

Stakeholder responses to the consultation on front of pack (FOP) nutrition labelling for pre-packed foods sold through retail outlets (practical issues).

Scope of FOP labelling			
The Agency would welcome views on the suggestion that FOP labelling should be applied to all pre-packed foods with a limited number of exemptions. It would also welcome views on which products should be exempted.			
<u>Question 1:</u> We welcome your views on the range of foods to which an integrated FOP label should be applied, including suggestions for a limited number of exemptions (para 20).			
General View	Respondent	Comments	FSA Response
All pre-packed foods should display FOP nutrition labelling	WHOTS Food Group RCPH Faculty of Public Health Sainsbury's Safe Food HoM Diabetes UK Association for the Study of Obesity Northern Ireland Food Advisory Committee Tanya May (member of public) British Nutrition Foundation Kellogg's Trading Standards Institute McCain British Retail Consortium University of Aberdeen, Public Health Nutrition Research Group Chief Environmental Health Officers Group Coca-cola National Heart Forum Tesco	FOP labelling should be applied to as wide a range of foods as possible. The more products that carry consistent labelling, the greater awareness and understanding consumers will have and the greater their ability to use labels in a meaningful way.	Agree in principle. The FSA recognises that FOP nutrition labelling can be useful in helping consumers make healthier choices on a wider range of foods than currently recommended by the FSA, however there will be some products where there will be little added benefit for the consumer e.g. pre-packed fresh fruit and vegetables.

FOP labelling should be applied to all pre-packed foods with limited exemptions	Royal College of Midwives MySupermarket.com	FOP labelling should be applied to as many pre-packed foods as possible with only a limited number of exemptions. Different people look for nutrition information on different products and so it is important that it is standard.	Agree that FOP labelling should be applied to a wide range of pre-packed foods. The FSA recognises that some products with labels will be more beneficial to consumers than others.
Exemptions are not appropriate in a voluntary scheme	Tate and Lyle Premier Foods Food and Drink Federation Scottish Food and Drink Federation Fudges British Soft Drinks Association Sugar Bureau Snack Nut and Crisp Manufacturers Association British Heart Foundation NHS Scotland The Nutrition Society Nestle UK	Given that front-of-pack labelling is voluntary, we see no reason why exemptions should be necessary. Companies should be allowed to use the scheme on all products they feel are appropriate. A voluntary labelling scheme must be designed so that it can be used in all product categories.	The FSA notes that consumers have queried the use of FOP nutrition labelling on certain foods and have requested that the FSA provides further guidance on this matter.
Suggested foods which should be exempt from FOP labelling	Children's Food Campaign Danone Baby Nutrition British Dietetics Association Infant and Dietetic Foods Association BDA Cambridge Health and Weight Plan Lighter Life BDA Danone Glaxo Smith Kline Pepsico	Foods for particular nutritional uses (PARNUTS foods) such as very low calorie diet foods, infant and weaning foods, sports foods and sports drinks.	Under the framework Directive 2009/39/EC, there are specific Directives with specific labelling requirements for parnuts foods including Medical foods, Infant formula and follow on formula, Very low gluten and gluten free foods, Energy restricted diet foods and Weaning foods The labelling requirements for other parnuts products (i.e. very low calorie diets, sports foods) for which no specific Directive has been adopted are regulated by the general labelling requirements (Article 9) of Council Directive 2009/39/EC on foodstuffs intended for particular nutritional uses.

Constellation Europe Limited Gin & Vodka Association Scotch Whisky Association	Alcoholic beverages	Agree. FOP nutrition labelling is for use on family foods.
Royal Glamorgan Hospital Northern Foods MRC Human Nutrition Research Which? Gill Ward (member of public) FPH	Fruit and vegetables	[1] The FSA considers that foods exempt from the requirement for mandatory nutrition labelling in the FIR proposal such as unprocessed or single ingredient foods, or those sold in small packages, would not require a FOP nutrition label.
Northern Foods CFC Which? Consumer Focus LACORS Diabetes UK	Single ingredient foods (not specific)	See response [1].
Scottish Food Advisory Committee Dairy Council	Unprocessed primary produce such as meat, fish, fruit and vegetables, and simple cereal based staples including rice, pasta and flour should be exempt from a FOP label.	See response [1].
Retailer Premier Foods	Suggested exemptions should be expanded to include the following: <ul style="list-style-type: none"> • Coffee and tea • Salt, Herbs and Spices • Cooking Oils (Vegetable and Olive Oils) • Condiments such as Vinegar and Mustard (difficult to define a serving and with mustard the 100g nutrition as meaningless) • Water, including flavoured water 	See response [1]. The FSA also considers that FOP will provide little benefit on some other foods, such as those not eaten by themselves, and therefore believes that they should fall outside of the scope of FOP labelling.
Dairy Crest Dairy UK Dairy Council	Would welcome exemptions for milk and some dairy produce (including cheese) as they make a very valuable contribution to a balanced diet.	Whilst dairy products make a valuable contribution to a balanced diet, some dairy products contain high levels of fat, sugar and salt. Therefore the FSA does not agree that milk and dairy products should be exempt from FOP nutrition labelling.
British Bee Keepers Association	Honey	See response [1].
International Chewing Gum Association Wrigleys	Chewing gum	See response [1].

	Scottish Salmon Producers Association	Fish	See Response [1].
	Kraft foods Burton's Foods	Seasonal products and gifts	The FSA also considers that FOP will provide little benefit on some foods and therefore believes that they should fall outside of the scope of FOP labelling.
	East End Foods Morrisons Sainsbury's	Foods sold in small packages	See response [1].
	Bernard Matthews	Agree with the list of exemptions in the consultation document.	Noted.
FOP labelling for composite processed foods	British Dental BDA Dairy Crest Dairy UK Provision of Trade Federation	We believe it is sufficient that FOP labelling should be restricted to the current recommended food categories as these are typically products that may be high in fat, saturated fat, sugar and salt without the consumer necessarily realising this.	The FSA agrees that FOP nutrition labelling is most useful on composite processed foods, which are typically high in fat, sugar and salt, and which consumers find difficult to assess nutritionally. However, the FSA recognises that it will be useful in helping consumers make healthier choices on a wider range of foods than currently recommended by the FSA. The Citizens' Forums ¹ found that respondents thought that it would be helpful for consumers if treats, such as chocolate and biscuits, carried FOP nutrition labelling.
Foods that make nutrition and health claims should have FOP labelling	British Dental	Any products for which special nutritional claims are made, e.g. "low fat", should also display clear information regarding the content of other ingredients that may be increased in compensation.	It is already a legal requirement to provide BOP nutrition information on products that make nutrition and health claims.
Children's products should have FOP labelling	British Dental CFC FPH	Clear FOP labelling is particularly important on products aimed at children.	FOP nutrition labelling is intended to be applied to family foods, not those that have been made specifically for children.
Loose foods should have on-shelf labelling	British Dental University of Aberdeen Diabetes UK	Shelf labelling should be used for loose/small items, where it is not feasible to provide a clear label on individual packaging.	Noted.

¹ Add link to forum report when published

	Tanya May (member of public)		
Concerns about suggested exemptions list in consultation document: <ul style="list-style-type: none"> • Single ingredient foods • Fresh and minimally processed fruit and vegetables • Foods sold in small packages 	British Dental LACORS WHOTS Consumer Focus Sainsbury's HoM RCM Diabetes UK SFAC Cancer Research UK	Exemptions for food categories such as cheese, bacon and hams would seem inappropriate given the variation in key nutrients of these products. Consumers should have FOP labelling to help make them aware of healthier choices within these categories.	Agree. The FIR proposal requires these products to display mandatory nutrition labelling.
	University of Dundee Cancer Research UK	We would welcome further information about what would be included in the category entitled 'fresh and minimally processed fruits' and in particular there needs to be a clear definition of 'minimally processed fruits'. Particular caution needs to be exercised around fruit juice drinks as these can sometimes contain high levels of sugar. There is clear evidence about the links between sugary drinks and obesity and it is because of this that we would welcome further information about the types of food which would be included in this category.	Noted.
	University of Dundee Cancer Research UK	We fear that many readily available confectionary products (often energy dense and high in sugar and fat) would be likely to fall under the umbrella term "small surface area", denying the consumer of valuable nutrition information that could positively influence their purchase decision.	FIR discussions to agree the list of exemptions from the requirement for mandatory labelling information for small packages, whilst considering the need to provide nutrition information to consumers, are on-going. The Citizens' Forums ² found that respondents thought that it would be helpful for consumers if treats, such as chocolate and biscuits, carried FOP nutrition labelling.
Exemptions should be aligned with	Dairy Crest	If the proposed Food Information Regulation will encompass additional categories for FOP labelling then the UK recommendations	Noted.

² Add link to forum report when published

Food Information Regulation		should be in line with it.	
Inclusion of calories			
The Agency recognises that consumers may find calorie information useful and therefore suggests that per portion calorie information should be included on FOP. It is suggested that calorie information should not include additional interpretive elements ('high/medium/low' text, traffic light colour coding or %GDA) and should be displayed on a neutral background (i.e. not using traffic light colours).			
Question 2: We welcome your views on the proposal for including calories in an integrated FOP label (paragraph 27), and that interpretive elements should not be included.			
General View	Respondent	Comments	FSA Response
Calories should be included on FOP nutrition labels	Fudges Sugar Bureau Kellogg's Which? East End Foods CEHOG BRC SWA FDF	The inclusion of calorie information on FOP is welcomed. Providing consumers with information on the calorie content of the foods that they consume is essential if we are to tackle excessive energy intakes.	Noted.
Calories should be included on FOP labels without any interpretive elements.	Diabetes UK ASO NIFAC Cancer Research UK HoM My Supermarket BNF Dairy Crest MRC SFAC TSI McCain NHS Scotland FPH Quality Meat Scotland CHWP Northern Ireland Chest Heart and Stroke	Agree that calories should be included with no interpretive elements. Using a traffic light colour coding criteria where most products would fall into the medium (amber) category would not provide any benefit, and the GDA for energy does not apply to a broad range of consumers.	Noted.

Calories should be included without traffic light colours	Royal Free Hospital Royal Glamorgan Hospital Budgens/Londis Central England Trading Standards Association Gill Ward (member of public) New Covent Garden Food Company BDA WHOTS Consumer Focus University of Aberdeen Safe Food Moy Park Hybu Cig Cymru NHF	Calorie information should be provided on a neutral background. If nearly all products would be amber for calories, this would cause confusion for consumers.	Noted.
Calories should be included with %GDA information	Retailer LACORS Tanya May (member of public) GSK Morrisons SNACMA Renfrewshire Council RCPH Pepsico Premier Foods Waitrose Nestle FDF SFDF Coca-cola Tate and Lyle	It would be helpful for consumers to have an indication of the typical calorie % that the product portion contains so that they are able to help judge their daily calorie intake. A majority of packs already contain this % so consumers would be used to it and may react if this was removed from the calorie segment of the FOP.	Noted.

	Kraft Burton's Tesco		
Colour coding criteria that work for calories should be developed	University of Dundee NS Sainsbury's BRC Asda CFC	<p>We support the Agency's move to include calories in FOP labelling, however we believe that calories should be colour coded in order to inform consumers whether the product is high, medium or low in calories.</p> <p>The argument used in the consultation for not supporting the colour coding of calories is the fact that the criteria laid down under the Claims Regulation for "low" will need to be used. This argument is inconsistent with the view included under the FSA guidance on nutrition and health claims which states that the colours are not claims. This needs to be clarified since we need a consistent approach.</p>	Additional forms of expression (such as colour coding or interpretive text) form part of the overall nutrition declaration and not as nutrition claims. This is clarified in a recital in the Commission's proposal.
Not providing interpretive elements is a weakness of scheme	BSDA	The fact that the new hybrid scheme does not provide GDA information as a core principle could be taken as a weakness. In the interests of consistency, perhaps the approach taken for calories – without any interpretive elements – should be taken for all nutrient categories.	The independent research demonstrated that consumers benefit from interpretive elements on the four core nutrients as demonstrated by the independent research.
'Calorie' is an obsolete unit	SI Metric Matters	The calorie is an obsolete and unnecessary unit. It is a confusing and inaccurate unit which should be phased out without delay. If the energy value of the food/drink is to be shown it should be given in SI units (kJ). If the FSA remains reluctant to 'Shed Calories' and still wishes to retain this obsolete and unnecessary unit, then this supplementary unit (the kilocalorie) must appear second and be less prominent. And if GDA values are shown these should also be in SI units, for example megajoules (MJ). The public should be encouraged to use kilojoules for food energy values.	Noted. Schedule 7 of the Food Labelling Regulations 1996 require energy information to be provided in both kJ and kcal as part of the prescribed nutrition labelling requirements.
Needs to be consistent with the provision of information in out of home settings. Colours should be voluntary	BHF	Consumer research clearly indicates that calorie information is useful. If this information is to be provided but not required to be in the integrated model format, the FSA should seek to ensure that there is consistency with the proposed calorie labeling in out of home food settings. This would help to ensure some consistency in the information that consumers are receiving which should, in turn, support greater consumer awareness of nutritional information. The BHF also believes that calorie information using interpretative elements should be permitted where manufacturers and retailers choose to adopt this.	It is proposed that calorie information will be provided per portion, in line with the provision of calorie information in out of home settings.

