



17 December 2014

Project Manager
Food Standards Australia New Zealand
PO Box 10559
The Terrace
Wellington 6143

Email: submissions@foodstandards.gov.au

 +61 2 9647 9647
 www.lionco.com

Lion
29 Nyrang Street
Lidcombe
NSW 2141
Australia

Locked Bag 58
Silverwater
NSW 1811
Australia

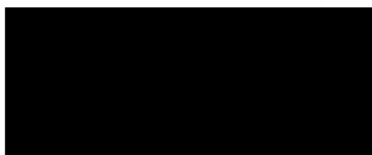
Lion Pty Ltd
ABN 50 128 004 268

Dear Sir/Madam

Re: Call for Submissions – Proposal P1035 Gluten Claims about Foods containing Alcohol

Attached, please find comments that Lion Pty. Ltd wishes to make regarding Proposal P1035 Gluten Claims about Foods containing Alcohol.

Yours faithfully




Technical Risk Manager



Submission – Proposal P1035

Gluten Claims about Foods containing Alcohol

Overview

Lion welcomes the opportunity to make submissions on Proposal P1035 - Gluten Claims about Foods containing Alcohol.

Lion is one of Australasia's leading alcoholic beverage companies and is involved in the production, marketing, sales and distribution of beer, cider, wines and spirits in Australia and New Zealand.

Lion supports the proposed change to allow nutrition content claims about gluten content in relation to food containing more than 1.15% alcohol by volume.

Under the original Code of Practice – Nutrient Claims published by ANZFA in 1995, manufacturers of alcoholic beverages could make nutrient claims. At present it is possible for brewers to make a gluten claim and there are several beers on the market making either reduced gluten or gluten free claims. This represents a small and growing segment of the market. With the full implementation of Standard 1.2.7 in January 2016, producers of alcoholic beverages will lose the right to make gluten claims and consumers will lose label knowledge of gluten levels in alcoholic beverages.

This unintended consequence of Standard 1.2.7 contradicts two of the goals of the FSANZ Act 1991 – namely

The object of this Act is to ensure a high standard of public health protection throughout Australia and New Zealand by means of the establishment and operation of a joint body to be known as Food Standards Australia New Zealand to achieve the following goals:

(a) a high degree of consumer confidence in the quality and safety of food produced, processed, sold or exported from Australia and New Zealand;

(b) an effective, transparent and accountable regulatory framework within which the food industry can work efficiently;



(c) the provision of adequate information relating to food to enable consumers to make informed choices;

If alcoholic beverages cannot be labelled with gluten status then this category of food is less safe for consumers who are gluten sensitive. Clearly the removal of gluten labelling reduces the provision for adequate information to enable gluten sensitive consumers to make informed choices.

Lion's position with respect to P1035

Lion supports the proposed change to allow nutrition content claims about gluten content in relation to food containing more than 1.15% alcohol by volume.

Lion's comments on the proposed change to the Food Standard 1.2.7 – Nutrition, Health and Related Claims are as follows:

Lion produces and sells a range of alcoholic beverages and some of these are manufactured without the use of cereal based products which could introduce glutes or have undergone processing which eliminates glutes (e.g. distilled spirits). The products that are typically gluten –free are wines, ciders and spirits.

Consumers frequently request information on the gluten status of Lion range of alcoholic beverages and the number of enquiries is increasing. The current provisions of standard 1.2.7 prohibit nutrition content and health claims in relation to a food that contains more than 1.15% alcohol by volume except for nutrition content claims about energy or carbohydrate content.

Despite the fact that a number of alcoholic beverages produced by Lion do not contain gluten, we are constrained by the current standard to provide information for consumers with coeliac disease or sensitivity to gluten seeking to establish the gluten status of our products and make suitable choices appropriate for their condition.



Lion did have a gluten claim on ciders which was removed when this new standard was gazetted.

Some beverages can be produced to be gluten free however as the standard will not allow the declaration of the presence of gluten when it becomes mandatory in January 2016, Lion will have no way of ensuring that consumers can receive information about the gluten content. The current standard inhibits the development of gluten-free beers or other gluten free beverages as there is no mechanism to allow gluten claims for foods containing more than 1.15% alcohol by volume.

End