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Submitted to P1062 - Defining added sugars for claims
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Which one of the following groups do you most affiliate with?

Public health group

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What is the name of your organisation?

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Healthy Kids Association

What is your position title?

Please write N/A if this does not apply.:

[REDACTED]

Are you the contact person for your organisation?

Yes

If you are not the contact person for your organisation, please provide an alternative contact and details. If not applicable, please leave blank.

Contact person's name:

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Have you read the P1062 – Defining added sugars for claims call for submission paper?

Yes

Confidential information

All submissions will be published, including redacted versions of confidential submissions. We will not publish material that we accept as confidential. Does your submission contain confidential information?

No. My submission does not contain confidential information.

Proposed changes to 'no added sugar(s)' claim conditions

1 FSANZ proposes to continue to set 'no added sugar(s)' claim conditions based on the addition of ingredients to foods (see section 5.2 of the Call for submissions document).

Do you have any comments on this approach?:

We disagree with this approach.

The statement released after the Food Ministers Meeting on July 28, 2023, highlighted two key topics addressed by Food Ministers:

The prioritisation of including a clear definition of added sugars in the Food Standards Code to align with dietary guidelines and examining how to convey information about added sugars on Nutrition Information Panels (NIP) and front-of-package labeling through consumer testing.

However, the approach outlined in P1062 falls short in several ways. It fails to establish a comprehensive definition of added sugars that ensures alignment with the Australian and New Zealand Dietary Guidelines. Additionally, it does not provide a suitable framework for quantifying information about added sugars on the NIP or for front-of-package labeling. This deficiency arises because the necessary food components to facilitate these changes are either not included in the proposed definition or are presented separately in the claim conditions, or worse, omitted altogether.

While we appreciate FSANZ's efforts to prevent consumer confusion about food components listed in claim conditions (a)(ii)-(ix), not incorporating them into the definition of added sugars severely limits the definition's usefulness and contradicts the Food Ministers' original intent. Their intention was for the added sugar definition to serve as the foundation for conveying added sugar information in nutrition information panels and on front-of-pack food labels.

We have two primary concerns regarding P1062:

The inadequacy of the added sugar definition:

FSANZ acknowledges the importance of ensuring consumers are not misled regarding specific food components, as outlined in claim conditions (a)(ii)-(ix). While we support this notion, excluding these food components from the added sugar definition only perpetuates existing confusion and the misconception surrounding their health implications. This approach also contradicts the Food Ministers' intent.

The proposed conditions for 'no added sugar' claims lack the inclusion of several food components, which is detailed further in question 2 below.

P1062 was initiated in response to the Food Ministers' request to stage work on P1058. Therefore, the definition must align with this purpose as well.

The basis for claim conditions:

Healthy Kids disagrees with the foundation of the claim conditions being tied to the addition of ingredients to foods.

'No added sugar' claims should not apply to single-ingredient foods that, when incorporated into other foods, would render the combined product ineligible for a 'no added sugar' claim (e.g., fruit juice). More elaboration on this issue is provided in question 6 below.

This stance conflicts with draft claim condition (g), which explicitly restricts claims on foods with sugars resulting from processing rather than solely from ingredient addition.

We firmly endorse the perspective that 'No added sugar' claim conditions should ensure that no food:

Contains 'added sugars' as defined; OR

Qualifies as an 'added sugar' as defined and is sold as a single-ingredient food.

Under these criteria, foods meeting either condition should not be eligible to carry a 'no added sugar' claim.

2 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain an 'added sugars' as an added ingredient including an ingredient of a compound ingredient. FSANZ proposes defining 'added sugars' for this claim condition (see section 5.2.1.4 of the Call for submissions document).

Do you have any comments on this approach or the defined added sugars (see below)?:

We don't believe this is the right approach.

When a food label says "no added sugar," it should mean exactly that: the product shouldn't contain any sugars that are considered "added," as defined by the rules. To make this work, we need a clear and complete definition of what qualifies as "added sugar."