Criteria for small portions

Question 3: Should the Agency develop specific criteria for an integrated FOP label for foods recommended to be eaten in small portions, to be used alongside the per 100g criteria and specific criteria for large portions? If so what should these criteria be? Or could foods recommended to be eaten in small portions be dealt with in other ways?

General View	Respondent	Comments	FSA Response
Welcome the development of criteria for foods sold in small portions	Dairy Crest NIFAC BBKA CEnTSA Royal Free Hospital Asda NHS Scotland WHOTS Sainsbury's Waitrose Tesco	Welcome separate criteria for foods sold in small portions so that the colour coding helps indicate to the consumer the contribution of that product in the context of their overall diets.	Noted.
Do not welcome the development of criteria for small portions	ASO My Supermarket MRC Renfrewshire Council TSI Moy Park Which? RCPH East End Foods Consumer Focus Diabetes UK Safe Food BDA BHF CFC NHF HoM FPH Royal Glamorgan Hospital	We do not agree that additional portion size criteria be developed for products eaten in small amounts. We are of the view that consistently providing information per 100g allows consumers to compare products easily. Introducing different criteria for different products based on their portion size may be misleading.	Noted.

	Retailer Budgens/Londis Royal Free Hospital	For the sake of the confusion it may cause vs the benefits, we feel this should be left as it is.	Noted.
	University of Dundee	We feel it is important to highlight that during the nutrient profiling research – it was decided that foods eaten in small quantities should not be treated differently.	Noted.
	BNF	Rather than developing specific criteria, it might be best to consider other ways of dealing with small portions.	Noted.
	NS QMS Diabetes UK	If the evidence base from the FSA commissioned research is robust then there is no need to set different criteria for small or large portion sizes since this does not affect the consumers' ability to understand the information.	Noted.
	EETSA	The essence of all legislation is per 100g.	Noted.
Small portions can be dealt with another way	Coca-cola Premier Foods FDF SFDF Kellogg's SNACMA BSDA Tate and Lyle Burton's Nestle Morrisons Northern Foods University of Aberdeen	Portion size information is useful for consumers. Recommend using the GDA per portion approach, which allows for foods eaten in small portions to be represented appropriately.	Noted.
	LACORS NICHs	Portion size should be clearly stated on FOP labels.	Noted. [2] The FSA's FOP guidance on the provision of realistic portion size information will be reviewed and updated to ensure greater consistency in approach and minimise the risk of the consumer being misled or confused about the information provided.
Labelling should take into account how food is	GSK BSDA British Dental	A FOP nutrition labelling scheme that disregards the way in which food and drink is actually consumed will be substantially less useful than a scheme that takes this into account. Recent research by the IGD ("Portion Size:	See response [2].

consumed		Understanding the Consumer Perspective”, 2009) confirms that “Portion size information should, where possible, be provided for individual units or items of foods.”	
Legal issues	EETSA	The question here is whether or not offences could be committed for a product that per portion is depicted as “green” for fat, but per 100g should be “red”. Would consumers be misled as regards the nutrient profile of the product?	See response [2].
Needs to be consistent with other Government strategies	BRC Sainsbury’s	It is important that any decision taken is consistent with the existing Government campaigns and policies. Portion control is one of the key elements of the Government saturated fat strategy.	See response [2].
Work to establish standard portion sizes is required	CEHOG	The most important element is that a consistent approach is used and is clearly communicated to consumers. Specific criteria could be developed for foods to be eaten in small portions but further work is required in the area to establish standard portion sizes. Portion sizes are not well understood by consumers. Standardisation of portion size needs to be addressed with industry as a matter of urgency. Industry needs to be encouraged to continue to produce healthier food products with standard portion sizes.	See response [2].
Red Meat	Hybu Cig Cymru	For red meat 100g portions of raw meat are seen as appropriate. The recipes developed by HCC aim to be practical, nutritious and appetising. The majority of our recipes are based on 450g for 4 portions as this is a common pack size for red meat sold, especially mince, thus making it simpler for the consumer. This again needs to be considered.	See response [2].
Portion size is not a significant factor	Tanya May (member of public)	The weight of food eaten is not the most significant factor in a healthy diet. The significant factor is its energy density, or calories, bearing in mind that levels of fat (including saturates), protein and carbohydrates (including sugars), and where appropriate alcohol, are the component parts of that energy density.	Noted.

Saturated Fat

The Agency suggests the term 'saturates' is used in an integrated FOP label to ensure consistent communication and that more is done to educate consumers about the term and the need to reduce intakes of saturated fat.

Question 4: Do you agree with the proposed approach to improve communication and understanding of saturated fats in an integrated FOP label (paragraph 34)? If not why not?

General View	Respondent	Comments	FSA Response
<p>Agree with the use of the term 'saturates'</p>	<p>Fudges Retailer Diabetes UK Cancer Research UK Dairy Crest Northern Foods Tanya May ASO EETSA University of Dundee Budgens/Londis Royal Free Hospital Royal Glamorgan Hospital BNF SFAC SNACMA Renfrewshire Council TSI McCain Asda Which? BRC RCPh NHS Scotland East End Foods Pepsico Consumer Focus FPH Premier Foods QMS</p>	<p>Support the use of the term 'saturates' in an integrated FOP label to ensure consistent communication. Agree that more needs to be done to educate consumers about the term and the need to reduce intakes of saturated fat.</p>	<p>The FSA considers it important to establish a consistent term to be used across all FOP nutrition labels, as this will ease understanding for consumers.</p> <p>[3] The second phase of the saturated fat campaign was launched on Monday 18th January 2010. The campaign will run for four weeks and will include a poster campaign and advertisements in newspapers and magazines, and radio advertisements. The campaign aims to engage people by presenting the facts about the health impact of saturated and provide tips that help them to choose lower saturated fat options when shopping, cooking or eating out.</p>

	Waitrose FDF NICHS NHF Tesco		
Disagree with the use of the term 'saturates'	My Supermarket CEnTSA NIFAC BHF CFC BDA WHOTS NS University of Aberdeen CEHOG Safe Food	We are concerned that replacing the term "saturated fat" with the term "saturates" would add to consumer confusion. The term "saturated fat" is already well established and used in public health campaigns and messaging. Consumer research has also shown that the term 'saturated fat' is more easily understood.	The FSA is not suggesting that the term saturated fat is 'replaced' with saturates. The majority of businesses that provide FOP nutrition labelling already use the term 'saturates' on FOP labels due to space issues. This term is also consistent with regulatory requirements for back of pack nutrition labelling.
Support raising awareness of saturated fat amongst consumers	Nestle Sainsbury's LACORS Kellogg's Burton's	Support the need to improve customer understanding and awareness of saturated fat amongst consumers.	See response [3].
Guideline Daily Amount (GDA) for sugars			
Question 5: In light of EFSA's recent opinion on the sugars GDA for nutrition labelling purposes (EFSA's view is that 90g is an acceptable figure for the GDA for total sugars), we would welcome your views on the appropriate sugars GDA figure that should be used on an integrated FOP label.			
General View	Respondent	Comments	FSA Response
Support a GDA of 90g total sugars for FOP labelling	Fudges My Supermarket BSDA Tanya May (member of public) LACORS EETSA CEnTSA Diabetes UK Hybu Cig Cymru WHOTS	Support a total sugar GDA of 90g for use on FOP nutritional labels.	Noted.

	Safe Food Waitrose British Dental Association Premier Foods		
Agree with EFSA opinion (90g)	NIFAC SNACMA Northern Foods Budgens/Londis GSK BNF Kellogg's CFC Coca-cola Asda BRC NHS Scotland Pepsico Sainsbury's QMS Nestle Tate and Lyle Sugar Bureau FDF SFDF Tesco	Agree and Support EFSA's opinion and agree that a figure of 90g total sugar should be used. As an evidence-based policy maker, the FSA should take account of this new scientific review.	Agency advice is based on The Committee on Medical Aspects of Food Policy (COMA) recommended that the intake of non-milk extrinsic sugars (NMES) should be limited due to their role in dental caries and that the populations average intake should not exceed about 60g/day or 10 per cent of dietary energy (COMA 1991). Because there is no dietary requirement, ideally intakes of NMES should be much lower. Currently we do not have a recommended intake for total sugars and the suggested 90g figure may be too high. because of high NMES levels in manufactured foods and low levels of IMS in these foods. The Scientific Advisory Committee on Nutrition (SACN) working group on Carbohydrates are currently reviewing the evidence on sugar and health as part of a comprehensive review of Carbohydrates and health. Full terms of reference are available on the SACN website www.sacn.gov.uk .
GDA should be based on NMES or 'added' sugars	Cancer Research UK University of Dundee FPH University of Aberdeen HoM BDA	Guidance for sugar intakes on food labels should be consistent with the recommendations of COMA and WHO reports that NMES should not exceed 10% of total dietary energy (50g). Using a figure for total sugars (90g) may be perceived as endorsing higher sugar intakes.	The FSA approach to determining the medium/high boundary for FOP nutrition labelling will continue to be based on levels of added sugars. This is in line with COMA and WHO advice on the consumption of NMES. Information on the number of

	Englyst Carbohydrates Dairy Crest NHF		grams of sugar given on FOP labels will be for the amount of total sugars.
Support the FSA approach to applying traffic light colours based on added sugars	Royal Free Hospital ASO CFC RCPH East End Foods NS BHF Englyst NICHs	We believe that the FSA's current approach which requires traffic light colour coding on the basis of overall sugar and added sugar represents the best way to convey this information. This allows consumers to make at-a-glance assessments. We are in favour of additional text to explain where sugar is mainly from fruit or milk sources.	Noted.
Both pieces of information should be provided	CEHOG Renfrewshire Council	Consumers should be given both the added sugar and the total sugar of the product as it is quite a complex issue.	The FSA approach to determining the medium/high boundary for FOP nutrition labelling will continue to be based on levels of added sugars. This is in line with COMA and WHO advice on the consumption of NMES. Information on the number of grams of sugar given on FOP labels will be for the amount of total sugars.
The issue needs to be reviewed further	MRC TSI Which? SFAC Consumer Focus	We understand the rationale for the inclusion of total sugars given the scientific caveats in relation to NMES and measurement difficulties. However the derivation of an appropriate GDA for total sugars does need careful thought. EFSA's recent opinion is based on the assumption that an individual consumer eats five portions of fruit and vegetables per day which does not reflect the reality of European fruit and vegetable consumption patterns. There is a need for an expert review in this area.	The Scientific Advisory Committee on Nutrition (SACN) working group on Carbohydrates is currently reviewing the evidence on sugar and health as part of a comprehensive review of Carbohydrates and health. Full terms of reference are available on the SACN website www.sacn.gov.uk .

Salt

Question 6: We would welcome your views on the whether the salt thresholds for an integrated FOP label should be revised and if so which of the approaches discussed above should be used: (a) changes to the per 100g criterion, (b) changes to the per portion criterion, or (c) both.

General View	Respondent	Comments	FSA Response
Change per 100g criteria	Budgens/Londis Cancer Research UK	We recommend that the salt thresholds should be revised moving the per 100g medium/high boundary from >1.5g to >1g for salt.	Noted.

	Diabetes UK ASO MRC Renfrewshire Council East End Foods Tanya May		
Change the per portion high criteria	CEnTSA CFC	The threshold for salt per portion should be no more permissive than the other nutrients. Therefore we support the change to the per portion high criteria for salt.	Noted.
Both the per 100g and per portion high criteria should be changed	Fudges Dorset Village Bakery Royal Free Hospital Royal Glamorgan Hospital HoM SFAC BHF Consensus Action on Salt and Health TSI RCPH NHS Scotland WHOTS NS FPH Kellogg's NICHs	Support lower thresholds and support changes to both the per 100g and the per portion criteria. These changes would incentivise further reformulation to reduce the salt content of pre-packaged foods as well as making consumers further aware of products that contain high levels of salt.	Noted.
Should be aligned with NHCR	NIFAC University of Aberdeen BDA LACORS Asda Consumer Focus Safe Food	It makes sense for there to be alignment between FOP salt criteria and the eventual nutrient profiles that are established for Regulation (EC) 1924/2006 on nutrition and health claims. It is important that no confusion arises from any discrepancy.	Noted.
There should be no change to the	Dairy Crest McCain	The proposed changing of the salt criteria is unwelcome. Not only would it remove some of the incentive for manufacturers to remove further salt as the	The FSA welcomes efforts by industry to reduce the amount of salt in their products

salt high criteria	BRC Premier Foods Sainsbury's Waitrose University of Dundee Which? QMS NHF CEHOG Tesco	prospect of achieving an amber light recedes, it will also be likely to add to consumer confusion as many foods that have been reformulated to get an amber traffic light go back to red. Changing the criteria based on the proposed thresholds for the EC regulation on nutrition and health claims is premature. These criteria have not been agreed and are not fit for purpose.	and proposes that changes to the salt criteria come into effect when the NHC nutrient profiles are introduced, which would allow industry to continue to make reductions in salt over time.
A GDA approach with no interpretive elements should be used.	SNACMA FDF SFDF	The current GDA per portion without any interpretive element should be applied to salt as to all other nutrients.	The independent evaluation research showed that that strongest FOP labels are those which combine interpretive text, traffic light colour coding, and %GDA information.
Legibility			
Question 7: We welcome your views on how the proposed advice on prominence and legibility based on the Agency's current technical guidance might be revised to maximise the visibility and legibility of an integrated FOP label.			
General View	Respondent	Comments	FSA Response
Broadly happy with current guidance on legibility	Northern Foods NHS Scotland Ease End NS FPH NHF LACORS HoM	Generally support the current FSA guidance on legibility.	Noted.
Position of FOP label on pack	NHF Diabetes UK Tanya May (member of public) Budgens/Londis WHOTS ASO MRC Which?	Support the consistent placement of FOP nutrition information on packs so that consumers know where to look for it.	The findings of the independent evaluation research suggest that the use of FOP labels by consumers is not affected by the position on-pack. Therefore, taking into account commercial factors, the FSA would like to give businesses flexibility in positioning the FOP label on their products, provided that it is on the front and can be clearly seen at a glance.

