The industry's *Be treatwise* messaging is incorporated in these fundraising formats, as it does with retail formats.

Physical activity

The Ai Group Confectionery Sector **strongly supports** the need for connected and safe community spaces that enable adults and children to engage in regular physical activity, sport and other outdoor and incidental activity.

We also note the need to educate on and encourage higher levels of physical activity given the populations underperformance in meeting government physical activity guidelines. Healthy activity participation is increasingly challenge by technology and more sedentary lifestyle. In recent times, covid-19 is contributing.

19. Are there any Strategies missing in Ambition 1?

The Ai Group Confectionery Sector has no further Strategies in Ambition 1 to raise.

Section 5: Ambition 2 - All Australians are empowered and skilled to stay as healthy as they can be.

20. Ambition 2 Strategies are outlined on pages 29-36 of the draft. Do you agree with the Strategies in Ambition 2?

Strategy 2.1 Improve people's knowledge, skills and confidence	Strongly agree
Strategy 2.2 Use sustained social marketing	Strongly agree
Strategy 2.3 Enable parents, carers and families to optimise healthy child development and lifelong healthy habits for children and adolescents	Strongly agree
Strategy 2.4 Engage and support young people to embed healthy behaviours as they transition to adulthood	Strongly agree
Strategy 2.5 Engage and support local communities and organisations to develop and lead their own healthy eating and physical activity initiatives	Strongly agree.
Strategy 2.6 Support targeted actions that enhances active living and healthy food and drink opportunities within priority populations	Strongly agree
Strategy 2.7 Enable and empower priority populations to have the same opportunities as others by supporting relevant sectors to reduce the structural and social barriers	Strongly agree

The Ai Group Confectionery sector **strongly supports** draft Ambition 2 that all Australians are empowered and skilled to stay as healthy as they can be and supports the examples of actions, given in Strategies 2.1 to 2.7.

21. Are there any Strategies missing in Ambition 2?

The Ai Group Confectionery Sector has no further Strategies in Ambition 2 to offer.

Section 6: Ambition 3 - All Australians have access to early intervention and primary health care.

22. Ambition 3 Strategies are outlined on pages 37-41 of the draft. Do you agree with the Strategies in Ambition 3?

Strategy 3.1 Enable access to primary health care and community-based practitioners and services in the community and at home.	Strongly agree
Strategy 3.2 Increase clarity and uptake of models of care and referral pathways that focus on the individual.	Strongly agree
Strategy 3.3 Support health, social and other care services to enable positive discussion about weight.	Strongly agree
Strategy 3.4 Strengthen the confidence and competence of the primary health care workforce to prioritise the prevention of obesity.	Strongly agree

Noting the Ai Group Confectionery Sector has no expertise in early intervention and primary health care, availability and access to these services is essential and we **strongly support** Strategies 3.1 to 3.4.

23. Are there any Strategies missing in Ambition 3?

The Ai Group Confectionery Sector has no further Strategies in Ambition 3 to offer.

24. What do you think are the 5 most important Strategies and the 5 least important Strategies, considering all Strategies across each of the 3 Ambitions, to address overweight and obesity? Please select 5 only in each column.

The Ai Group Confectionery Sector is not able to answer Question 24 in terms of ranking the most and least important Strategies.

The importance of tackling obesity cannot be understated and given our expertise does not span the scope of the draft national obesity prevention strategy initiatives our response would not be informative. We note however, the *McKinsey Global Institute's Overcoming Obesity: An initial economic analysis* concluded that any single intervention is likely to have only a small overall impact, based, on existing evidence, so supporting a multifaceted strategy.

Section 7: Making it happen

25. Part 4 Making it happen is outlined on pages 45-46 of the draft. Do you have any comments on Part 4 Making it happen?

Making it happen:

- | | |
|----------------------------|-----------------------|
| 1. Flexible implementation | Strongly agree |
| 2. Ensuring accountability | Strongly agree |
| 3. Monitoring progress | Strongly agree |

The Ai Group Confectionery Sector is **strongly supportive** of a national, evidence-based approach to the national obesity preventative strategy, based on flexible implementation, accountability and monitoring.