We don't agree with the idea that these sugars have to be physically added as an ingredient for these rules to apply. Some sugars are created during processing and aren't physically added as separate ingredients. Also, we strongly disagree with proposed rule (c), which says that foods listed in it (c)(i)(A)-(H) shouldn't be allowed to claim "no added sugar." You can find more details in our response to question 6.

To make sure these rules do what they're supposed to, both claim condition (c) and the definition of "added sugar" must cover:

All sugars listed in (a)(i) of the draft variation to the Food Standards Code in CFS Attachment A.

We think it's a good idea to add more examples to certain sections of condition (c) for clarity, like lactose in whey powder, isomaltose, and sugar alcohols.

We also suggest adding more examples to the list in (c)(iv) like cane sugar, beet sugar, white sugar, granulated sugar, and fruit sugar.

For (c)(vii), it'd be good to include additional examples like high fructose corn syrup, tapioca syrup, maple syrup, rice, and rice malt syrup.

As for (c)(xi), we don't think fruit juice should be allowed to claim "no added sugar." We explain more in our response to question 6.

We recommend adding the words "and concentrated vegetable juices" to (c)(xi).

For (c)(xii), we suggest adding the words "or vegetable juice" after "deionized fruit juice." While deionized vegetable juice isn't common now, excluding it from the definition might lead to issues in the future.

The definition should also cover all sugars listed in (a)(ii)-(ix) of the draft variation to the Food Standards Code in CFS Attachment A. This includes things like concentrated vegetable juice, deionized vegetable juice, whole, cut, or chopped dried fruit, canned or frozen fruit containing fruit juice (we don't support excluding this in condition (a)(iii)), vegetable juice powder, vegetable powder, vegetable pulp, vegetable puree, concentrated vegetable puree, and blends of any of these fruit or vegetable ingredients.

Now, let's talk about vegetable products. FSANZ believes that processed vegetable products, like vegetable juice, pulps, or purees, shouldn't be included in these rules because they're not a public health concern in terms of sugar, according to dietary guidelines. We disagree with this. There's no good reason to treat sugar from fruit and vegetable products differently in the body, so they should be treated the same. This aligns with other determinations, like those from Public Health England and the US Food and Drug Administration. Not including vegetable products could lead to the rise of high-sugar vegetable products like beet juice concentrate, which is already used as a sweetener.

Now, onto dried fruit. We strongly recommend having a clear definition for dried fruit (whole, cut, or chopped) in the Food Standards Code. Some processed fruit products on the market, like 100% fruit straps, fruit bites, and baked fruit pieces, don't fit the traditional idea of dried fruit. While they're technically 100% fruit and could claim "no added sugar" under the proposed changes, they're highly processed and contain more sugar than whole fruit or traditionally dried fruit. A specific definition of dried fruit should exclude these kinds of products. There's mixed evidence on the health impacts of dried fruit, so it's better to be cautious and include dried fruit in the comprehensive definition of added sugars. This lines up with dietary recommendations in Australia and New Zealand, which advise limiting dried fruit intake due to its high sugar content and how easy it is to overconsume.

3 FSANZ proposes 'no added sugar(s)' and 'unsweetened' claims are not permitted on foods containing the hexose monosaccharide D-tagatose, as an ingredient, consistent with existing claim conditions in the Code. As D-tagatose is a hexose monosaccharide, it is captured in the definition of 'added sugars' (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

We agree that products containing D-tagatose shouldn't be allowed to claim "no added sugar" or "unsweetened." However, we believe this rule shouldn't just apply to D-tagatose; it should also cover all low-energy sugars. We don't think this needs to be a separate rule. Instead, both D-tagatose and all other low-energy sugars, which include simple sugars listed in subsection S11—2(3) of schedule 11, should be part of the definition of "added sugar" in condition (c).

4 FSANZ proposes foods containing low energy sugars (mono- and disaccharides), as ingredients, listed in subsection S11—2(3) of Schedule 11 not be permitted to display 'unsweetened' claims (see section 5.2.2 of the Call for submissions document).