	Renfrewshire Council Royal Free Hospital University of Aberdeen NICHS		
One standard format of FOP label	Diabetes UK Tanya May (member of public) Budgens/Londis ASO MRC CEnTSA	Greater consistency in the format of FOP nutrition labels is needed. We support one standard format.	Noted.
Font size	Diabetes UK NIFAC Royal Free Hospital NHS Scotland NS Hybu Cig Cymru University of Aberdeen Safe Food Renfrewshire Council NICHS	All food labelling should be easily legible for the majority of people, including those who have difficulties with sight. A minimum font size of 6-8 point is recommended.	[4] Legibility of food information is a major issue for consumers. The inclusion of a minimum font size for mandatory food information as part of the proposed Food information Regulation would be both measurable and enforceable and coupled with best practice guidance on the other factors that affect label clarity should help improve the readability of food labels.
Legibility should be judged on a case by case basis	BSDA GSK	There is a legal requirement for labels to be legible and this is best judged on a case by case basis.	See response [4].
Legibility is being discussed at EU level	BD BRC Premier Foods Sainsbury's SWA Waitrose Tesco	The subject of legibility is currently being considered as part of the FIR. It would be unhelpful and expensive to implement guidance now, which may be overridden in the near future.	Noted.
Needs to be based on evidence	Consumer CEHOG TSI	The requirements should be based on what research shows consumers need to make proper use of the scheme.	Agreed.
Should be able to	BSDA	On packs where space is extremely limited, it is meaningful to use a cut-down	See response [1].

label calories only		version showing just calories with a legible print size rather than having to use the full labelling format at a print size that is too small to be read.	
Direction of FOP label	Asda	Our own customer research showed that when consumers were presented with the same FOP information in both a horizontal and vertical format, preference for horizontal information was much greater than vertical, at 76% and 11% respectively. We believe this insight may have implications for the use of FOP labelling and therefore warrants further investigation by the Agency before a recommendation is made. Whilst vertical display is sometimes a necessity because of the label size, we believe this should be by exception and when there is space FOP information should always be horizontal.	Noted.
	Covent Garden	We would request the flexibility to allow FOP labels to be presented both horizontally and vertically to allow their use on a wider range of packaging. Our experience with the system shows that consumers are happy with them in a vertical and as design treatment it better fits the name traffic lights.	Noted.
	Waitrose	We were disappointed that the vertical format, as originally outlined by the Agency, was not put into the independent consumer research commissioned by you. However, our customers prefer the current vertical FOP format and we intend to roll out an evolved version across a wider range of pre-packed categories.	Noted.
Legibility guidance should be strong and precise	CFC	The FSA should issue strong and precise guidance about the visibility, legibility and prominence of the FOP labelling. This should be on the main selling face, with clear colour coding and legible type on a plain or uncluttered background.	Agreed.
Legibility issues highlight the importance of traffic light colours	BHF	The inherent difficulties with providing textual information on small goods underlines the importance of ensuring that consistent traffic light colours are used on all products. This will help ensure that consumers are able to make at-a-glance judgements about the nutritional content of foods irrespective of the size of labelling.	Noted. See response [1].

Public Awareness

Question 8: We welcome your views on how government and stakeholders could work in partnership to raise consumer awareness and understanding of a single integrated FOP label (targeting those consumers that are not currently using FOP labelling, and in particular C2DE's, those aged over 65 years and families with children). We would welcome any information regarding initiatives or activities that have been undertaken in this area.

General View	Respondent	Comments	FSA Response
Initiatives and activities	Diabetes UK Cancer Research UK	We are committed to raising awareness of FOP labelling and have previously or are currently undertaking some of the initiatives/activities listed below:	The FSA welcomes stakeholders' continued commitment to raise awareness of FOP

previously/ currently being undertaken	BHF Which? Consumer Sainsbury's McCain NICHS	<ul style="list-style-type: none"> • Produced information on websites, magazines or other publications • Produced a 'shoppers card' • Campaigns • Education programmes • Reports • Competitions • Point of sale information • On-pack • Cooking courses 	nutrition labelling amongst consumers, and would encourage them to focus efforts on increasing consumer use of FOP nutrition information to make healthier choices.
Ideas for future activities/ initiatives	Dairy Crest Northern Foods Tanya May (member of Public) LACORS British Dental My Supermarket SFAC TSI NHS Scotland FPH CEHOG BDA East End Foods WHOTS University of Aberdeen	<p>It is important to raise awareness and educate consumers on how to use FOP labels. Some possible ways of achieving this are listed below. We support some of the following:</p> <ul style="list-style-type: none"> • Public Health initiatives • In-store information • Branded websites • Programme of education • Support materials for local authorities, educational bodies and supermarkets • Through British Dental Association practices • Local partnership programmes involving trading standards, environmental health, PCT's etc • Engagement with smaller community businesses that are more likely to be used by ethnic minorities in deprived areas • Incorporate into change 4 life programme • Through Health professionals (practice nurses, dieticians etc) • Through community food projects • Manufacturer advertising • Giveaways – fridge magnets etc 	[5] The FSA agrees that it is important to raise awareness and educate the consumer on how to use FOP nutrition information to make healthier choices. The FSA will be giving consideration to how best to do this.
Efforts should be aligned	Diabetes UK Budgens/Londis Royal Glamorgan Hospital CFC NHS Scotland Safe Food	We believe that we should all be working together to raise consumer awareness and understanding of FOP labelling as it is a shared responsibility between Government, Industry, Public Health bodies and NGOs.	See response [5].

	Tesco		
Should promote the schemes that consumers are already aware of	Coca-cola GSK BSDA Nestle SNACMA BSDA Tesco	We think it makes sense to build on the knowledge that consumers already have and promote the schemes they are already aware of.	See response [5].
First challenge is getting industry signed up to single scheme	Diabetes UK Royal Free Hospital MRC NIFAC Asda Renfrewshire Council NS Premier Foods NHF	We believe that at present, efforts should be concentrated on promoting the single scheme to aid comprehension and recognition for consumers.	See response [5].
Must get consumers to use FOP labels	Tate and Lyle Mars ASO Kellogg's BNF Premier Foods Waitrose FDF SFDF	We know from the results of consumer research that awareness of FOP schemes is already high. The real challenge lies in encouraging consumers to use FOP information to make healthier choices.	Agreed.
Need to raise general awareness about healthy eating/ food labels	Hybu Cig Cymru BBKA RCM	There is a need to raise consumer awareness, not only of the integrated labels but to ensure that the information provided is understood, especially around areas such as sugars, salt and saturated fat and the importance of eating a balanced diet.	See response [5].

Other comments			
General view	Respondent	Comments	FSA response
EU implications and timing	Coca Cola Mars	The ongoing European discussion which proposes a Europe wide front of pack labelling scheme would legally take precedence over	EU negotiations are unlikely to be resolved before 2011. Once agreed there will be a 3 year period before they

	FDf	any voluntary scheme proposed within the UK if adopted. Given that this European ruling will be determined within the next 12-18 months, we would encourage the Agency to consider utilizing this time cost-effectively by working with industry to encourage consumers to use the information that is now widely available to them in retail stores.	start to come into effect (5 years in case of small and medium sized enterprises (SMEs)). In view of the protracted nature of the EU co-decision negotiations, the extent and severity of the UK public health issues associated with obesity and chronic health related illness and the role FOP labelling has in the Agency's strategy to tackle these issues there is a need for public health protection reasons to pursue progression of the FOP UK policy objectives without delay
	Asda ICGA Premier foods SNACMA GSK Morrisons Sainsbury's Kraft QMS SWA Nestle The Sugar Bureau Aldi WHOTS Food Group	As the Agency is already aware, the European Commission is currently undertaking an extensive revision of consumer information under the Food Information Regulation (FIR). FOP nutrition information is being considered as part of this review and therefore we question whether it is appropriate to amend the UK labelling schemes whilst discussions continue at EU level – particularly given the cost of redesigning labels.	The FSA is seeking to ensure that a flexible framework, which allows Member States to develop and implement evidenced based approaches to front of pack labelling, is included in the Food Information Regulation.
	SNACMA Pepsico Nestle Wine and Spirit Trade Association	For businesses that import and export products within the EU, it is important to be consistent in product labelling from country to country. A UK-specific scheme would present challenges in this respect. One major concern would be that there would be an added cost if in one market they were expected to meet the FSA's voluntary FOP scheme, but were not able to use the same packaging in other European markets.	[1] The FSA does not recommend a specific approach, but a principle based approach which is compatible with the single market objectives.
	Pepsico Morrisons	The Agency's consideration of a new front of pack scheme comes at a time when a large number of changes to labelling requirements are either imminent or on the horizon, with differing implementation timetables some of which are known and others which are still to be decided but all of which are, and will, place	[2] The cost of any changes to FOP labels which are needed in order to comply with the FSA principle based approach can be minimised by incorporating them into normal packaging change cycles.

		considerable cost burdens on businesses.	
	BHF CFC	Given the forthcoming general election, and the considerable delay caused by the independent review, we urge the FSA to move as quickly as possible to ensure that the a timetable for introduction of the single scheme is agreed before the next election.	FOP issues will be discussed by the FSA Board at an open meeting in March and recommendations made to Ministers thereafter.
	BHF Which? Asda	It is essential that the FSA works with the rest of the UK Government to champion mandatory front of pack food labelling underpinned by traffic light colours at the European level.	Noted.
	BRC	Retailers do not feel this is the right time to be looking at developing partnerships to raise consumer awareness and understanding of a single integrated FOP label, when the outcome of the discussions on the European proposed Regulation on consumer information may result in a slightly different scheme. Any national provisions will have to be developed as complementary to the European provisions and therefore further consideration may have to be given to different aspects, e.g. if Europe agrees to FOP labelling based on GDAs and the UK believes that traffic light is the right approach, would the use of colours be limited to certain categories of foods regardless of the fact that all foods will have to bear FOP labelling?	Noted.
	Kellogg's	The introduction of a complicated scheme purely for the UK market would be an unrealistic burden in the current European regulatory framework. This is especially true in the current economic climate, particularly as there is no evidence to show it would add a proportionate benefit to the scheme already in market in the context of the Governments targets on obesity. The Food and Drink Federation estimates the cost to industry to change packs to be in the region £1000 million, over a 5 year period	See comment [1] and [2].
	Tate & Lyle	We are not convinced that the integrated label will deliver sufficient benefits to the consumer to warrant its adoption; nor do we conclude from the data from the independent research that the triple hybrid scheme is necessarily the best option. Moreover, the on-going burden of multi colour printing costs, in addition to major set-up costs (as discussed later) at a time when significant planned changes to product labelling are going through the European regulatory process renders this completely unreasonable timing	See comments [1] and [2].

		wise.	
Implications of the nutrition and health claims regulation	Waitrose	The EU legislation clearly states the use of ‘high’ and/or ‘low’ are considered as claims which effectively prohibits the continued use of these terms and we will therefore cease to use these on FOP labelling.	[3] Additional forms of expression (such as colour coding or interpretive text) form part of the overall nutrition declaration and are not nutrition claims. This is clarified in a recital in the Commission’s FIR proposal.
	3663	It was interesting to see that the nutritional criteria for the front of pack label claims are based on the conditions of the Nutrition and Health claims regulation. However, when the nutrient profiles, (which were due on the 19 th of January 2009), are published for certain categories of food, I would be interested to see what effect this has, if any, on the nutritional criteria of the FOP labelling.	See comment [3]. The nutrient profiles will not affect the criteria for low/green.
	East of England TS	The question is whether the front of pack labelling will constitute a nutritional claim – i.e. would prescribed nutritional labelling be required? Our opinion is that it would be if they are colour coded (i.e. green for low). As such, the PNL on the rear of the pack would have per 100g and maybe per portion. Or will FLR be amended to allow this FOP labelling to be sufficient? In our opinion, we think that the most beneficial information for a customer is to know the nutritional profile per 100g. We would hope that all of the consumer education as to what constitutes “low fat” (3%), has meant that if consumers were wanting to eat a “low fat” diet they would look for green labels per 100g which would show under 3g. The essence of the N&HC legislation is to present all the information, whether good or bad together. If a “green” icon is presented for fats, carbohydrates and proteins, then “calories” must be presented. The FSA in paragraph 28 have suggested that calories can be presented in the information but not in a coloured icon. We can understand the logic behind this, but the problem comes if the calorie content is high and should really have been red, when all other information is green or amber. This is not in the spirit of the N&HC legislation.	The presence of a FOP nutrition label would constitute a requirement for prescribed nutrition labelling. Regulation (EC) 1924/2006 on nutrition and health claims made on foods controls only beneficial claims, so would not apply to claims such as “high fat” or “high calorie” as consumers are unlikely to see these as beneficial. The Regulation requires a nutrient profile to be established, which will restrict the claims a food can make based on its nutritional composition. The nutrient profile has not yet been agreed and we do not know what the final profile is likely to look like. However, the most recent model discussed was based on saturated fat, salt and sugars and did not refer to calorie content.
	Aldi	We are also concerned about the difficulties in providing simple nutrition information in the form of a traffic light scheme as the debate surrounding nutrient profiling for the purposes of the Nutrition and Health Claims Directive is proving.	See comment [3].

