AFGC questions

**Why is the AFGC not participating in this Background Briefing examination of a significant food policy plan – the Healthy Star rating front of pack labelling - given the AFCG is a key player in its evolution?**

Answer: While negotiations are underway all parties have agreed to operate in good faith, respecting the confidentiality of the negotiations and limiting media comment. The AFGC is abiding by this commitment. Information below is for the most part already on the public record.

**If the reason is, as James suggested the other day, that the front of pack labelling oversight committee has agreed to be sensitive to the ongoing negotiations, could you perhaps check with the committee if they think it is reasonable for you to address the historical record, and put your current position? Kevin Buckett, the chair, got clearance from the committee, and then was interviewed by me.**

Answer: If other parties have decided not to comply with the good faith commitment, that is a matter for them. The AFGC cannot speak for other parties

**Various public health advocates believe the AFGC either changed its position last year, or was *saying* it had agreed to the health star rating system while not intending to fully support it. What is the AFGC’s position on the health star rating system?**

Answer: AFGC has argued from the outset that any front of pack labelling system needs to be based in science, provide meaningful information to the consumer and it should accommodate the Daily Intake Guide. For example, see the Lateline piece from November 2012 putting forward these key points including the commitment to the Daily Intake Guide:

<http://www.abc.net.au/lateline/content/2012/s3642408.htm>

Through 2013 the AFGC maintained a consistent position of engaging in negotiations and arguing for a Regulatory Impact Statement or rigorous cost-benefit analysis, further work to address anomalies, consumer testing and accommodation of the Daily Intake Guide. See AFGC media release June 2013.

**Were AFGC requests to have a cost benefit analysis, and a regulatory impact statement, attempts to delay the process, given it was already agreed that a business case had to be made?**

Answer: A Regulatory Impact Statement is entirely consistent with COAG policy. The Office of Best Practice Regulation that has found the Front of Pack Labelling scheme to be non-compliant with best practice regulation twice. AFGC has been consistent in calling for a proper and rigorous analysis of this process given industry will carry the estimated $200 million regulatory burden in implementing this scheme.

Additional information:

See below two Office of Best Practice Regulations Rulings.

July 2013: <http://ris.dpmc.gov.au/2013/07/03/non-compliance-with-coags-best-practice-regulation-requirements-front-of-pack-nutrition-labelling-legislative-and-governance-forum-on-food-regulation/>

January 2014 <http://ris.dpmc.gov.au/2014/01/21/non-compliance-with-coags-best-practice-regulation-requirements-front-of-pack-nutrition-labelling-legislative-and-governance-forum-on-food-regulation-2/>

**Why was the AFGC request to retain the dietary intake guide on packaging not raised earlier in the discussions?**

Answer: AFGC has consistently supported the Daily Intake Guide and its inclusion in any future front of pack labelling system. It represents a significant industry investment and removing consumer information is inconsistent with the intent of the FoPL scheme. See the AFGC media release January 2012, the Lateline piece from November 2012 referred to above, the AFGC media release February 2013, and AFGC media release in June 2013.

**Has the AFGC been open and transparent in its views within the FOPL committee discussions?**

Answer: Yes. The AFGC continues to act in good faith with FoPL Committee members.

**Did the AFGC feel its views and concerns were adequately heard by the committees, and the ministerial forum?**

Answer: The refusal to support a RIS or to accommodate the Daily Intake Guide were disappointing as is the lack of analysis on whether this scheme will work in changing consumer behaviour. AFGC media release in June 2013.

**Was the AFGC concerned about the ministerial forum’s decision to consider making the star ratings system mandatory if there was insufficient uptake after two years?**

Answer: Yes. The criteria for “insufficient uptake” has not been defined.

**Does the AFGC find it more effective to negotiate directly with politicians, rather than in public discussions or in the committee setting?**

Answer: AFGC continues to work at multiple levels with government, bureaucratic and non-government stakeholders.

**Does the AFGC advise its member companies to not participate in interviews on industry policy, and on FOPL in particular, and to leave it to the AFGC to provide comment?**

Answer: Member companies often refer interview requests on policy issues to the AFGC consistent with our role as an industry voice.

**What concerns did the AFGC have about the star-rating website, resulting in Gary Dawson’s phone call to the Minister’s office expressing that concern?**

Answer: AFGC continues to support Minister Nash’s decision to take down the website, on the basis that it was premature to launch the site before the completion of a cost benefit analysis on the star rating system and that the Style Guide has not been completed to enable companies to put the system on pack. We note that the Department of Health itself has acknowledged that the launch of the site was premature.

**Does the council know what proportion, or how many, of its member companies support the star rating system, and what proportion oppose it?**

Answer: Many companies are awaiting the outcome of the cost-benefit analysis and ongoing negotiations on anomalies, the Style Guide and other matters.

**What proportion of the food manufacturing industry does the AFGC represent? In market value, and in numbers of companies.**

Answer: AFGC represents over 150 Fast Moving Consumer Goods Member Companies which represents approximately 80 per cent of the Australian market.