Do you have any comments on this approach?:

We agree with this idea.

There should be a uniform standard for both 'no added sugar' and 'unsweetened' claims. Therefore, low-energy sugars, which include simple sugars listed in subsection S11—2(3) of schedule 11, should be included in the definition of 'added sugar.' This means that products containing low-energy sugars should not be allowed to make 'no added sugar' claims. You can find more details in our response to question 3 above.

5 FSANZ proposes a food displaying a 'no added sugar(s)' claim must not contain the fruit products listed below as an added ingredient (including as an ingredient of a compound ingredient). FSANZ proposes to exempt fruit products which are lemon or lime fruit (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach or the fruit products listed?:

We are in full agreement that a food containing the listed fruit products should not be allowed to claim 'no added sugar.' We strongly suggest that the equivalent rules should apply to vegetable products as well, as explained in our response to question 2. However, we have a strong disagreement with the way this should be implemented.

We believe that all the components listed in claim conditions (a)(ii)-(ix), along with their vegetable counterparts, should be included in the definition of 'added sugar' in claim condition (a)(i), rather than being treated as separate elements for the claims criteria, as it's currently proposed. You can find more reasons for this in our response to question 1.

It's worth noting that, in the food industry, products containing fruit and vegetable sugars tend to use 'no added sugar' claims more often than those without these sugars. Some examples of these highly claimed foods include fruit purees, fruit bites, fruit straps, pressed fruit products, and baby and toddler foods.

Regarding fruit juice, we strongly recommend that any mention of fruit juice should clearly cover blended, reconstituted, full-strength, and diluted juices. We strongly disagree with the idea that canned and frozen fruit products with added fruit juice should be allowed to make 'no added sugar' claims. If fruit juice is added to a product, there should be no claim of "no added sugar."

6 FSANZ proposes a fruit product which is the food for sale (e.g. fruit juice) be permitted to make a 'no added sugar(s)' claim. This includes when the food is sold as a singular fruit (e.g. apple juice) or a blend of different fruits (e.g. blend of fruit juices), providing the food contains no 'added sugars' or other products identified in claim conditions, as added ingredients. A blend or combination of different fruit products (e.g. fruit juice and fruit purée) will not be permitted to make the claim. FSANZ also proposes to clarify that fruit does not include legumes, fungi, herbs, nuts and spices for the purpose of the claim conditions (see section 5.3 of the Call for submissions document).

Do you have any comments on this approach?:

Strongly disagree.

Allowing single-ingredient fruit products to claim 'no added sugar' while preventing other products with these fruits from making the same claim creates a misleading perception of these fruit products as healthier than they actually are. This contradicts both Australian and New Zealand dietary guidelines,

which recommend limiting fruit juice consumption.

This proposal also goes against the findings in the FSANZ Consumer Evidence Summary regarding 'no added sugar' claims, which state:

'No added sugar' claims tend to make consumers perceive food products as healthier, more natural, and better-tasting. Studies show that such claims influence consumers' perceptions of healthfulness positively.

These claims also affect purchasing decisions, particularly for toddler and infant foods, fruit beverages, and fruit juices.

These findings clearly indicate that allowing 'no added sugar' claims on single-ingredient fruit products will make consumers perceive these products as healthier. This misinformation directly conflicts with dietary guidelines that advise occasional and limited consumption of fruit juice.

The issue is especially concerning when it comes to fruit juices. Fruit juices are often sold in large 500mL packages meant for individual consumption, which suggests that Australians are not following the dietary guidelines, which recommend occasional, small servings (125mL or half a cup) of fruit juice when fresh, frozen, or canned fruit is not readily available. Despite claims by fruit juice producers, this concession doesn't imply that most Australians should consume fruit juice regularly. Consumers often view juice as a healthier option compared to sugary drinks like soft drinks and energy drinks, even though they contain similar sugar levels. It's time to remove the perception that fruit juice is exceptionally healthy. Prohibiting these products from making 'no added sugar' claims can help prevent consumers from being misled into thinking these juices are nutritionally equivalent to whole fruit.