%GDA is the preferred scheme	Kellogg's	<p>The UK industry is widely recognised as having shown global leadership in voluntarily improving the quality of nutrition information presented on food and drink products through GDA (Guideline Daily Amount) labelling.</p> <p>GDA's are the best labelling format for use across the EU. The majority of the industry in the UK uses GDA labelling and all 27 EU countries already employ them. The use of GDA's is becoming a global labelling system.</p>	<p>Disagree.</p> <p>Research on the most appropriate FOP label for EU use is not available. The USA will shortly be testing various FOP labels with consumers.</p>
	SNACMA Coca cola GSK	We believe that the GDA's are the most practical way of helping consumers make informed choices about the food they eat and how it fits into a well balanced diet.	The FSA would be interested to see the evidence to support this view.
	BHF CFC Moypark Asda RCPH WHOTS	We commend the work that the FSA has done to move the labeling agenda forward and welcome the results of the independent research on FOP nutrition labeling published earlier this year. We firmly support the implementation of a single scheme based on the integrated model, and look forward to the widespread introduction of this scheme.	Noted.
	Boots	Boots welcomes the findings of recent independent research on the effectiveness of different FOP labelling schemes being used in the UK marketplace. We continue to support the application of FOP labelling with our lunchtime food, drink and all-day snacking products and already apply the current traffic light labelling, along with percentage guideline daily amounts (GDA's) on the back of pack, to a wide range of foods and drinks. We will now consider how best to implement the latest FOP labelling recommendations that combine traffic light colours with a descriptor (high / medium/ low) and percentage GDA'.	Noted.
	Bernard Matthews	We are broadly supportive of the Agency's approach with each of the issues in the consultation.	Noted.
	Mars	We consider that any single approach should take account of the current labelling landscape here in the UK, where GDA labelling is clearly the dominant scheme. This would appear to provide a sensible baseline for providing information for all consumer channels – with companies free to add other nutritional evaluation systems as they see fit.	Noted.

	NS	Overall, the Nutrition Society supports Option 2: to revise and update the Agency’s existing FOP technical guidance to cover an integrated FOP nutrition labelling approach which can be used by industry in a consistent manner..	Noted.
	Sainsbury’s	<p>We welcome the Agency’s support and encouragement for Multiple Traffic Light labelling. Our customers continue to tell us that they like our MTL labelling and find colour coding an important indicator of the healthiness of a product.</p> <p>We do not view the debate over GDAs and MTLs as a question of ‘either / or’. We display colour coded GDA information on the Back of Pack (BOP) and have done so for over 10 years. We will continue to display GDA information on BOP until a resolution is reached on the confirmed EU approach.</p> <p>Our research (see below) continues to show that customers find our MTL labelling the easiest ‘at-a-glance’ front of pack indicator to understand when compared to the GDA approach, which does not use colour-coding.</p> <p>Our research³ shows that:</p> <ul style="list-style-type: none"> • overall awareness for the MTL symbol by our customers is consistently high –95% • 93% find MTLs easy to understand • 80% said that MTL labelling ‘always’ or ‘sometimes’ influenced their shopping decisions 	Noted.
	Kraft	We note that the FSA consultation appears to focus on how a triple-hybrid scheme should be implemented. However, we believe that the FSA-funded research, alongside other studies by EUFIC and on behalf of the Food and Drink Federation, support our view that GDA is an effective system that is well understood by consumers. It is also the most widely adopted FOP system.	Noted.
	CEHOG	For a FOP scheme to be truly effective it needs to be consistently	Noted.

³ Source: Sainsbury’s health tracker, May 2009

		<p>and uniformly applied through the UK. Consideration need to be given to making it mandatory not voluntary. This would maximise its impact, minimise consumer confusion and prevent non compliance from the food industry. The scheme would need to be underpinned by appropriate sanctions to encourage compliance. This may create major concern from food industry but public health should take top priority.</p> <p>Finally FOP nutrition labelling scheme needs to be part of the broader public health strategy which involves not only consumer education/awareness but also policy and legislative changes.</p>	
Call for a single scheme across all initiatives	Premier Foods	<p>We would like to suggest that the FSA consider other settings in which consumers purchase prepared foods and that any single scheme should be rolled out across all settings. We would encourage the Agency to assess whether this scheme as proposed would be helpful in out of home settings in order to ensure that the most appropriate scheme, or schemes, are used.</p>	<p>[4] The FSA’s work to provide consumers with effective nutrition information when eating out is at a much earlier stage of development than for Front of Pack labelling. The catering sector is very different to the retail sector, both the in range of different businesses types and in the way that information can be presented. Consumers have told us in our research that they want simple information which they can easily act on at the point of decision when dining out. The Agency is currently developing an approach for the provision of calorie information at the point consumers make a choice as the first and simplest step to meeting consumers’ information needs.</p>
	Nestle FDF Unilever	<p>Support a consistent approach for the provision of nutrition information across all settings where consumers make decisions regarding food choices. Whilst in this consultation, the FSA are seeking opinions on an integrated FoP labelling scheme, there are other Government schemes under consideration outside the retail arena. FSA support is given for the Healthy Food Code of Good Practice efforts to improve the nutritional information available in an out of home settings by providing calories per portion data. This scheme differs from the integrated label approach being suggested in retail settings. In addition to these two schemes proposed by the FSA, the Department of Health has just gone live with its draft criteria for the Healthier Food Mark to be tested in autumn 2009. This is a third scheme with different information being displayed at</p>	<p>See comment [4].</p>

		<p>the point of purchase. The criteria suggested for the three tiered system are not consistent with the other schemes that are being suggested by the various Government Departments.</p> <p>If consumers are to start utilising the information available to them to aid in decision making at the point of purchase, the information needs to be in a clear format across all channels. We welcome the opportunity to work with FSA and other stakeholders to determine the best means to increase consumer use of the currently available nutritional information for all food purchases.</p>	
	Tesco FDF	<p>We believe the right approach is for a baseline that allows compatibility across food groups and for food sold for consumption both in and out of home using GDA labelling. Those who want to add traffic lights and/or wording could choose to do so. This approach is set out in the report of the Public Health Commission made up of representatives from industry, academia, health charities and consumer groups.</p>	Noted.
Presentation of information	Retailer	<p>It should be made clear that the nutrition information given on FOP is based on typical values otherwise this could be misleading.</p>	Noted. This point will be addressed when the technical guidance is updated.
	Moy Park	<p>To give a more accurate GDA, the nutritional values on FOP should be based on “as consumed” analysis.</p>	Noted.
	BSDA	<p>In general, it is advisable that any labelling scheme should take into account the sizes of the different packs and labels on which it is intended to appear, including the smallest ones. One of the reasons why a labelling scheme might not be used is that it demands too much space.</p>	The FIR proposal includes an exemption from the requirement to provide mandatory nutrition information for foods sold in small packages, and would also apply for FOP.
	Royal Free Hospital	<p>We would like to see continued expression of values per 100g on the label in addition to values per “portion.” However, there needs to be some way of ensuring that manufacturers declare a reasonable average portion/ serving size. It is not acceptable to declare a typical portion which is smaller than the average person would consume. This is often a ploy used when the food is high in fat or salt</p>	<p>In the negotiations on the FIR the FSA is pressing for nutrition information to be given mandatorily per 100g or per 100 ml on all foods to facilitate comparison between products, in addition per portion information can be provided as long as the number of portions is indicated on the package and the portion size is clearly stated. However declaration by portion size alone would be acceptable only when the food is prepacked and sold as a single prepacked consumption unit or as an individual portion (e.g. an ice cream). In these cases the</p>

			<p>product is consumed in one sitting when eating the product the consumer is interested in the amount which they consume.</p> <p>The FSA recommends that portion sizes stated on food labels should be realistic and meaningful to the consumer. Generally accepted portion sizes should be used where possible.</p>
	CEnTSA	In addition to the above, we also hold the view that the GDA values used should be age appropriate, i.e. adult GDA should not be used on 'toddler's' meals as it makes the percentages misleadingly low, particularly salt and sugars	FOP labelling is for use on family foods and not foods made specifically for children.
Use of colours	M Hamilton (member of public)	I can easily understand the Traffic Lights colour coding of RED, ORANGE and GREEN, but I have seen many labels in LIGHT BLUE – I do not understand what this is supposed to represent and how I should read them and interpret them.	Noted. [5] The Agency proposes that a principle based approach to FOP labelling which includes interpretive text (the words 'high, medium and low') along with traffic light colours and percentage guideline daily amounts (GDAs) should be developed and used by industry to improve consistency in the marketplace.
	G Ward (member of the public)	The traffic light colour coding system is helpful and gives a quick indicator when there is a limited time to read labels.	Noted.
	William Overington (member of the public)	<p>I suggest that each of the standardized traffic light symbols is specified with not only a specific colour but also a specific shape, and fairly large, all on a background that is either white or maybe light blue.</p> <p>For example, red filled equilateral triangle, yellow (or maybe orange) filled square and green filled circle.</p> <p>I have suggested the above shapes as they are distinctive each from the others. The edge of the shape gets smoother as the food gets better, going from jagged for red through to smooth for green.</p> <p>This would mean that people with colour blindness, people with impaired vision and people looking at packages in various lighting situations would have shape information to guide them as well as colour information.</p>	<p>See comment [5].</p> <p>High, medium and low text enables colour blind and visually impaired to recognise the level of each nutrient in a food product.</p>

	Morrisons	<p>Besides enabling and encouraging consumer choice, we understand that one of the FSA’s objectives in recommending the use of such FOP signposting is to encourage the re-formulation of foods by food manufacturers and retailers. We seek to optimise the nutritional composition of products where there is scope to do so. This is because we understand that small reductions in, for example, the salt content of our products can help consumers reduce their salt intake and also provide choice between product types. We are concerned that the broad ranges on which the traffic light colours are based may mean that if a nutrient cannot be reduced sufficiently to move from, say, “red” to “amber” the consumer and industry incentive to select the reduced nutrient version may be lost.</p>	<p>Whilst the FSA welcomes efforts by industry to reduce the amount of fat, saturated fat, added sugars and salt in their products to receive a more favourable traffic light colour, reformulation is not the primary objective of FOP nutrition labelling.</p>
	Bernard Matthews	<p>Would also suggest some consideration is required for helping consumers make informed choices in regard to non-homogenous meat and poultry whether processed or un-processed. Meat and poultry are particular food items that by their nature can present very variable nutritional characteristics depending on the cut or which part is eaten. Turkey, for instance, may have fat levels varying from the light meat at less than 1g/100g, dark meat at 2.5g/100g through to the skin at over 30g/100g.</p> <p>The informed consumer will know that if they remove the skin first then the amount of fat consumed will be much less. Similar to removing the fat on bacon or selecting leaner cuts of meat, etc. However, if the traffic light indicator for fat is based on the whole product as sold then the fat level becomes the average of all the light and dark meat and skin which is then likely to be at levels in the Amber (Medium) range. Yet with probably over 75% of the meat being meat which is low in fat, Green (Low), there is a danger of the consumer perceiving the nature of the food in a wrong way.</p> <p>We also understand the need to avoid complexity as much as possible with the working of nutrition labelling. With meat, poultry. specific meat and poultry cuts, familiar and understood by consumers (as per EU definition of meat) then we would suggest</p>	<p>Information on the level of nutrients in a food product should be representative and meaningful to the consumer. It should be made clear that the information in the FOP label is based on typical values.</p>

