



March 24, 2023

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**RE: Endeavour Group's submission on Proposal P1059 - Energy labelling on alcoholic beverages**

Endeavour Group (Endeavour) would like to thank you for the opportunity to respond to Proposal P1059 discussion held on 28 July. We appreciate more broadly the opportunity for industry to participate in the consultation of all upcoming FSANZ proposals.

As you know, Endeavour Group is Australia's largest hospitality and liquor retail business with a portfolio that spans across retail, hospitality, viticulture, manufacturing and production. We partner with producers and suppliers and manufacture a broad range of products that span right across the liquor portfolio which includes beer, wine, cider, spirits and the ready to drink category. Informed consumer choice is important to Endeavour and we welcome changes which help consumers make evidence based decisions. We are keen to continue our work with Food Standards Australia New Zealand to find ways to make labelling changes which meet policy objectives.

Endeavour thanks you for your consideration of the recommendations shared in this submission and welcomes an opportunity to discuss further if required. [REDACTED]

[REDACTED]

Your sincerely,

[REDACTED]



[REDACTED]



## **P1049 - Energy labelling on alcoholic beverages**

### **Executive summary**

Endeavour Group (Endeavour) supports Food Standards Australia and New Zealand's (FSANZ) policy position to provide consumers with adequate information which enables consumers to make informed food choices to support health dietary patterns recommended in the dietary guidelines. Endeavour appreciates the targeted industry consultations that have occurred thus far and supports a range of the suggested measures for the approach to energy labelling on alcoholic beverages.

Endeavour is committed to making a genuine difference and welcomes every opportunity to work with FSANZ and all industry stakeholders to find ways which support consumers to make informed choices. Endeavour makes the following recommendations for your consideration.

### **Recommendations**

1. Endeavour supports the proposed tabular format and proposed approach as outlined in the discussion paper.
2. Endeavour supports the flexibility given to producers to reflect the energy content as per the Code for a NIP - i.e. in units of kilojoules with kilocalories 'optional' as detailed in the proposed approach.
3. Endeavour supports the average energy content information to be provided on alcoholic beverages per serving size and 100ml of the beverage.
4. Endeavour supports the flexibility given to producers in the proposed approach to interchange 'package' with 'bottle' or 'can' to appropriately reflect the packaging of the beverage.
5. Endeavour supports the proposed approach as detailed in sections:
  - a. 5.3.5 - Percentage and daily intake;
  - b. 5.3.6 - Legibility and location; and
  - c. 5.3.7 - proposed approach to format
6. Endeavour supports the mandatory approach for the provision of energy content information on alcoholic beverages.
7. Endeavour recommends detailed consideration of the labelling requirements on consumer facing packaging, individual consumable items and transport outers when developing the labelling requirement regulations. Energy labelling to be included individual consumable items along with energy labelling on the outer packaging of items such as beer and RTD's where consumers generally purchase in multiples of 6 or 12 or larger cases
8. Endeavour supports the retention of the voluntary provision of a NIP on the label of beverages containing alcohol.
9. Endeavour supports the proposed approach as detailed in sections:
  - a. 5.7 - Risk management summary;
  - b. 5.8 - Risk communication; and
  - c. 5.9 - FSANZ Act assessment requirements
10. Endeavour supports the proposed approach as detailed in Attachment A of the discussion paper.
11. Endeavour recommends that a transition period of at least three years is applied once P1049 has gazetted.



## 5.3 Format for energy labelling

### 5.3.1 Tabular format and heading

#### *Recommendation 1*

*Endeavour supports the proposed approach as outlined in the discussion paper.*

Endeavour supports the 'Energy Information' header which is consistent to that on other foods, in order to provide consumers with information that is recognisable and easier to compare with other products. Endeavour acknowledges that the addition of the header may pose some challenges for producers as there are space limitations on labels.

### 5.3.2 Units of measure

#### *Recommendation 2*

*Endeavour supports the flexibility given to producers to reflect the energy content as per the Code for a NIP - i.e. in units of kilojoules with kilocalories 'optional' as detailed in the proposed approach.*

Endeavour will include calories on its energy labels in addition to the kilojoules as required under the Code.