Allowing 'no added sugar' claims on fruit juice would also contradict New Zealand dietary guidelines, which classify fruit juice as a sugary drink and emphasize its contribution to added sugars in diets. Allowing fruit juice to claim 'no added sugar' would go against the intent of these guidelines and hinder consumers from making choices aligned with them.

The FSANZ Consumer Evidence Summary underscores the importance of 'no added sugar' claims in relation to fruit juice, indicating that these claims significantly influence purchases of fruit juices, surpassing other information about juice processing and formulation.

Moreover, allowing 'no added sugar' claims would perpetuate consumer misunderstandings about the sugar content in fruit juice. As highlighted in the FSANZ Literature review on consumer knowledge, attitudes, and behaviors related to sugars and food labeling, there is evidence that consumers tend to underestimate the sugar content in fruit-containing beverages. Consumers often perceive beverages with fruit as healthier than similar sugar-containing beverages without fruit. These perceptions may be rooted in the belief that fruit sugar is less fattening than sugar from other sources.

In summary, we strongly oppose this proposal. It's misleading and inconsistent with dietary guidelines and consumer perceptions.

On another note, we support FSANZ's proposal that legumes, fungi, herbs, nuts, and spices should not be considered fruits for any definition of added sugar or 'no added sugar' claim conditions.

7 FSANZ proposes 'no added sugar(s)' claims are not permitted when the concentration of sugars in the food is increased from the hydrolysis of carbohydrates during food manufacture, except when the sugars concentration in cereal-based plant milks made using hydrolysis is $\leq 1.5\%$ (and the product otherwise meets claim conditions) (see section 5.3.2 of the Calls for submissions document).

Do you have any comments on this approach?:

We agree with FSANZ's proposal that products with sugars produced through hydrolysis should not be allowed to claim 'no added sugar.' However, we disagree with certain aspects of the proposal:

Processing: We recommend that FSANZ takes a forward-looking approach by including all sugars produced or left over from any processing method that results in the final product containing more sugars than the original raw ingredients. This should cover both current and future processing techniques, including hydrolysis and fermentation. Such an approach would ensure consistency in addressing sugars generated through processing and keep the 'no added sugar' labeling up-to-date.

Exemption: We don't support the exemption for foods containing less than or equal to 1.5% sugars. We believe that any product with sugars should not be allowed to claim 'no added sugars.' We don't think there should be a threshold to level the playing field between milk alternatives. Consumers should be able to trust that a 'no added sugar' claim means the product truly contains no added sugars.

Definition: The sugars resulting from processing should be included in the definition of 'added sugars' itself, rather than being set out as a separate claim condition. If a product says 'no added sugars,' it should simply mean that it doesn't contain any 'added sugars.' We need a clear and comprehensive definition of 'added sugar.'

8 FSANZ proposes to maintain the existing condition that a food displaying an 'unsweetened' claim must meet the conditions for a 'no added sugar(s)' claim, noting that the amended 'no added sugar(s)' claim conditions will apply (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

We are in strong support of this proposal.

We want to emphasise that all the changes we've suggested for 'no added sugar' claims should also apply to 'unsweetened' claims.

9 FSANZ proposes to maintain the existing condition for intense sweeteners, sorbitol, mannitol, glycerol, xylitol, isomalt, maltitol syrup or lactitol. FSANZ proposes a food containing low energy sugars (mono- and disaccharides) listed in subsection S11—2(3) of schedule 11, as an ingredient (including an ingredient of a compound ingredient), not be permitted to display an 'unsweetened' claim (see section 5.4 of the Call for submissions document).

Do you have any comments on this approach?:

We strongly support the idea that a product containing sweeteners should not be allowed to claim it's "unsweetened."

However, we strongly disagree with the wording used. The term "intense sweeteners" isn't clearly defined in the Food Standards Code or consistently in literature, and it doesn't encompass all the sweeteners used in the food industry.