Implementation

Within a national approach some nuancing is necessary and appropriate, noting that the food related areas are well advanced and the confectionery industry's progress to date. The industry has a long and proud record of effective initiatives, established over many years in food labelling, information, reformulation and portion/serving size, responsible marketing to children and does this in collaboration with government and other partners or of its own accord.

Accountability and monitoring

The Ai Group Confectionery Sector **supports** the proposed review of progress every three years, including benchmarking our progress toward the target to *halt the rise in obesity by 2030*. We agree with an end-point review that describes lessons and collective impact over the life of the strategy. For transparency, we also recommend these review reports are made publicly available in a timely manner and contribute to the evaluation process with feedback being progressively reviewed and incorporated during the course of the strategy.

26. Do you have any additional comments on the draft Strategy?

The Ai Group Confectionery Sector **strongly supports** the role the individual has in making their decisions about their health. It is crucial the population be skilled in nutrition and health literacy, from interpreting nutrition labelling (front-of-pack devices and nutrition information) to making appropriate food choices, sourcing and preparing healthy meals, constructing healthy diets and shaping healthy lifestyles alongside being physically active.

The Australian Dietary Guidelines, in particular needs to be meaningful to all Australians and education needs to commence in the early years, with new parents, in early childhood settings, be embedded in school curriculum and upward through the life stages.

The Australian confectionery industry also supports more frequent surveillance of Australians' food consumption, nutrition and physical activity to better inform future preventative health policies.

A comprehensive and sustained (funded) education campaign must also complement the elements, as appropriate, of the national obesity prevention strategy for it to have long term success.

ⁱ Independent research conducted by Nielsen Australia, from 20-26 April 2017, among 1501 surveyed Australians aged 18 years plus, for the Confectionery Trust

ⁱⁱ McKinsey Global Institute. Overcoming obesity: An initial economic analysis. Discussion paper. November 2014. Accessed 22/10/2021 at

https://www.mckinsey.com/~media/McKinsey/Business%20Functions/Economic%20Studies%20TEMP/Our%20Insights/How%20the%20world%20could%20better%20fight%20obesity/MGI_Overcoming_obesity_Full_report.ashx

ⁱⁱⁱ Te Morenga L, Mallard SR, Ormerod FB. No Effect of Added Sugars in Soft Drink Compared With Sugars in Fruit on Cardiometabolic Risk Factors: Results From a 4-Week, Randomized Controlled Trial. *Front Nutr*. 2021 Jun 30;8:636275. Accessed 22/10/2021 at <https://doi.org/10.3389/fnut.2021.636275>

^{iv} Wong THT & Louie JCY. (2018). The direct and indirect effect associations of usual free sugar intake on BMI z-scores of Australian children and adolescents. *Eur J Clin Nutr*, 72:1058–1060. Accessed 22/10/2021 at <https://doi.org/10.1038/s41430-018-0124-z>

^v McKinsey Global Institute. Overcoming obesity: An initial economic analysis. Discussion paper. November 2014. Accessed 22/10/2021 at

https://www.mckinsey.com/~media/McKinsey/Business%20Functions/Economic%20Studies%20TEMP/Our%20Insights/How%20the%20world%20could%20better%20fight%20obesity/MGI_Overcoming_obesity_Full_report.ashx

^{vi} Gratten Institute, *A sugar drinks tax*, November 2016, <https://grattan.edu.au/wp-content/uploads/2016/11/880-A-sugary-drinks-tax.pdf>

^{vii} Sugar taxes A review of the evidence NZIER report to Ministry of Health. August 2017. Available from: Accessed 22/10/2021 at https://nzier.org.nz/static/media/filer_public/f4/21/f421971a-27e8-4cb0-a8fc95bc30ceda4e/sugar_tax_report.pdf

^{viii} Health Star Rating System Calculator and Style Guide,

<http://www.healthstarrating.gov.au/internet/healthstarrating/publishing.nsf/Content/guide-for-industry>

^{ix} VMO post campaign – wave one and two reports, October 2020 and February 2021