### 5.3.3 Basis of energy content information - quantity per 100ml and per serving

#### *Recommendation 3*

*Endeavour supports the average energy content information to be provided on alcoholic beverages per serving size and 100ml of the beverage.*

Endeavour proposes further consideration be given to products that serving size equals 100ml. Endeavour suggests that FSANZ consider that serving size could be removed from the label. As mentioned above, label space is constrained and removing duplication of 'per serving' if serving size in 100 ml would be of great benefit to producers.

### 5.3.4 - Serving Information

#### *Recommendation 4*

*Endeavour supports the flexibility given to producers in the proposed approach to interchange 'package' with 'bottle' or 'can' to appropriately reflect the packaging of the beverage.*

### 5.3.5 - Percentage daily intake

### 5.3.6 - Legibility and location

### 5.3.7 - Summary of proposed approach to format

#### *Recommendation 5*

*Endeavour supports the proposed approach as detailed in the sections identified above.*

## 5.4 - Options for implementation

#### *Recommendation 6*

*Endeavour supports the mandatory approach for the provision of energy content information on alcoholic beverages.*



A mandatory approach to energy labelling will provide much wanted regulatory certainty. As a highly regulated industry who adopts and operationalises changes introduced by every level of government across every jurisdiction nationally, regulatory certainty is paramount for an organisation and enforcement agencies in order to reduce any risk of non compliance.

## 5.5 - Application of energy labelling

### *Recommendation 7*

*Endeavour recommends detailed consideration of the labelling requirements on consumer facing packaging, individual consumable items and transport outers when developing the labelling requirement regulations. Energy labelling to be included individual consumable items along with energy labelling on the outer packaging of items such as beer and RTD's where consumers generally purchase in multiples of 6 or 12 or larger cases*

Endeavour requests consideration of consumer purchasing behaviour when making decisions on what the labelling requirements should be on consumer facing packaging (individual products or consumable units), retail packaging for bulk items and transport outers. Like many industry participants, Endeavour's review of the labelling implementation of the recent pregnancy labelling changes established that the requirements could have been more specific when considering the packaging for various items. Endeavour recognises there is an opportunity to consider these requirements for the implementation of P1059.

Energy labelling recommended to be included on primary packaging

- Individual Wine bottles
- Individual Ready to drink cans or bottles along with 4 or 6 packs and cases of RTD's
- Individual Spirit bottles
- Cartons and packaged 4 or 6 packs of beer and individual cans/bottles of beer

Energy labelling recommended not to be included on any secondary and tertiary packaging:

- Transport outers
- Cases of wine
- Cases of spirits

Endeavour can provide case studies upon request to support the above suggested labelling requirements on packaged items.

## 5.6 - Other considerations

### **5.6.2 Voluntary provision of a NIP**

#### *Recommendation 8*

*Endeavour supports the retention of the voluntary provision of a NIP on the label of beverages containing alcohol.*

As a large retailer who imports products from around the world, Endeavour welcomes the approach which is consistent with the EU, United States and Canada.



## **5.7 - Risk management summary**

## **5.8 - Risk communication**

## **5.9 - FSANZ Act assessment requirements**

### *Recommendation 9*

*Endeavour supports the proposed approach as detailed in the sections identified above.*

## **6 - Draft variation**

### *Recommendation 10*

*Endeavour supports the proposed approach as detailed in Attachment A of the discussion paper.*

## **7 - Implementation and education**

### *Recommendation 11*

*Endeavour recommends that a transition period of at least three years is applied once P1049 has gazetted.*

The industry requires significant lead times to operationalise labelling changes in order to comply and meet the regulatory requirements. Due to the nature of production, bottling, retailing, distribution (including international imports), supply chain and other labelling requirements that are due to be introduced in August 2023, detailed change management plans are required to work through both internal processes and with external trade partners. Endeavour as a producer, has over 2000 skus and would appreciate the opportunity to make any changes that are currently under consideration at the same time.

Endeavour encourages FSANZ to consider implementation timeframes in line with lessons from the most recent pregnancy labelling changes the industry is still working through.

Endeavour welcomes the thoughts given to stock in trade exemptions.