Instead, we propose using the term "non-sugar sweetener" and adding a definition for it in the Food Standards Code, following the World Health Organization's definition of this term. This change would make sure that all low and non-calorie sweeteners, including acesulfame K, aspartame, advantame, cyclamates, neotame, saccharin, sucralose, stevia, and stevia derivatives, are covered by the definition.

10 FSANZ is proposing a two-year transition period to allow producers, manufacturers and importers time to make any required labelling changes for products carrying 'no added sugar(s)' or 'unsweetened' claims to comply with the new claim conditions (see section 7 of the Call for submissions document).

Do you have any comments on this approach?:

We are strongly in favor of this.

A two-year transition period makes sense and is in line with past mandatory labeling changes. It also aligns with FSANZ's cost modeling, which suggests that this timeframe allows the industry to update labels within their typical label update cycles.

Data and evidence

11 Do you have any data or are you aware of published data on the number of products with 'no added sugar(s)' or 'unsweetened' claims in Australia and/or New Zealand (see data used for this proposal at section 3.1 of the Call for submissions document)?

Yes

If yes, please upload your file here.:

FSANZproposal_Question 11.docx was uploaded

12 Do you have any evidence or are you aware of published literature on consumer understanding of and responses to 'no added sugar(s)' or 'unsweetened' claims on food products (see evidence used for this proposal at section 3.2 of the Call for submissions report and Supporting Document 1)?

Yes

If yes, please upload your file here.:

Breakfastcerealsurvey.xlsx was uploaded

13 Do you have any data or know of any published data on the costs of labelling changes per stock keeping unit or package type (see data used for this proposal at Attachment E to the Call for submissions document)?

No

If yes, please upload your file here:

No file uploaded

Additional comments

Comments and other input

Additional comments and input:

NA

Please upload additional files here.:

No file uploaded

Feedback

What is your level of satisfaction with using this platform to complete your submission?

Very satisfied

Do you have any feedback you would like to provide to FSANZ regarding this new platform?

No

If yes, please provide details.:

Question 11. Data

In 2020, in the Illawarra area of NSW, 7.9% of dairy yogurt products (125 in total) had labels stating they had no added sugar. (Reference 1)

In 2016, when looking at sugar-containing drinks in South Australian supermarkets, 31.7% (300 items) had no added sugar labels. Additionally, 7.9% (75 items) had labels claiming they were naturally sweetened or contained sugar from fruit, and a mere 0.3% (3 items) claimed to be unsweetened. (Reference 2)

A review done by CHOICE on over 340 breakfast cereals showed that 90 of them had a low or no added sugar claim¹.

In 2019, among ready-to-use baby food pouches found in Sydney stores (supermarkets, chemists, and department stores), 59% (164 products) were labelled as having no added sugar. The percentage was even higher for products targeting younger age groups, with 70% of those for 4-month-olds and 72% for 6-month-olds carrying such claims. (Reference 3)

In 2019, among infant and toddler foods available in South Australian supermarkets (282 items in total), 55% had 'no added sugar' claims, and 13% mentioned containing 'natural sugar' or sugar from fruit and/or vegetables. (Reference 4)

According to data from the George Institute FoodSwitch dataset, in 2022, a total of 5.4% of all foods in the food supply (1613 products out of a total of 29,694) had labels stating they had no added sugar.

1. Wadhwa S-RS, McMahon AT, Neale EP. A Cross-Sectional Audit of Nutrition and Health Claims on Dairy Yoghurts in Supermarkets of the Illawarra Region of New South Wales, Australia. *Nutrients*. 2021;13(6):1835.
2. Brownbill AL, Miller CL, Braunack-Mayer AJ. Industry use of 'better-for-you' features on labels of sugar-containing beverages. *Public Health Nutrition*. 2018;21(18):3335-43.
3. Brunacci KA, Salmon L, McCann J, Gribble K, Fleming CAK. The big squeeze: a product content and labelling analysis of ready-to-use complementary infant food pouches in Australia. *BMC public health*. 2023;23(1):656-.
4. Simmonds L, Brownbill AL, Zee A, Netting MJ. Health-related marketing messages on product labels of commercial infant and toddler food packaging in Australia: a cross-sectional audit. *BMJ paediatrics open*. 2021;5(1):e001241.

