

Health Star Rating Technical Advisory Group Terms of Reference

Background

The Health Star Rating (HSR) Advisory Committee (HSRAC) has agreed to establish a voluntary Technical Advisory Group to assist in a review of the HSR Calculator as part of the five year review process.

The group is initially tasked with analysing the performance of the HSR Calculator, with a secondary task of responding to technical issues and related matters referred to it by the HSRAC.

Role and Purpose

The specific role of the Technical Advisory Group is to, within the context of the Front-of-Pack Labelling (FoPL) Project Committee's - Objectives and principles for the development of a FoPL system (Attachment 1):

1. Analyse the performance of the HSR Calculator
 - What star ratings are currently being produced?
 - Consider whether the ratings being produced currently align with the Australian Dietary Guidelines (ADG)/Australian Guide to Healthy Eating (AGHE)/New Zealand Dietary Guidelines (NZDG).
 - Consider and build on NSW research (*Technical Report: Alignment of NSW Healthy Food Provision Policy with the Health Star Rating System*) and other relevant research.
 - Analyse any outliers that are revealed as directed by the HSRAC.
2. Respond to technical issues referred by the HSRAC. This could include:
 - Anomaly submissions that the HSRAC has determined should be considered in the context of the review.
 - Issues that have been raised by stakeholders that the HSRAC agree should be specifically analysed.
 - Further exploration based on results of initial analysis of the HSR Calculator.
3. Other
 - Provide proposals on amendments to the HSR Calculator for HSRAC to consider.
 - Gather evidence on specific issues where required.
 - Analyse the implications of proposed amendments to the HSR Calculator.

The Technical Advisory Group may need to consider obtaining data from other sources if required eg. the National Heart Foundation of Australia/CSIRO (FoodTrack database).

Should the group determine that other issues warrant consideration, these must first be referred to the HSRAC for determination that they are within scope.

Membership

The Technical Advisory Group will consist of a small tripartite independent group of experts with relevant technical skills and will be Chaired by the Commonwealth

Department of Health. The Technical Advisory Group will report directly to the HSRAC and appointments to the group will be made by the HSRAC by consensus.

Any advice/expertise that may be required that is outside the scope of the group will be co-opted on a needs basis, or commissioned, rather than expanding the membership of the Technical Advisory Group.

In the event that a member of the Technical Advisory Group resigns, the Chair of the Technical Advisory Group will immediately advise the Chair of the HSRAC. The Chair of the HSRAC will ask HSRAC members to propose suitable replacement nominations, if required.

Governance

The Technical Advisory Group will work independently and report to the HSRAC periodically to provide updates on progress, outcomes of analysis and seek guidance where required.

The group will provide written and/or verbal reports as required. All considerations and modelling must be documented and provided in support of all options/proposals.

Confidentiality

All information relating to or prepared by/for the Technical Advisory Group is to be treated as confidential and only distributed on a strict need-to-know basis, unless otherwise agreed by the HSRAC.

Front of pack labelling Project Committee
Objectives and principles for the development of a front-of-pack labelling
(FoPL) system

Context:

In December 2011, the Legislative and Governance Forum on Food Regulation (FoFR) agreed to support Recommendation 50 of *Labelling Logic: Review of Food Labelling Law and Policy* (the Blewett Review), namely that an interpretive Front-of-Pack Labelling (FoPL) system should be developed. In its response, FoFR was careful to emphasise its view that the divergence of stakeholder views regarding FoPL means that *government is best placed to lead a collaborative process* to deliver on this task. However, FoFR was also careful to point out that the *food labelling regulatory framework must strike a balance between seeking to ensure good public health outcomes (both short and longer term) and ensuring a strong and profitable food industry.*¹

FoFR therefore proposed *to undertake a collaborative design process with industry, public health and consumer stakeholders, with a view to reaching a broad consensus on a possible approach to interpretive FoPL.*² The stated aims and objectives of the process were to:

- move away from the current divisive debate and polarised views by building on the common ground among stakeholders;
- focus on addressing issues of concern, exploring new approaches and exploring possibilities for building on existing schemes;
- help avoid the proliferation of different FoPL systems and the potential for consumer confusion from conflicting or inconsistent nutrition messages.³

The FoFR response also stated that “[i]t is important that consensus is on the basis that the approach adopted achieves the aims and objectives set out in the [Australia and New Zealand Food Regulation Ministerial Council] *Policy Statement*.” A copy of the Policy Statement is attached for reference, but key elements are extracted below to assist in discussion.

To give effect to the FoFR wishes the Department of Health and Ageing has convened a FOPL Project Committee of stakeholders to develop Front of Pack Labelling System.

