

6 October, 2023

[REDACTED]
Added Sugars Team
Food Standards Australia New Zealand
CANBERRA ACT 2610

Email: submissions@foodstandards.gov.au

Re: Proposal P1062 Defining Added Sugars for Claims Consultation Paper

I write on behalf of the Japan Soft Drink Association (JSDA) to provide comments in response to Food Standards Australia New Zealand's (FSANZ) Proposal P1062 Defining Added Sugars for Claims Consultation Paper, released on 11 September. The JSDA thanks FSANZ for the opportunity to provide comments to the amended draft variations in Schedule 4 No Added Sugars Definition, for the regulation of no added sugar claims for fruit juice, fruit purees, fruit pastes and fruit drinks.

The Japan Soft Drink Association (JSDA) is comprised of 236 members from the Japanese soft drink manufacturing industry and 143 supporting members from related industries. We discuss and debate common issues, establish the soft drink industry's position on these issues, and represent the industry to the government and related organizations, groups, and media.

General comments

JSDA supports FSANZ's assessment in Proposal P1062 to continue to set 'no added sugar(s)' claim conditions of ingredients to foods within the Australia New Zealand Food Standards Code, however, is not in support of some of the proposed changes and definitions as outlined elsewhere in this submission.

JSDA does not support FSANZ's proposals that place further restrictions on claims for the Juice category for the addition of purees, powders, pastes, etc, to juice, working against industry and consumer understanding of what an added sugar means within the Food Standards Code.

Naturally occurring sugars are intrinsic to fruit and vegetable juice. Consumers understand that "juice with no added sugar"/100% juice is a premium product containing only intrinsic fruit sugars; and no further sugar added during manufacturing. Under P1062 this juice quite rightly retains the ability to make a "no added sugar" claim.

Using this understanding, where a consumer sees a single strength juice or juice drink containing a blend of intrinsic fruit sugars – juice, paste, puree, powder, juice concentrate – and where no further sugar has been added during manufacturing, they conclude, we believe correctly, that this drink has "no added sugars". To claim that adding an intrinsic fruit sugar to a drink without the addition of actual sugar in manufacturing, changes its definition to an added sugar only confuses. A good example of this is a juice containing fruit juice and puree. We believe this type of drink should retain its ability to make a no added sugar claim.

The definition of ‘added sugar’ should enable consumers to make informed choices in support of dietary guidelines, help bolster Health Star Rating guidance, and inform them which are intrinsic fruit sugars, whether those are from fruit juice paste, puree, concentrate or powder. It should not confuse or mislead them which the proposed approach does.

We also believe that a fruit drink that meets Standard 2.6.2 for Fruit Drinks should be able to make a ‘no added sugar’ claim, where no sugar, added during manufacturing, is present in the product. There needs to be a distinction between Fruit Drinks that contain no sugar added during manufacturing and Fruit Drinks that do. Why can't a fruit drink without added sugar (essentially a diluted fruit juice) make a claim of having no added sugar? What's the advantage to the consumer? Additionally, how does a consumer make decisions about purchasing based on the packaging if all fruit drinks are labelled in the same manner, regardless of the presence of added sugar? Without this distinction, consumers cannot make an informed decision, and will likely be further confused.

Specific comments

JSDA has reviewed the proposed amendments to Schedule 4 and discussed the impact of each issue in consultation with the wider non-alcoholic beverages industry through the Australian Beverages Council (ABCL). The views of the non-alcoholic beverages industry are appropriately and accurately expressed in the ABCL’s submission to the P1062 consultation paper. JSDA confirms its strong support for the positions detailed in the ABCL’s submission and supports any additional information provided to FSANZ to justify these positions.

Thank you for taking the time to consider JSDA’s position on Proposal P1062 and this supporting letter of the ABCL’s submission. If you wish to discuss any aspects of this letter, please contact [REDACTED]

Yours sincerely,

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