¹ <https://www.choice.com.au/food-and-drink/bread-cereal-and-grains/cereal-and-muesli/articles/breakfast-cereal-review>

Summary of results

*NOTE: Parents who rarely or never buy groceries (online or instore), or don't buy / consume breakfast cereals were excluded from this survey.

sample size=503

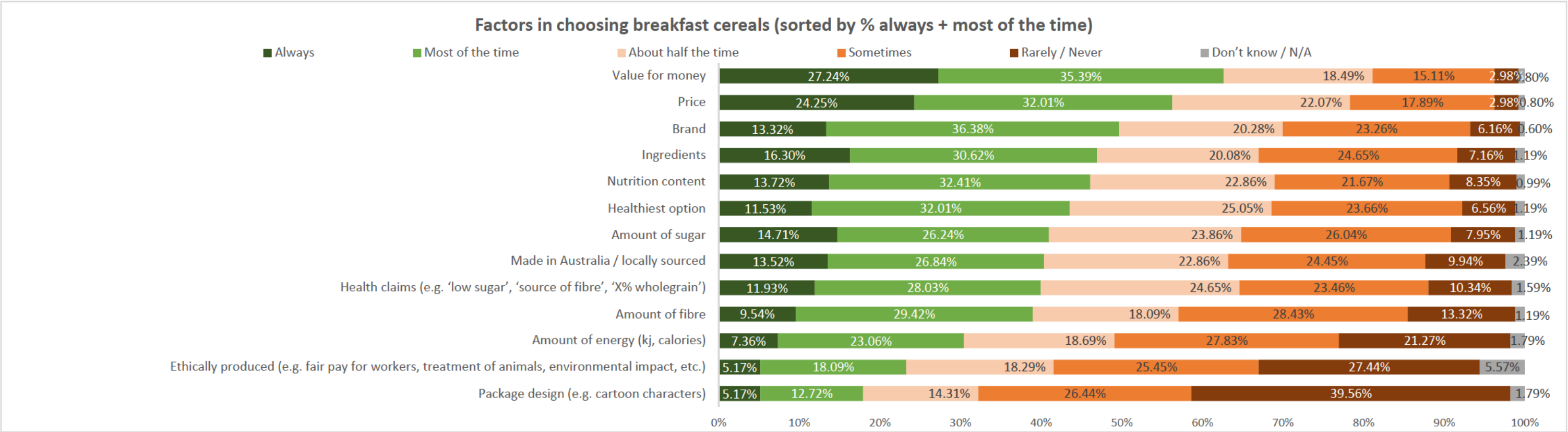
- More than two thirds (67%) of parents in this survey said that breakfast cereals are an essential in their household.
- Breakfast cereals are not just for breakfast. While the vast majority (95%) said they or their family member eat it for breakfast, 46% have it outside breakfast time.

% consumed	
Breakfast	95%
Lunch	14%
Dinner	11%
Dessert	10%
A snack	36%

Total of 46% have breakfast cereals outside of breakfast time.

Q: Do you and members of your household eat breakfast cereals as...? Base: all respondents, n=503

- Value for money and price were the top two factors in choosing breakfast cereals.



Q: When choosing which breakfast cereals to buy, how often do you choose based on...? Base: all respondents, n=503

- When asked how parents determine which breakfast cereal is healthy, 44% said they look for the sugar content or low in sugar.