		<p>that an informative way forward for the consumer would be to apply the front of pack nutrition in a specific and clear way. For example, a whole oven ready turkey might show on fop that the nutrition is for “Each serving of turkey breast without skin”, or “Chicken thigh with skin removed”, etc.</p> <p>This will then be good for the consumer in assisting their understanding of how they can better control their own fat and saturated fat intake. Similarly it is good for industry by showing the green light towards the leaner and healthier cuts and parts of meat.</p>	
FOP info is not widely used	Morrisons	<p>Crucially, despite efforts across industry, even widespread product re-formulations to reduce key nutrients (such as salt) may not be sufficient to reduce intakes at the population level without addressing an individual’s own influence over their personal dietary balance. Given the above, and that the PMP research has shown that FOP information is not likely to be used by all consumers, we believe that FOP nutrition labelling will not be sufficient alone to encourage the food industry or consumers to establish better dietary balance.</p> <p>Having concluded that product re-formulations and FOP labelling alone will not help consumers achieve a better dietary balance, we would encourage the FSA to invest in initiatives to help consumers establish better dietary balance, addressing frequency of consumption and understanding of appropriate portion sizes of foods which are key to levels of nutrient in the diet.</p>	<p>[6] FOP nutrition labelling is just one of a number of work programmes being taken forward by the FSA to help consumers to choose a healthier diet.</p> <p>Whilst the independent evaluation research showed that use of FOP labels was low, the study concluded that use and comprehension of FOP labelling could be enhanced if a single FOP approach was used in the marketplace.</p>
Information on other nutrients	K Scott (member of public)	Such labelling is of no use to me. As a diabetic who only eats what cannot raise my blood sugars I need to know exactly, by weight, the number of grams of protein and carbohydrate. If this is not still on the pack it denies me the opportunity of a varied diet as I would have to cut out all foods that could endanger me. It would be virtually impossible to calibrate amounts of insulin.	[7] The list of nutrients (including carbohydrate and protein) which will be included in the mandatory nutrition declaration are still being discussed in the European discussions on the FIR,
	Royal Free Hospital	We feel it is absolutely essential that the carbohydrate value of food continues to be declared on its label. Many of our patients with type 1 diabetes rely absolutely on this information to calculate an appropriate insulin dose at meal times	See comment [7]

		<p>We are in favour of carbohydrate being mandatory on back of pack. The main reason for this is that we are aware (as are the public) that front of pack signposting tends to highlight dietary constituents which are relatively “unhealthy” and which we as a population need to reduce.</p> <p>We do not want carbohydrate to be seen as an “unhealthy” nutrient in the same way as fat and salt. For this reason, we do not think carbohydrate should sit alongside salt and fat on front of pack</p>	
Alcoholic drinks	SWA	<p>Scotch Whisky producers are not currently required to provide nutrition information on the labels of their products. Moreover, in the Commission proposal for a new food labelling Regulation, we are offered a 5 year temporary derogation from the requirement to provide any such information. We support this provision and believe it will help us establish how nutrition labelling for all alcoholic beverages might be presented. If, following further research into the issue it is deemed necessary to provide nutrition labelling on alcoholic beverages, then we believe the most appropriate place to provide this would be off-label, for example, on company websites. If this is not possible, then the back label is the best place for the provision of such information.</p>	Noted. FOP nutrition labelling is intended for family foods and not alcoholic drinks.
Emphasis should be on foods to eat more of, not those we should eat less of	Dairy UK	<p>Rather than emphasise food components to avoid, we feel that the emphasis should be on encouraging consumers to understand better the concept of a balanced diet. The FSA’s Eatwell Plate should be used as part of this process to encourage consumers to construct their diets round the food groups in the plate, and this will automatically result in consumers reducing their intake of fat, saturated fats, salt and sugar.</p>	See comment [6].
FOP labelling should remain voluntary	Covent Garden	<p>We agree that system should remain voluntary. We would also request that any changes should be phased in without a strict deadline to allow for packaging stocks.</p>	Noted.
Should ensure FSA work with the Food Safety Authority of Ireland on this	Premier Foods	<p>We would also strongly encourage the Agency to work with the Food Safety Authority of Ireland to ensure that any FOP recommendations from both authorities are aligned. Due to the nature of retailers supply chains, we do not know whether packaging will be distributed in Ireland when it is printed as retailers</p>	ROI has not made recommendations on FOP labelling. The Food Safety Authority of Ireland is kept informed of the FSA’s work in this area.

issue		distribute products to Ireland through their own supply chain. The product is delivered to a retailer distribution centre and then distributed through their supply chain to either UK or Irish stores as required. Therefore, different labelling schemes in the UK and Ireland could be a barrier to implementation due to increased complexity and added cost.	
Consultation misses the opportunity to work with industry on this issue	FDF	<p>We believe the consultation represents a significant missed opportunity. By failing to explore new ways of working in partnership with industry and other parts of Government, we fear the Agency will not create the clear, coherent and consistent approach that is vital if we are to achieve our collective ambition to improve the food literacy of UK consumers.</p> <p>We are deeply concerned that the consultation is not designed to explore whether or not a single scheme would be the best solution at this stage, but asks simply how a 'triple hybrid' scheme based on %GDA, text and traffic light colours might best be implemented. Further, it is only looking at retail packs – not the provision of nutrition information in all settings.</p>	Disagree. The Agency continues to actively engage with stakeholders to encourage adoption of a FOP approach which works best for the consumer.
Economic climate	FDF	As food businesses deal with a challenging economic climate, their top priority is to continue to provide consumers with safe, nutritious and affordable food. Any proposals for changes adding costs onto business must be evaluated rigorously and demonstrate significant new benefit. The FOP labelling proposal is just one of a number of requests the FSA is currently making to industry for voluntary action.	Noted.
Calories per portion only option	FDF	We believe there is an opportunity for the Agency, Government and the retail, catering and manufacturing industries to work together to create a single approach to providing consumers with nutrition information. Calories per portion is an obvious starting point and if we succeed in making this the 'new currency' of nutritional information – which is the Government's ambition – then we will start on the road towards achieving our common goal of improving the food literacy of UK consumer	<p>The Agency's FOP principle based approach includes the provision of calories on FOP labels.</p> <p>See comment [4].</p>

Stakeholder responses to the front of pack labelling impact assessment

1. We would welcome industry views on the assumptions made on technical familiarisation costs and the degree to which this is separate from wider re-labelling costs.		
Respondent	Comments	FSA Response
Firm A	Believes that with so many voluntary targets now being imposed on food businesses the implementation of them causes a real commercial and resource challenge for each company. Every business will need to take hard priority decisions about which voluntary schemes it can implement.	Noted.
FDF	As companies would apply any schemes voluntarily, time and money would only be needed if they chose to change. Given that most manufacturers would choose the GDA-based scheme that they value, they are unlikely to volunteer to change.	Noted.
Firm B	We already include FOP GDA labelling on our products, so if a GDA based scheme were to be adopted without any additional elements, then we would not expect to have any significant costs.	Noted.
Tate and Lyle	As this would be a voluntary scheme, the time and money to ensure technical familiarisation would only be applicable if T&L decided to change. At T&L we value and support the GDA based scheme so we would therefore be unlikely to change on a voluntary basis given current information.	Noted.

2. How long would a business require to read and understand the revised guidance – assuming no change in length overall?		
Respondent	Comments	FSA Response
Firm A	Believes that with so many voluntary targets now being imposed on food businesses the implementation of them causes a real commercial and resource challenge for each company. Every business will need to take hard priority decisions about which voluntary schemes it can implement.	Noted. No estimates of the required length of time to read and understand the revised guidance were provided.
Firm B	If we implemented the triple hybrid scheme all internal guidance documentation would have to be reviewed, involving around 25 teams in different locations in the UK. The impact would be the same as the original costs for all companies making a change.	
FDF	As companies would apply any schemes voluntarily, time and money would only be needed if they chose to change. Given that most manufacturers would choose the GDA-based scheme that they value, they are unlikely to volunteer to change.	
Nestlé	Nestlé is unsure of the relevance of this question	
Tate & Lyle	As this would be a voluntary scheme, the time and money to ensure technical familiarisation would only be applicable if T&L decided to change. At T&L we value and support the GDA based scheme so we would therefore be unlikely to change on a voluntary basis given current information.	

3. Do you anticipate any specific familiarisation costs that may relate to additional criteria for foods recommended to be eaten in small portions? If so please provide information about these costs.

Respondent	Comments	FSA Response
Firm A	Believes that with so many voluntary targets now being imposed on food businesses the implementation of them causes a real commercial and resource challenge for each company. Every business will need to take hard priority decisions about which voluntary schemes it can implement.	Noted.
FDF	As companies would apply any schemes voluntarily, time and money would only be needed if they chose to change. Given that most manufacturers would choose the GDA-based scheme that they value, they are unlikely to volunteer to change.	
Nestlé	Nestlé labels GDAs across all products regardless of serving size	
Firm B	For foods eaten in small portions, using a GDA per portion approach allows the contribution of the food to the diet to be represented appropriately and as we already provide %GDA information we would not expect any significant costs by continuing to use this method.	
Tate & Lyle	At Tate & Lyle we value and support the GDA based scheme so we would therefore be unlikely to change on a voluntary basis given current information. Tate & Lyle remains committed to putting GDA based information on the front of its retail products where their presence will help consumers make meaningful, informed choices. Notwithstanding that, we do believe that the value of placing front-of-pack labelling on items containing readily identifiable single ingredients (such as sugar) is limited.	

4. We do not expect changes in the salt thresholds to add significant costs for businesses and would welcome your views on this – particularly if there are any specific costs that need to be considered.

Respondent	Comments	FSA Response
Firm A	Believes that with so many voluntary targets now being imposed on food businesses the implementation of them causes a real commercial and resource challenge for each company. Every business will need to take hard priority decisions about which voluntary schemes it can implement.	Noted.
FDF	As companies would apply any schemes voluntarily, time and money would only be needed if they chose to change. Given that most manufacturers would choose the GDA-based scheme that they value, they are unlikely to volunteer to change.	
Nestlé	The value used for salt for calculating the values found in GDA labelling should be as agreed by the Commission (6g) and for the purpose of FoP labelling, it should always be provided on a per portion basis. FSA Salt Reduction Targets were set with the specific purpose of encouraging reformulation in order to reduce population salt intake. The average level of salt intake recommended within the population, the threshold, remains unchanged regardless of any reformulation work. Thresholds for the purposes of labelling should not be influenced by the FSA 2010 Salt Reduction Targets as claims	The proposed criteria for salt medium/high threshold is based on the 6g GDA value. No indications of costs were provided specifically for a reduction of the 'high' salt criteria.

	that these targets have been met can be made in addition to any FoP nutrition labelling.	
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5. We welcome your views on the costs associated with extending the scope of foods for FOP labelling in addition to potential re-labelling costs.

Respondent	Comments	FSA Response
Firm A	Firm A already provide voluntary GDA style information on most of its products, e.g. where there is sufficient room and it doesn't see any reason to remove this information. However, it doesn't currently provide FOP labelling on Seasonal lines.	Noted. No indications of costs associated with extending the scope of foods for FOP labelling in relation to potential re-labelling costs have been provided.
FDF	FDF member companies are committed to putting GDA based information on the front of all products where their presence will help consumers make informed choices. In practice this covers most categories of products and goes well beyond the limited recommendations for traffic light labels.	
Nestlé	Nestlé labels FOP GDA information across all products where their presence will help consumers make informed choices.	Traffic light criteria were originally recommended for those categories of foods which consumers found were difficult to assess nutritionally. Traffic light criteria have been successfully applied by some companies to a much wider range of foods, which benefits the consumer.
Firm B	The costs of changing the labelling of our products include; design, artwork production, proofs etc, origination costs. The cost of changing retail-brands (Firm B produce around 1500 separate products) would also be absorbed by Firm B and other businesses which provide retailer brands. Our market-leading, established brands have an infrequent re-labelling cycle of around 1-5 years as the consumer knows and loves these brands and does not expect them to change. Any changes in labelling outside of this cycle would result in incremental costs to the business.	The re-labelling costs calculated take account of these factors.
Tate & Lyle	Currently puts GDA information on FOP for Granulated Sugar and Light Cane Sugar, this is because these sugars have a broad spectrum of use. Using FOP on these products highlights the added benefits of using Light Cane Sugar. Putting this information on other Tate & Lyle products would not be helpful to consumers as these sugars are used solely as ingredients in domestic cooking and portion sizes are not standard or appropriate.	The FSA recognises that FOP labelling on single ingredient foods offers limited benefit to the consumer and hence does not recommend they bear FOP labels.

6. We welcome feedback on the cost estimates of raising awareness for industry, NGOs and other consumer and public health organisations.

Respondent	Comments	FSA Response
Firm A	Firm A understands that consumer awareness is high, but that consumers need to understand how to use all the information they have in order to make informed choices.	Noted.
Nestlé	Nestlé believes that all stakeholders should work together to raise the awareness and use of nutrition labelling with consumers.	

FDF	FDF does not believe that the focus should be on raising awareness as this has already proven to be high. The focus now needs to be on all stakeholders working together to encourage more consumers to use the information already available to them.	[1] We disagree. The independent research ⁴ and citizens' forums ⁵ both demonstrate that consumers are confused by the co-existence of a range of FOP labels in the marketplace, and want a single consistent approach.
Firm B	As noted in the research conducted by Millward Brown, there is a high level (over 80%) of awareness for FOP labels. For this reason, we think that the focus should not be on raising awareness but rather to encourage more consumers to use the information already available to them so that they can make healthier choices easily with all stakeholders working together to achieve this.	
Tate & Lyle	Tate & Lyle believes that the level of awareness for Industry, NGOs and other Stakeholders is already high after the excellent campaigns of the FSA and FDF. We feel that this money would be better spent in actively encouraging the consumer and general public to use existing FOP labelling to their advantage.	
WHOTS Food Group	Minimal to a local authority, can tag onto inspection or hold a talk/seminar for manufacturers in area.	Noted and taken into account.

