

Aide-Mémoire

Trans-Tasman Food Ministers' Meeting (FMM09) – pre-meet with Minister for Food Safety

Date due to MO:	5 July 2024	Action required by:	8 July 2024
Security level:	IN CONFIDENCE	Health Report number:	H2024045546
To:	Hon Dr Shane Reti, Minister of Health		
Copy to:	Hon Casey Costello, Associate Minister of Health		
Consulted:	Health New Zealand: <input type="checkbox"/>		

Contact for telephone discussion

Name	Position	Telephone
Dr Nicholas Jones	Director of Public Health, Public Health Agency Te Pou Hauora Tūmatanui	s 9(2)(a)
Dr Harriette Carr	Deputy Director of Public Health, Public Health Agency Te Pou Hauora Tūmatanui	s 9(2)(a)

Aide-Mémoire

Trans-Tasman Food Ministers' Meeting (FMM09) – pre-meet with Minister for Food Safety

Date due: 5 July 2024

To: Hon Dr Shane Reti, Minister of Health

Copy to: Hon Casey Costello, Associate Minister of Health

Security level: IN CONFIDENCE **Health Report number:** H2024045546

Details of meeting: Monday 8 July 2024 from 2.00 to 2.30pm online and in your office.

Purpose of meeting: Hon Andrew Hoggard, Minister for Food Safety, has sought a meeting to discuss the upcoming trans-Tasman Food Ministers' Meeting (FMM09). You have also expressed an interest in briefly discussing highly pathogenic avian influenza.


Trans-Tasman Food Ministers' Meeting (FMM09) – pre-meet with Minister for Food Safety

Purpose

1. This aide-mémoire provides you with talking points on items to be discussed by Australian and New Zealand food ministers at the upcoming trans-Tasman Food Ministers' Meeting (FMM09, 25 July 2024). The Minister for Food Safety, Hon Andrew Hoggard, will represent New Zealand at FMM09.
2. Additional background information is provided in Appendix 1 and the aide-mémoire – AM23-0646 Introduction to the Joint Food System, from the Ministry for Primary Industries is provided in Appendix 2.
3. This aide-mémoire also includes an update on highly-pathogenic avian influenza (HPAI).

Talking points on FMM09 agenda items

s 9(2)(g)(i)



Highly Pathogenic Avian Influenza A(H5N1) update

16. On 3 July, the Director-Generals and other senior officials from the Ministry of Health, the Ministry for Primary Industries, and the Department of Conservation (with attendance from the National Director of the National Public Health Service in Health New Zealand) met to discuss H5N1 preparedness and response planning. Key topics discussed included:
- a. critical risks to endangered native species
 - b. the limits to an eradication approach and utility of a pragmatic and sustainable biosecurity response
 - c. planning public communications to accurately convey public health risk levels and address expected high levels of risk perception
 - d. possibilities for human vaccination and the development of infection prevention advice for workers and other persons potentially at risk from infected animals.

17. s 9(2)(f)(iv)
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Dr Andrew Old

Deputy Director-General

Public Health Agency | Te Pou Hauora Tūmatanui

Date: 5 July 2024

Appendix 1: Background Information

Context

Food Ministers' Meeting

1. The Food Ministers' Meeting (FMM) is the decision-making body for joint food regulation and policy in the Australia New Zealand Food Regulation System (Joint Food System). s 9(2)(g)(i)
2. The Joint Food System is underpinned by a trans-Tasman commitment to a single economic market. The Joint Food System is important in the context of the New Zealand government's priority for prevention of non-communicable disease through action on modifiable risk factors (Minister of Health. 2024. Government Policy Statement on Health 2024 – 2027). In particular, the Joint Food System makes policy relating to labelling and composition standards.
3. The FMM members are the Australian and New Zealand ministers responsible for food regulation. The Minister for Food Safety represents New Zealand and is one of ten voting members.
4. Food ministers will meet on 25 July 2024 to discuss the following agenda items:
 - a. Health Star Rating (HSR)
 - b. P1028 Infant Formula Products
 - c. P1049 Carbohydrate and sugar claims on alcoholic beverages
 - d. Nutrition Information Panel (NIP) – Front and back of pack labelling proposal
 - e. P2 Infant Food Consultation
 - f. Review of FSANZ Act
 - g. P3 Reform package
5. s 9(2)(g)(i)

Background information on agenda items for discussion at FMM09

Health Star Rating (HSR)

6. The Health Star Rating (HSR) is the trans-Tasman front-of-pack interpretive nutrition labelling (FOPNL) system. FOPNL is recommended by the World Health Organization as part of a comprehensive package of measures to promote healthier diets.
7. FOPNL encourages reformulation by rewarding companies that improve the nutritional profile of their product with more stars.
8. The system is currently voluntary. Following an independent review in 2019 the FMM set uptake targets for the system. FMM agreed that if the final uptake target of 70% by 14 November 2025 is not met by industry, they will consider mandating the system. The first interim uptake target of 50% of products intended to display the HSR has not been

met. HSR is currently displayed on only 30% of eligible products in New Zealand and there is evidence that uptake is lower for products with lower nutritional ratings.