Info / criteria for healthy cereals	%
Amount of carbs / sugar / added sugar / low in sugar	44%
Amount of fibre / high in fibre	16%
Health star rating	16%
Ingredients	13%
Amount of fat / low in fat	7%
Nutrition information	6%
Natural / No additives / artificial substances	6%
Calories / energy content	5%
Amount of protein	4%
Grains / whole grains / multigrain	4%
Amount of sodium / low in sodium	3%
Vitamins & minerals	3%
Taste good / what the kids & family eat	3%
Just buy the same cereals	2%
Brand	2%
Info / pictures on pack	2%
Iron	1%
Other	13%
None / Don't know	15%
Don't care for healthiness in cereals	2%

Q: Tell us about how you determine if a breakfast cereal is healthy. What information do you look at or rely on? And what are your criteria for a healthy breakfast cereal (e.g. less than Xg of fat / sugar, absence of a certain ingredient, etc.)? Base: all respondents, n=503

- The kids' willingness to eat a cereal was the top reason for parents to buy a cereal for their kids last time. Good value for money, low in sugar, fibre, being on special and a good Health Star Rating were also common reasons.
- Packaging and promotions appeared to have minor influence on parents' choice of cereals for their kids.

Reasons for choosing the last cereal for kids	%
The kids like it / will eat it	39%
It's good value for money	35%
It's low in sugar	32%
For fibre benefits	30%
It's on sale / special	27%
It's got a good Health Star Rating	27%
It's what the kids have been eating	21%
For vitamin benefits	21%

For iron benefits	17%
It's low in salt	16%
Others in the household would eat it too	16%
It contains ingredients that that I / the kids lik	16%
It's something new to try	9%
The kids pestered me to buy it	9%
It's low GI (low glycemic index, which cause yc	8%
It's gluten free	6%
The kids / I like the packaging (e.g. activities o	4%
There are free gifts inside	3%
Other	1%
Don't know	1%
N/A - I don't buy cereals for my kids	3%

Q: Thinking about the last breakfast cereal that you bought for your kids, why did you buy it? Base: all respondents, n=503

- In alignment with the finding above, 46% of parents disagreed that their kids are more interested in the package design (e.g. cartoon characters) or free gifts inside the cereal box than the cereal itself.
 - Younger parents (aged 34 or under; 36%) are more likely than their older counterparts (35-44 30%; 45 or above 22%) to agree that their kids are more interested in the package design or free gifts than the cereal itself.
 - Parents of pre-school or primary school aged kids are also more likely than those with high school aged kids to agree that their kids are more interested in the package design or free gifts than the cereal itself.
- 38% of parents felt that their kids’ willingness to eat a breakfast cereal is more important than how healthy it is. 29% felt the opposite.
- 42% of parents believed that breakfast cereals are generally healthy for kids. 24% disagreed.
 - Those who live in the capital cities (45%) are more likely than those living in regional areas (31%) to believe that breakfast cereals are generally healthy for kids.
 - Those who were born overseas or speak a language other than English at home are more likely to think that breakfast cereals are generally healthy for kids than those who were born in Australia or speak English at home.
- 46% of parents agreed that supermarket brand breakfast cereals are just the same as branded cereals.
 - Parents aged 34 or under are the most likely to think that supermarket brand breakfast cereals are just the same as branded cereals.
- 36% of parents said they find it difficult to distinguish between healthy and unhealthy foods. However, a similar proportion (34%) didn't think so.
 - Dads (42%) are more likely than mums (30%) to find it difficult to distinguish between healthy and unhealthy foods.
 - Those who were born overseas or speak a language other than English at home are more likely to find it difficult to distinguish between healthy and unhealthy foods than those who were born in Australia or speak English at home.
- However, there's more consensus that consumers need more information to help make informed decisions when choosing between healthy and unhealthy foods - 68% of parents in this survey agreed with this. Only 7% disagreed.
- The majority (68%) of parents believe that food manufacturers try to mislead consumers using claims like ‘all natural’ and ‘made with real fruit’ to disguise foods that are actually unhealthy.
- Almost three in ten (59%) think that the way food industry currently advertises their food to consumers is problematic.
- 65% of parents agreed that there should be laws to prevent unhealthy food from being marketed to children.