7. Are there any other benefits for industry arising from Option 2? If so, what are they and please quantify them.		
Respondent	Comments	FSA Response
FDF	Option 2 offers no benefits that go beyond the current GDA labelling scheme. The current economic challenges mean it is vital that companies prioritise their continued investment where it can have most impact and the businesses we represent will scrutinise each proposal for regulatory or voluntary action with this over-riding priority firmly in mind.	[2] We disagree. A consistently applied, understandable and useable approach to FOP labelling throughout the marketplace will help consumers to make healthier choices by a number of means: (i) Increasing the potential for consumers to understand and use it as it contains the elements shown to be most effective. (ii) Reducing confusion for consumers caused by the variety of FOP labels in the marketplace, and therefore encouraging use. (iii) Building trust and providing reassurance by using a Government backed approach, and therefore increasing usage. (iv) Indirect health benefits where using a single approach. Provides firms with an incentive to reformulate and provide healthier products.

⁴ Comprehension and use of UK nutrition signpost labelling schemes, BMRB 2009.

⁵ <http://www.food.gov.uk/foodlabelling/researchandreports/citforumfop>

	A growing body of evidence confirms that GDA labelling is helping consumers make better informed choices. GDA labelling has also helped focus the reformulation and new product development efforts of manufacturers and retailers.	The FSA would welcome the submission of evidence relating to consumer understanding of GDA labelling and its impact on food choices.
Nestlé	Nestlé can see no further benefits of applying an integrated scheme beyond those already achieved when using GDA labelling.	See comment [1].
Tate & Lyle	Tate & Lyle currently use the GDA approach, this scheme covers the calorie content, fats, sugars, salt criteria, and portion size as set out in option 2. The portion size for sugar was formulated by using a standard teaspoon, as used in the UK.	Noted.

8. We would welcome views on potential costs and benefits associated with Option 3.

Respondent	Comments	FSA Response
Firm A (response to Q.8-20)	<p>Firm A conclude that either option would incur significant time and costs for business. This is because it sells over 300 SKUs and most are in expensive gravure print. In addition, Firm A products are sold in the UK and Ireland plus they are exported across Europe and the rest of the world. It wouldn't be commercially viable to have separate packs for each of these geographical regions.</p> <p>The cost to our category and business would be significant. This is because such a large physical change to FOP and the introduction of additional colours would translate to both fixed redesign and origination costs as well as on going costs of around 10%.</p> <p>Fixed costs break down as follows: Design and artwork costs: £20-50K major redesign, £2-5k minor redesign New cylinders costs (on average): £3K per pack</p> <p>We can not comment on why retailers have provided lower origination charges than brands; unless they have just provided their own design or artwork costs and not the total costs. As a manufacturer of both brand and own label products, we see on average no difference in costs of the re-origination from brand to own label, with both being around the £3K mark per SKU.</p>	<p>Noted and responses will be taken into account.</p> <p>It is unclear as to what these on-going costs are so these are not taken into account.</p> <p>Noted. This has been taken into account. Costs are based on other metrics e.g. minor change, major change or size of business.</p>
FDI Nestlé Tate & Lyle	There is very little difference in the costs associated with option 3 compared with option 2. The costs of both will be extremely high for manufacturers who currently use monochrome GDA schemes. The FSA assessments of the costs of changing from a GDA scheme to a more complicated 'triple hybrid' approach are flawed and considerably underestimate the costs that industry would incur in making such a change.	<p>The FSA has consulted on the costs of re-labelling for current traffic light adopters to change to the FSA's single approach for both options 2 and 3. The development of the impact assessment is iterative and is updated in the light of new data. While the Agency would encourage firms to adopt the FSA approach to FOP labelling, as FOP is voluntary it is up to individual businesses whether to participate or not.</p> <p>The FSA notes that there is little difference in costs</p>

		between option 2 and option 3 because they both apply to existing FSA adopters. The difference between Option 2 and 3 is that Option 3 is more prescriptive in what a label should look like whereas Option 2 is more flexible. We would expect the number of stock keeping units in both to be constant.
FDF Firm B	<p>The consultation states that 9,100 products would need to change at a cost of £1,000 a time, giving a total figure close to £10k. It is important that you recognize that this figure of £1000 per product was for retailer products and your own figure for manufacturers was £1500. This point seems to have been disregarded in the overall calculation. FDF believes that there are at least 20,000 products with GDA labeling in market that would need to change. Additionally, having reviewed industry data for re-labelling costs, we believe these are much higher than £1,500 stated given the complexity of this sort of artwork (number of colours etc.). This is represented in the real data collected from manufacturers but not allowed for in the calculations. Thus the overall calculation does not allow for the real variability of changing current packs. For example, a true breakdown of costs for a manufacturer would be; new plates an average of £1,000, additional colours on plates will cost on average £500, plus staffing time for checking of new artworks with up to 5 versions being checked, redesign fees from the Arthouses, and any potential stock write-offs. There would also be an increase in printing costs of approximately 10%).</p> <p>It is not relevant to find a median value for your calculations as you have gathered 'real data' that accounts for a significant proportion of food products, given the market impact of major producers you have surveyed. The SME data is likely to be much less representative given your small sample from a much larger base.</p> <p>Adopting Option 2 or 3 will have a major impact on all companies – irrespective of which scheme they currently use. For instance: taking a more realistic but conservative estimate of cost of £2,500 (based on your data) and a very conservative estimate that some 20,000 SKUs currently use GDAs would mean that from our perspective any enforced changes would cost £50,000,000. This would then be compounded by any future changes in the light of the EU's Food Information Regulation. In other words: £100,000,000 would need to be spent on labelling changes in, say, five years. While we recognise that some of this money would be spent in the normal course of business (such as planned packaging redesigns and brand renovation work), this is not something that can be dismissed out of hand.</p>	Noted and response will be taken into account. The median value will not be used in the future.
FDF Nestlé Firm B	The impact assessment also fails to recognise the common packaging that many companies use to supply more than one country. In particular, the impact assessment has not considered that many manufacturers based on the British mainland will have common product and packaging for the UK	The impact assessment sought views on this issue. No information or evidence on the extent of these potential costs has been identified. The FSA considers that a

	<p>and the Republic of Ireland and would find it commercially unacceptable to produce different labels for both markets.</p>	<p>potential additional cost may arise if different approaches to FOP labelling emerge in the UK and EU. This would only materialise once the EU FIR is agreed and if its requirements were found to conflict with the UK approach to FOP labelling. If this situation did occur, costs would be mitigated by the fact that the Regulation is unlikely to be agreed before 2010 and would include a transition period in the order of 3-5 years.</p>
Nestlé	<p>Nestlé can see no further benefits of applying other schemes beyond those already achieved when using GDA labelling. The costs of either scheme will be extremely high for Nestlé as we currently use a monochrome GDA scheme.</p> <p>The consultation states that 9,100 products would need to change at a cost of £1,000 a time, giving a total figure close to £10m. Nestlé supports the FDF data that there are at least 20,000 products with GDA labelling in market that would need to change (Nestlé alone would need to change around 800 products) and that the FSA data is inaccurate. It is not relevant to use a median value for these calculations as ‘real data’ was collected that accounts for a significant proportion of food products, given the market impact of major producers you have surveyed.</p> <p>Nestlé believes the costs per product are much higher than £1000 and closer to £5000 given the complexity of this sort of artwork (number of colours etc.). A realistic breakdown of costs for Nestlé would be design and pre press costs, up to 5 new printing plates, additional colours needed on press, plus staffing time for checking of new artworks, and any potential stock write-offs. Some of these costs would be reduced if a the labelling changes for a voluntary scheme were introduced at the time of other pack changes, but not significantly reduced to the level declared in this consultation. Any impact assessment should also include the following costs (not included in the £5000): Calculation of new data, administrative costs to advise customers of new product codes and change the information throughout the supply chain, other labour costs such as project management, technical, regulatory affairs, nutrition and marketing.</p> <p>Nestlé UK imports a large proportion of its products into the UK and many of them carry multilingual labels (around 300 imported SKUs would be affected by a FoP labelling scheme). The costs of producing packaging for the UK market alone, which in many cases is a small proportion of the total volume for a product, will be immediate and ongoing largely due to the loss in cost savings associated with producing large volumes of packaging. Nestlé believes that the cost per SKU associated with imported SKUs is closer to £20k per SKU.</p>	See comment [2].

Firm B	<p>We believe there would be very little difference in the costs associated with Option 3 compared with Option 2 but it would be far more difficult to implement due to the differences in packaging format, layout and design. The costs of both will be extremely high as we currently use a monochrome GDA scheme.</p>	<p>[3] The FSA has consulted on the costs of re-labelling for current traffic light adopters to follow the FSA’s principles for a single approach, for both options 2 and 3. While the FSA would encourage firms to adopt the FSA single approach, as FOP labelling is voluntary it is up to individual businesses whether to participate or not.</p> <p>The FSA notes that there is little difference in costs between option 2 and option 3 because they both apply to existing traffic light adopters. The difference between Option 2 and 3 is that Option 3 is more prescriptive in what a label should look like whereas Option 2 is more flexible. We would expect the number of stock keeping units in both to be constant.</p>
Tate & Lyle	<p>The consultation states that only 9,100 products would need to change at a cost of £1,500 per product. According to the data presented by the FDF there are approximately 20,000 products with GDA labelling in the UK Market currently, all of which would require changing to the new scheme. In addition, on page 25 (Annex C) of the consultation, it states that: ‘It is estimated that around 28,000 products have some form of FOP labelling on them’. We do not therefore understand where 9,100 products comes from.</p> <p>The costs associated with re-labelling are also considerably higher than the estimated £1,500 in the consultation. Most worryingly the calculation for arriving at these costs has been done using a median value which is not appropriate in light of the data gathered. The FDF has taken an average cost of £2,500 per sku, which is taken from data presented by its members. However, Tate & Lyle would incur costs even higher than this, as can be seen in the breakdown of costs as set out below: New plates £1,000, Additional Colours £500, Redesign Fees £1,000, Staffing time for approvals £2,000.</p> <p>Tate & Lyle would incur extra costs for using 3 extra colours on packaging due to the nature of our single-coloured packaging. These figures have been calculated based on current redesign costs and do not include either the cost of stock write-offs or indeed increased printing costs associated with using more colours (approximately 10%) on an ongoing basis.</p> <p>Even with our limited retail range, approximately 57 sku’s, the cost associated with this re-labelling</p>	<p>Noted. See comment [3].</p> <p>The FSA’s current estimates of the number of SKU’s which carry traffic light labelling are 9,100.</p>

	would be £256,500. In addition, this cost would be compounded further by any changes in light of the EU's Food Information Regulation; this would effectively double our costs to £513,000.	
University of Aberdeen, Public Health Nutrition Research Group	We believe that option 3 is essential for consumers to understand and use FOP labelling fully: different formats will confuse people and reduce the impact. The format we prefer is the top right example of annex C for the FOP labelling which is the simplest design with the top and bottom text more easy to read from a distance and the percentage figures for GDA more clearly linked to the text below.	Noted.
WHOTS Food Group	Option 3, a standard label for all businesses would be easier for consumers and enforcers to understand. It would be easier for consumers to compare products and prevent marketing spin/design confusing the issue.	

9. We would welcome views on assumptions made in assessing enforcement costs.

Respondent	Comments	FSA Response
FDF Nestlé	Standardisation is likely to minimise costs. The GDA scheme could achieve this.	Noted. Introduction of a consistent approach to FOP labelling would decrease enforcement costs.
Firm B	FOP labelling is voluntary and therefore incurs no direct enforcement costs.	Where a business has chosen to adopt FOP labelling Local Authority Enforcement Officers are responsible for checking that the declarations are not false or misleading. The accuracy of FOP labels is normally checked by enforcement officers at the same time as mandatory product labelling information. With nutrition labelling provided on a voluntary basis for nearly 80% of pre-packed food in the UK it is not expected that any significant incremental enforcement costs will arise from specifically checking FOP labels.
Tate & Lyle	Tate & Lyle does not see why current enforcement costs would be increased in light of any form of proposal to change a voluntary FOP labelling. However, an increase in costs would be seen if any scheme were to be made compulsory.	Noted.
WHOTS Food Group	One integrated approach means that officers would only need to be familiar with one label. There is a potential for increased mislabelling as companies try to get their product into another category i.e. amber instead of red. There would be an increased need to sample during initial stages.	It is not clear what evidence is available to support this comment.

10. We would welcome industry's views on the basis of the assessment for re-labelling costs for industry including (a) the estimated number of products that would have to be switched to an integrated FOP label over the next three years outside normal re-labelling cycles in line with the Agency's revised technical guidance and (b) any

estimates of one-off costs outside pure re-labelling costs.		
Respondent	Comments	FSA Response
Firm A	The cost to our category and business would be significant. This is because such a large physical change to FOP and the introduction of additional colours would translate to both, fixed redesign and origination costs as well as ongoing costs of around 10%. Fixed costs break down as follows: Design and artwork costs: £20-50K major redesign, £2-5K minor redesign New cylinders costs (ave.) £3K per pack	Response has been noted and a more appropriate figure will be used in future.
FDF Nestlé Firm B Tate & Lyle	As response to Q.8	See comments in response to point raised under Q8.