9. s 9(2)(g)(i)
10. Taking into account that industry has not met the first interim uptake target, food ministers will be asked at FMM09 whether they support Food Standards Australia New Zealand (FSANZ) commencing preparatory work on the development of a standard for HSR labelling. This will ensure timely implementation of the HSR as a regulatory requirement if FMM makes a decision in 2026 to mandate the system.
11. The HSR helps consumers, particularly those with lower nutrition knowledge, to identify healthier food choices quickly and easily. Consumer trust and confidence in the system is high according to the Consumer Food Safety Insights Survey published by New Zealand Food Safety last month. Consumers are already using the HSR, however, its low uptake reduces the potential improvements to diets that will benefit population health.
12. s 9(2)(f)(iv)
13. We recommend that you support commencement of preparatory work to provide clarity on what a mandatory HSR would entail, which will help FMM to make an informed decision in April 2026.

P1028 Infant Formula Products

14. FSANZ has reviewed the regulatory requirements for infant formula products in the Australia New Zealand Food Standards Code (Food Standards Code). The FSANZ Board has approved variations to the regulatory requirements, and these will be considered at FMM09.
15. s 9(2)(g)(i)
16. The Ministry for Primary Industries has sought assistance from the Ministry of Health to work with the pharmacy sector to support implementation of the changes proposed in the new regulations. s 9(2)(g)(i)
17. The amended regulations bring New Zealand and Australia in step with international regulations and provide clarity to manufacturers on what can and cannot be displayed on the label.
18. The Ministry of Health supports the proposed amendments. The review was conducted over 12 years and involved extensive consultation with industry, public health and consumer groups, and was informed by the latest scientific evidence, consumer research and international and national policy guidance.
19. We recommend that you support the proposed amendments and note that Ministry of Health officials could assist Ministry for Primary Industries officials regarding implementation.

P1049 Carbohydrate and sugar claims on alcoholic beverages

20. This agenda item relates to a proposal to clarify the Food Standards Code with respect to the existing permissions to make nutrition content claims about carbohydrate and sugar content on alcoholic beverages.
21. In December 2023, food ministers considered FSANZ's assessment to date, including the available evidence, diverse submitter views and relevant ministerial policy guidelines. Food ministers requested FSANZ undertake consumer research to better understand if carbohydrate and sugar claims on alcoholic beverages are misleading consumers and influencing purchasing decisions.
22. Food ministers will receive a report on consumer research findings at the July meeting. We understand from MPI that FSANZ have interpreted the research as showing that the presence of claims has no effect on consumption. On this basis, FSANZ propose to continue to allow carbohydrate and sugar claims on alcohol. We recommend that any decisions on P1049 are taken at the same time as P1059 Energy Labelling on Alcohol.
23. It is also not clear whether New Zealand consumers, especially Māori and Pacific consumers were represented in the research. This is a matter that you may wish to discuss with Minister Hoggard.

Nutrition Information Panel (NIP)– Front and back of pack labelling proposal

24. A proposal has been raised to review the entirety of the Nutrition Information Panel (NIP), including the potential inclusion of added sugars. The NIP is back of pack labelling and is a mandatory requirement under the Food Standards Code (as distinct from the HSR/FOPNL).
25. Research on added sugars shows that consumers don't consistently understand what added sugars are (ie, that the term applies not just to sugar but also the addition of apple juice, fruit purees, honey and other sweeteners).
26. FSANZ Consumer Insights Survey found that consumers had high trust in the NIP because it was regulated by Government, but they don't always understand it. The purpose of FOPNL is to assist consumers in interpreting the NIP.
27. s 9(2)(g)(i)

P2 Infant Food Consultation

28. While Minister Hoggard has not identified this FMM agenda item as one that he would like to discuss with you, it is an important issue from a health perspective.
29. Recent years have seen significant growth in commercial foods specifically aimed at infants and young children, particularly high energy, low nutrient snack foods. Good nutrition in infancy and early childhood is key for ensuring optimal growth and development. Despite the importance of nutrition in this critical period, there are limited regulations for the composition and nutritional quality of food for infants and foods aimed at young children.

30. At the FMM09, members will be asked to approve a Consultation Regulation Impact Statement (RIS) for improving commercial foods for infants and young children for public consultation.
31. We support work being done in this area to improve infant nutrition.

Additional Considerations

32. s 9(2)(g)(i), s 9(2)(j)
[Redacted]
[Redacted]
[Redacted]
33. s 9(2)(f)(iv)
[Redacted]
[Redacted]
[Redacted]
34. The Ministry of Health has provided you with advice on the 5x5 NCD Prevention Framework. This includes a menu of interventions to address poor nutrition and improve the quality of New Zealanders' diets. s 9(2)(g)(i)
[Redacted]
[Redacted] You
may wish to discuss this with the Minister for Food Safety.

Appendix 2 is withheld in full under section 9(2)(ba)(i) of the Official Information Act