To provide a foundation for the Project Committee’s task of developing a front-of-pack labelling system, this paper focuses upon three key elements of any system design process – namely objectives, scope and system design principles.

Objectives of a FoPL System:

According to the FOFR Policy Statement:

¹ Legislative and Governance Forum on Food Regulation (convening as the Australia and New Zealand Food Regulation Ministerial Council) Response to the Recommendations of *Labelling Logic: Review of Food Labelling Law and Policy (2011)*; Page 8

² Above, n1; Page 52

³ Above, n1; Page 52

A FOPL scheme is a scheme that can guide consumer choice towards healthier food options and aims to:

Guide consumer choice by:

1. Enabling direct comparison between individual foods that, within the overall diet, may contribute to the risk factors of various diet related chronic diseases.
2. Being readily understandable and meaningful across socio-economic groups, culturally and linguistically diverse groups and low literacy/low numeracy groups.
3. Increasing awareness of foods that, within the overall diet, may contribute positively or negatively to the risk factors of diet related chronic diseases.

For the purposes of the Project Committee's work, this objective can more succinctly be expressed as:

'To provide convenient, relevant and readily understood nutrition information and/or guidance on food packs to assist consumers to make informed food purchases and healthier eating choices.'

Scope:

The Project Committee will develop a FoPL system combining both interpretive and informative elements within the following parameters:

1. One system will be developed that is widespread, simple and interpretive
2. The priority focus will be packaged, manufactured or processed foods presented ready for sale to the consumer in the retail sector.

Design and Implementation Principles:

In its response, FoFR explicitly stated that the collaborative approach should include consideration of the possibilities for building on existing schemes. It is therefore critical that a set of criteria be developed against which both new and existing schemes can be considered. In the context of this paper, these criteria are referred to as design and implementation principles, which are as follows:

Design

1. The FoPL system should synthesize, simplify and translate substantiated nutritional information and present it to inform food choice and support healthy eating.
2. The system should be widely understood including by those most at risk from poor nutrition and associated health risks.
3. The system may be based on symbols, numbers, words, colours and/or quantifiable attributes of the food products, or combinations of these elements.
4. The system should enable appropriate comparisons between foods based on agreed and consistent measures.
5. The system should be aligned with other food regulation, public health policies, and authoritative sources of dietary advice including:
 - a. Australian Dietary guidelines

- b. Ministerial Guidelines and Statements
 - c. Nutrition, Health and Related claims regulations and industry codes.
6. The system should be based on elements that inform choice on balance by assessing both health-benefit and health-risk associated food components.
 7. The system should comprise both the FoPL scheme and consumer education elements.

Implementation

8. Implementation must be practical, widespread, properly resourced and consistent with the agreed system.
9. The system must include stakeholders in a formal and agreed ongoing process of engagement.
10. The system should be fully and effectively monitored and evaluated both at a fixed time and on an ongoing basis, based on evidence, and against agreed performance indicators.
11. Implementation should include a well-resourced, on-going social marketing program led by Government and supported by industry and the wider public health sector.

AUSTRALIA AND NEW ZEALAND FOOD REGULATION MINISTERIAL COUNCIL

(Endorsed by Ministerial Council on 23 October 2009)

Front of Pack Labelling Policy Statement

Australia and New Zealand's health strategies stress the importance of a preventive population-based approach to promoting health and reducing the prevalence of diet related chronic disease.

In addition to individual behavioural approaches, the strategies recommend changing the environment to make healthier choices easier choices for people and addressing the needs of diverse population groups.

FOPL provides nutrition information to consumers on the front of packaged foods. FOPL is not a stand alone strategy but can fit within the context of broader health strategies.

There are indications that FOPL can contribute to consumer understanding of the nutritional content of foods and make it easier for consumers to make healthy choices. FOPL can additionally be used as a marketing incentive to drive the market towards the development of healthier products.

A FOPL scheme is a scheme that can guide consumer choice towards healthier food options and aims to:

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3. Increasing awareness of foods that, within the overall diet, may contribute positively or negatively to the risk factors of diet related chronic diseases.

Be consistent with other health strategies and guidelines by:

4. Supporting and being consistent with the objectives of programs and strategies designed to reduce the risk of diet related chronic diseases.
5. Guiding consumers to the selection of foods consistent with the Australia and New Zealand dietary guidelines
6. Supporting and being consistent with the Australia and New Zealand dietary guidelines and Nutrient Reference Values

Affect the environment in which consumers make choices by:

7. Contributing to the creation of a supportive environment that can guide consumer choice towards healthier foods within the overall diet.
8. Providing incentive for improvements to the healthiness of the food supply.