11. We would welcome SME views on potential costs that may arise as a result of complying with such requests from retailers including re-labelling costs and number of products affected.		
Respondent	Comments	FSA Response
FDF	It would be of concern if pressure were brought to bear on SMEs by any party which would significantly increase costs. FDF is aware that some SMEs make infrequent changes to labels and do not have the resources to do otherwise.	Noted.

12. We welcome views on the cost of having two labels (one for the UK and one for other EU countries the business supplies to), and the likelihood of this arising.		
Respondent	Comments	FSA Response
FDF	Many manufacturers are already using common schemes to retailers, for example GDA based schemes. FDF would hope that other changes would occur voluntarily in due course.	Noted.
Nestlé	Additional costs will arise if different approaches to FOP labelling emerge in the UK and EU. This additional cost will materialise once the EU FIR is agreed and if its requirements were found to conflict with the UK approach to FOP labelling. There is no way of predicting if this situation will materialise or not. Costs would be mitigated by the fact that the Regulation is unlikely to be agreed before 2010 and a long transition period (3-5 years).	Noted. The impact assessment will reflect this.
Tate & Lyle	When the EU Food Information Regulation comes into force, Tate & Lyle like other companies will have to change packaging designs to meet the new requirements. Some of our packaging carries multi-lingual labelling as it is sold throughout the EU. The proposed 'triple hybrid' scheme would have little relevance to other European markets, and indeed may be contrary to other national provisions. Moreover, given its size it would be particularly difficult to incorporate and as already said, would raise packaging costs on an ongoing basis. If such a scheme by practice becomes	Noted and response is taken into account.

	'mandatory', a factor that would be contrary to the principles of the internal market and the purpose of a Regulation, Tate & Lyle would likely have to develop extra sets of artwork for the EU market. The cost of these would be on top of the re-labelling costs already discussed in the answer to question 8.	
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13. What type of implementation costs do we need to consider?

Respondent	Comments	FSA Response
FDF	FDF wishes to reinforce its belief in the GDA scheme and that further implementation for a triple hybrid scheme should not be prioritised over steps outlined in our overarching comments.	Noted. No indications of implementation costs were provided.
Nestlé	Nestlé has already invested in, implemented and continue to support the GDA scheme. We would not wish to introduce any changes to our nutritional labelling ahead of EU approval of the FIR.	Until the FIR is agreed the extent of resulting changes due to legal requirements and the related costs are unknown. Any costs would be mitigated by the fact that the Regulation is unlikely to be agreed before 2011 and would include a transition period in the order of 3-5 years.
Firm B	Our preferred solution is the GDA scheme and we believe that with the new EU legislation due to be agreed in the next 12-18 months, no changes should be made until the EU regulates through its FIR proposal. Consumers should be encouraged to use the information that is now widely available to them until this time. The following implementation costs need to be considered; design, artwork production proofs etc., origination costs, ongoing costs for increasing the number of colours used in printing, training, guidance, documentation, communication to the consumer.	See comment [3]. Noted and response is taken into account.
Tate & Lyle	See response to Q.12 and 8	See comments in response to points raised under Q12 and Q8.

14. How long (in hours) would option 2 take to implement?

Respondent	Comments	FSA Response
FDF	FDF members have already invested in the GDA scheme and believe that it represents a strong base to drive consumer understanding of nutrition. FDF has not requested detail input from members on this point as they wish to more fully reap the benefits of the GDA scheme they have already implemented.	See comment [1]. Option 2 offers benefits to the consumer which are absent from option 1 (do nothing). A consistently applied, understandable and useable approach to FOP labelling throughout the marketplace will help consumers to make healthier choices more easily. See comment [2].

Nestlé	Nestlé has already invested in, implemented and continue to support, the GDA scheme. We would not wish to introduce any changes to our nutritional labelling ahead of EU approval of the FIR.	See comment [3].
Firm B	The relabeling cycle for Firm B branded goods is between 1-5 years.	Noted and response is taken into account.
Tate & Lyle	The amount of time to implement option 2 would be considerable, a minimum of 5 years.	Noted and response is taken into account.

15. We welcome views on product analysis costs and on costs that may arise for SMEs that currently have no nutritional information for fat, saturates, salt and sugar on their products. We would also like to better understand how SMEs calculate nutritional information.

Respondent	Comments	FSA Response
FDF	FDF does not have any information on this question as SMEs have expressed the wish to continue with the current practices that are acceptable to them.	During pre-consultation engagement with stakeholders, 86 SMEs were contacted through FDF and 7 SMEs were invited to workshop discussions in Nottingham and Exeter ⁶ . No further information or evidence was provided in addition to the evidence outlined in the consultation document.

16. The FSA welcomes any further information on number of SKUs affected by FOP from current adopters, particularly those who have not participated in the workshops or completed the Agency's data questionnaire.

Respondent	Comments	FSA Response
FDF	FDF estimate GDA labelling is on at least 20,000 product lines. These manufacturers wish to continue with the approach they have found to benefit consumers.	Noted.
Nestlé	Wish to continue with the GDA approach.	
Firm B	We have approximately 5300 stock keeping units (SKUs) sold through retail outlets. The number of our product SKU's that currently contain front of pack GDA nutritional information is detailed in the front of pack labelling questionnaire that was sent to the Agency prior to this consultation.	Noted and response is taken into account.
Tate & Lyle	As response to Q8	Noted. See comment [3].

17. We would welcome any comments on Annex D (industry costs).

Respondent	Comments	FSA Response
Nestlé	See response to Q.8	See response to Nestlé entry at Q.8.
Firm B	We have around 5,300 product SKU's that would be affected if the integrated FOP labelling approach were to be adopted. The initial costs alone for the artwork redesign, reprographics, and production of	Noted and response is taken into account.

⁶ <http://www.food.gov.uk/foodlabelling/signposting/policyreview/>

	<p>the plates/cylinders would be around £4.5 million. This is almost half of the FSA's estimated industry cost of £10 million, indicating this is a huge underestimation as we represent around 3% of the UK grocery market but our costs reflect nearly 50% of the estimation.</p> <p>Annex D estimates that the costs of re-labelling a product SKU out of normal business cycles would be between £1000 - £2100, which we believe is an appropriate average, although some products can cost up to £6500, therefore this average can be misleading. Our figures are higher than the Agency's estimation due to the variety of costs which the Agency have not considered and the underestimation by the Agency of the product numbers requiring label updates.</p>	
Tate & Lyle	See previous answers on costs	See response to Tate & Lyle entry at Q.8.

18. Which of the two cost [labelling] ranges given in Annex E for retailers and manufacturers do you think is more accurate?

Respondent	Comments	FSA Response
FDF	Given that both are estimated on figures collected from the concerned industries they are both likely to be accurate. The fact that they are different indicates that delivering retail and branded products to market incorporates different elements – this should not be a surprise to those that understand the industry well. However, it is worth noting that the re-labelling estimate of £1,000 per SKU is based on a median value for retailers and not as would be expected on an average value across retailers and manufacturers.	Response has been noted and a more appropriate figure will be used in future.
Nestlé	See response to Q.8	See response to Nestlé entry at Q.8.
Firm B	Believes both figures to be accurate. The difference can be attributed to the fact that delivery of retail and branded products to market incorporates different elements.	Noted.
Tate & Lyle	We would repeat our comment that the Agency's re-labelling estimate of £1000 per sku is based on a median value and not as would be expected and more appropriate, an average value.	Response has been noted and a more appropriate figure will be used in future.

19. Do you agree with the approach taken in Annex F of the IA (methodology for calculating SKUs)?

Respondent	Comments	FSA Response
FDF Nestlé	Looking at the data presented we are unclear as to why ratios have been used to reduce the number of products. It is also worth noting that on page 25(Annex C) of the Consultation, it refers to an estimated 28,000 products that carry some form of FOP labeling on them. We would assume that nearly all of these would need changing to meet a new standard.	[4] The FSA has consulted on the costs of re-labelling for current traffic light adopters to follow the FSA's principles for a single approach, for both options 2 and 3. Thus in doing so, FSA used TNS data and combined workshop responses to estimate the number of SKUs affected by Option 2 and 3. While the Agency would encourage all firms to adopt the FSA approved approach, as the approach is voluntary it is up to individual businesses whether to participate or not.

		Thus not all 28,000 products are relevant to the calculations of option 2 and 3.
Firm B	Considering the limitation of data available, we agree with the approach taken to calculate SKU's.	Noted.
Tate & Lyle	Looking at the data as presented, the consultation does not refer to page 25 (Annex C), where it states that an estimated 28,000 products carry some form of FOP labelling. In order for anyone to follow the proposed changes their packaging would need to be altered to match the 'triple hybrid' scheme. This is not reflected in the Methodology for calculating SKU's.	See comment [4].

Other comments related to questions raised in the 'interventions and options' section		
Respondent	Comments	FSA Response
Coca Cola	As a system, we already provide GDA information on pack in addition to back of pack nutrition information. The FSA will be aware of the ongoing European discussion which proposes a Europe wide front of pack labelling scheme which, if adopted, would legally take precedence over any voluntary scheme proposed within the UK. Given that this European ruling will be determined within the next 12-18 months, we would encourage the Agency to consider utilising this time cost-effectively by educating and encouraging consumers to make use of the information currently provided on pack to make healthy dietary choices.	Until the FIR is agreed the extent of resulting changes due to legal requirements and the related costs are unknown. Any costs would be mitigated by the fact that the Regulation is unlikely to be agreed before 2011 and would include a transition period in the order of 3-5 years.
FDf	Discussions on a voluntary UK approach to labelling cannot happen in complete isolation from the complex negotiations now underway in Europe on a proposed Food Information Regulation. The Agency's consultation appears to have downplayed the huge significance of these EU negotiations – both in terms of defining exactly what information will be legally allowed to appear on packs in future and in terms of the costs that would be incurred by manufacturers if they were to make repeated changes to their packaging. The Agency's impact assessment claims that the cost to industry of your preferred approach would be less than £10m. We fear this seriously under-estimates the full costs to those companies who have adopted the simple GDA labelling scheme if they are forced to implement a triple hybrid scheme on their packs ahead of the EU Regulation. As we argue elsewhere in this response the true cost is more likely to be £100m in a five-year period. While we recognise that some of this money would be spent in the normal course of business, the implications of this assessment cannot be ignored.	
Sugar Bureau	There is a high risk that additional work on adapting voluntary UK food labels will be overridden by mandatory nutrition labelling in the context of the proposed EU FIR. It is impractical to consider UK food labelling schemes in isolation of the forthcoming EU Regulations, for both costs and legal reasons. The IA included in the consultation document fails to consider costs that might be incurred by the food industry due to implementation of the triple hybrid approach in advance of this EU regulation. The costs of the food industry stated in this consultation are therefore likely to be hugely	

	underestimated.	
Northern Foods	The competition assessment contends that there is no evidence that use of one type of FOP generates any competitive advantage but does not address whether the responsible brand owner is left at a competitive disadvantage by voluntary adoption.	FSA are not aware of the basis for this agreement.
Pepsico	Our views are broadly in line with those included in the FDF response to this consultation. Please note we have already shared detailed information with the Agency regarding the financial impact of labelling changes within the broader context of recent and forthcoming labelling changes.	The information provided has been taken account of in developing the draft impact assessment.
SNACMA	The consultation states that 'as this is a voluntary initiative, there are no additional administrative burdens on business'. This is very simplistic assessment of the potential financial impact that the triple hybrid may have on businesses and we would refer you to the FDF's response on the matter.	Noted.

Stakeholder responses to the independent research on front of pack (FOP) labelling ‘Comprehension and use of UK nutrition signpost labelling schemes’⁷.

Respondent	Comments	FSA Response
FDF	<p>We have considered carefully the case for change. The PMP report (whose research we welcome and commend) contains the following tables (see Appendix A). We therefore take from the research that all the FOP schemes currently in market show high levels of consumer understanding and that there is little difference between the various schemes evaluated. Our conclusion is supported by an independent peer review of the PMP research carried out at our request by Professor Klaus Grunert of Aarhus University (see Annex 6.1), a leading expert in the field of consumer behaviour. This points out that the evidence for “confusion” (the main justification for proposing to move to a single scheme) rests on “weaker grounds”.</p> <p>It is our understanding that the PMP, which ran the FSA’s research study, was not actually tasked to make policy recommendations or to find a single approach. In fact, the original terms of reference for the Panel quite clearly state that its remit was simply “to</p>	<p>[1] Noted. Taken as a whole, including the qualitative findings, the independent research⁸ provides evidence that there is a significant difference in comprehension for labels containing high, medium and low text, traffic lights (TL) and % GDA, and for standardising to one FOP label format. See also the TNS-BMRB response to the FDF commissioned critique by Professor Grunert annexed to this document (Annex 6.2).</p> <p>[2] The findings from the Agency’s Citizen’s Forums⁹ found that consumers thought that if a standardised FOP approach was adopted by all supermarkets and manufacturers, it would be easier to understand and more convenient to use, particularly for consumers who considered that trying to interpret several different approaches was inconvenient and time-consuming. Consumers liked a FOP label which included text, %GDA and particularly traffic light colours which aided quick decisions.</p> <p>[3] In developing a proposed single approach to FOP labelling, easily understood by consumers, as set out in the Prime Minister’s speech in January 2008¹⁰, the FSA has taken these findings into account in developing a proposed single approach for FOP labelling, to be discussed by the Board in March 2010.</p> <p>[4] The aim of the independent research was agreed with the Nutrition Strategy Steering Group (NSSG) at the outset of the research¹¹. The research sought to</p>

⁷ Comprehension and use of UK nutrition signpost labelling schemes, BMRB 2009.

⁸ Independent research refers to the research managed by the Project Management Panel (PMP) and reported by BMRB (footnote 1).

⁹ <http://www.food.gov.uk/multimedia/pdfs/citforumfop.pdf>

¹⁰ <http://www.number10.gov.uk/Page14171>

¹¹ <http://www.food.gov.uk/healthiereating/nutcomms/nutritionstrategy/nssgteleconf070515>

	<p>independently manage the project to evaluate front-of-pack signpost labelling schemes operating in the UK in terms of the effect they have on consumer knowledge and behaviour”.</p> <p>In this particular respect we feel the Panel should be congratulated for undertaking a piece of thorough research that complements equally impressive studies into nutrition labelling conducted by EUFIC (The European Food Information Council) and the European Union funded FLABEL (Food Labelling to Advance Better Education for Life) project – all of which are starting to improve our knowledge of how consumers use on-pack nutrition information.</p> <p>Professor Grunert rightly describes the study as a “generally well-conducted, thorough piece of research”, but raises a number of important questions about the final conclusions drawn by the Project Management Panel. With regard to Professor Grunert’s critique of the PMP’s report, he points out that all signposting systems were, in fact, well understood by consumers and were particularly good in enabling shoppers to make comparisons between products. He challenges the claim that there is strong evidence to conclude that a triple hybrid scheme based on %GDAs, text and traffic light colours outperforms other label formats. In fact, the Agency’s research itself shows that the more complex the label, the longer it takes for consumers to compare two products.</p> <p>Prof Grunert also believes that there is little evidence to support calls for the standardisation of labels. He writes: “While some evidence for confusion caused by different label formats has been provided, it is certainly limited and does not, in this expert’s opinion, warrant such a wide-ranging conclusion.”</p> <p>One key challenge remains: we still do not know if some label formats are better than others in actually influencing choices made in the shop at point of purchase. However, the knowledge base on the effectiveness of different schemes currently in market is still</p>	<p>establish which scheme(s), or elements of the scheme(s) best facilitate the accurate interpretation of key nutritional information by consumers such that they are enabled to make informed choices about the foods they purchase. The PMP’s remit can be found on the FSA’s website¹².</p> <p>[5] The final report from the EUFIC pan-European study and the FLABEL study are not yet available and FLABEL research is ongoing.</p> <p>See comments above at [1] to [3] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert (Annex 6.2).</p> <p>[6] The comprehensions tests in the study were timed to provide a measure for differentiation between label types. There was little difference in time taken to complete tests under each label type.</p> <p>[7] Part of the PMP’s role was to ensure that the final report is a true and fair reflection of the data generated by the research. In addition the report was peer-reviewed by 2 recognized independent experts in qualitative and quantitative research methodologies. See also comment [2].</p> <p>[8] The FSA is unaware of further published evidence on comprehension of FOP labels at this time. The independent PMP research sought to determine the</p>
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¹² <http://www.food.gov.uk/foodlabelling/signposting/signpostevaluation/pmpanel/signpostevalterms>

	<p>developing. Additional information should be continually reassessed to test the validity of conclusions that have been considered in arriving at the triple hybrid proposal.</p> <p>The Agency will be aware that very recently a new study has been published (Sacks, Rayner and Swinburn. <i>Health Promot. Int.</i> October 8, 2009) that concludes that front of pack ‘traffic-light’ nutrition labelling of ready meals and sandwiches did not change the purchasing behaviour of consumers. It was suggested that further research on the influence for nutrition signposting is still needed before colour coding is considered a promising public health intervention. Further, we know from other studies such as EUFIC and FLABEL, that the overwhelming majority of consumers still do not use the on-pack information that is now widely available.</p>	<p>most effective FOP label in terms of consumer comprehension and use, rather than to measure impact of FOP labels on consumer behaviour at point of purchase. See also comment [4].</p> <p>[9] The FSA is aware of the paper referred to (Sacks <i>et al.</i> 2009). The study looked at the short term purchasing behaviour of consumers, concerning itself with one type of FOP labelling (TL labelling) and two types of product in the stores of one retailer in the UK over an 8 week period. A number of other changes were made to the products and packaging that coincided with the introduction of FOP traffic light labelling. Therefore, it is not possible to separate which changes affected sales. The fact that the research was unable to demonstrate differential effects of FOP TL labelling in one particular set of circumstances does not mean that such labelling has not had other effects or that it would not have such effects in other circumstances (e.g. where TL labelling has been implemented more widely and over a longer time period). Sainsbury’s compared sales of products over a 12 week period before and after traffic lights were introduced¹³ and found an increase in sales of healthy products and a decrease in sales of less healthy products.</p> <p>Findings from the independent research and other observational studies such as EUFIC, support the view that consumers do not look at food labelling often and as such, effects on short terms sales are likely to be limited. The conclusions from this small study do not mean that more research is needed before action can be taken to improve the comprehensivity or comprehensibility of nutrition labelling.</p>
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¹³ <http://www.j-sainsbury.com/files/reports/cr2007/files/report.pdf>

	<p>Surely Prof Grunert is right to argue that more could be gained by focusing on measures to increase the use of such information, rather than trying to further optimise the existing labelling systems? Given that Government has no power to regulate in this area – and in the absence of any hard data to support the hypothesis that consumers are confused by the current mixed economy of labelling solutions – and with new EU legislation due to be agreed in the next 12 to 18 months – we would argue strongly that the best, and most cost-effective, policy option for the Agency at this stage would simply be to work with industry to encourage consumers to use the information that is now widely available to them in retail stores.</p> <p>We agree that calorie per portion information is vital – which is why it has been at the heart of the GDA scheme from the start. And research carried out by the Agency and others – including EUFIC – supports that view.</p> <p>The Public Health Commission recently published a report that highlighted the importance of Government providing consumers with clear messages, articulated in a consistent and compelling way through all available channels. On the issue of front-of-pack labelling, the Commission proposed that both retail packs and menus in catering outlets should provide nutrition information based on the same baseline of the Big 5 (calories, sugars, salt, fat and saturated fat) presented in a per portion format with GDAs. Once this standard baseline was established, the Public Health Commission felt that companies could then be free to apply other nutritional evaluation systems, such as colour, on a voluntary basis.</p> <p>Our research – supported by the PMP findings – tells us that GDA labelling is having a significant positive impact for consumers.</p> <p>We think Government and the FSA should work with industry to encourage more consumers to use the information already available to them – rather than try to create the optimum labelling system based on the subjective interpretations of a single piece of market research.</p>	<p>[10] The citizens’ forums³ has identified that promoting and implementing one approach of FOP labelling is an integral part to increasing usage of FOP labels. A consistent approach which is Government backed is required to increase consumer literacy, trust and use. See also comments [1] to [3].</p> <p>[11] The independent research confirmed that calories are liked and used by consumers, and that consumers are able to make healthier choices using the other interpretive elements, especially High, Medium and Low text.</p> <p>[12] The Agency is not aware of any research on objective consumer understanding which demonstrates that percentage GDA alone helps consumers to make healthier choices. See also comments [1] to [3].</p> <p>[13] The FSA would welcome the publication of this evidence.</p> <p>[14] The FSA is working with stakeholders to agree a single approach which consumers understand and will increase consumer use of FOP labels.</p>
Tesco	<p>We always review our policies in light of the latest research and information. This includes the ongoing studies by EUFIC and FLABEL. We have studied the research commissioned by the Food Standards Agency on the various systems and have the following comments:</p>	<p>[15] The independent research did not set out to determine whether consumers understand the technical basis underpinning any of the various FOP schemes. The</p>

	<ul style="list-style-type: none"> • It focused on consumer responses to the different labels but provided no systematic examination of the technical deficiencies of colour coding. These include subjective thresholds between the colours and its inapplicability to several food categories including meat, produce, cheese and other dairy products. • The research did not adequately explore how customers might react to products with a number of different traffic lights such as two ambers, one red and one green on a label. It also placed too much emphasis on the alleged problems of background colours on GDA labels. • It did not address the issue of how consumers actually interpret hybrid labels. Our research shows that, for most people, colours dominate over numbers. Adding GDAs to colours does not solve the problem of colours. 	<p>study was designed to determine whether consumers can use the interpretive elements provided in FOP labels to make informed choices; it is not necessary for consumers to understand the underpinning basis of the schemes to do this. The quantitative measures within the main survey were designed to test whether the various label types (and elements of labels) were interpreted correctly and whether they helped consumers to make healthier choices.</p> <p>[16] Traffic light colour coding has been successfully applied to a wider range of products than the original 7 recommended categories, by several companies. It is the FSA's intention to increase the scope of application to a wider range of pre-packed foods, including produce and dairy products.</p> <p>[17] The independent research tested consumer comprehension of each individual interpretive element and combinations of elements by measuring the ability of consumers to make healthier choices for a range of real-life products.</p> <p>[18] Pastel colours were included in the comprehension tests along with TL colours. The qualitative elements of the study found that consumers mistakenly assigned TL meaning to pastel colours (i.e. greens and blues were thought to indicate Low).</p> <p>[19] The FSA would welcome the publication of this evidence. The independent research tested consumer comprehension of labels combining text, TL and %GDA. This combination of elements was found to be most effective in enabling consumers to make healthier choices.</p> <p>See comments above at [1] to [3] and the TNS-BMRB</p>
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	<p>We welcome the independent peer review by Professor Klaus Grunert of Aarhus University, a leading expert in the field of consumer behaviour and note his conclusion that the evidence for “confusion” (the main justification for proposing to move to a single scheme) between the different labelling systems rests on “weaker grounds”. We do not therefore see the rationale for proposing a single integrated scheme.</p>	<p>This combination of elements was found to be most effective in enabling consumers to make healthier choices.</p> <p>See comments above at [1] to [3] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p>
Burton’s Foods	<p>Burton’s Foods believes that the research shows that all FOP schemes in the market show high levels of consumer understanding. Burton’s Foods is committed to providing good nutritional information to its consumers and have been doing so for many years in a voluntary capacity. The company believes GDA’s provide this information in a clear manner and it intends to continue to use the GDA scheme going forward until a European FOP labeling position is confirmed. Burton’s Foods see no benefit from the combined labels above and beyond the GDA scheme.</p>	<p>See comments [1] to [3].</p> <p>[20] The proposed EU Food Information Regulation is unlikely to be agreed before 2011 with a transition period of 3-5 years. The Commission proposal allows for the use of FOP nutritional labelling presentation.</p>
Kellogg’s	<p>Research published in Health Promotion International concluded that in the short term at least, traffic light labels have no discernable effect on the relative healthfulness of consumer purchases. This is not to suggest that FOP labelling is unimportant, however the impact that traffic light labels have on behaviour change does not outweigh the cost of implementation and the subsequent detachment of the UK from European harmonisation. The FSA consumer research confirms very high awareness of front of pack labelling schemes, relatively good comprehension and usage amongst different target groups.</p> <p>The FSA research did not show significant differences in preference or ease of use with any of the labels tested. These results are confirmed by other studies such as the EUFIC pan-European survey.</p> <p>GDAs are the best labelling format for use across the EU. The majority of the industry in the UK uses GDA labelling and all 27 EU countries already employ them. The use of GDA’s is becoming a global labelling system.</p> <p>The totality of evidence [submitted to FSA, but not appended to consultation summary] demonstrates Industry’s commitment to research, promote and educate consumers. The</p>	<p>See comments [9] and [20].</p> <p>[21] The independent research found that 2 labels were clearly preferred. The circular traffic light design (32%) and the label combining high, medium and low text, TL’s and %GDA (44%). No other label was chosen by more than 5% of shoppers.</p> <p>[22] It is not known what is the best FOP label for use across the EU. The FLABEL research which is ongoing, is looking into this issue.</p> <p>[23] The FSA welcomes this summary of research around awareness and usage of GDA’s and notes that it</p>

	<p>data show increasing use and awareness of GDA's over time.</p> <p>To better understand the Agency's research, and to test the recommendations of the Project Management Panel, The Food & Drink Federation commissioned Professor Klaus Grunert from Aarhus University, a leading expert in the field of consumer behaviour, to conduct an independent review of the PMP research project. Whilst Prof. Grunert describes the FSA study as a "generally well-conducted, thorough piece of research", he makes a number of important points, namely:</p> <ul style="list-style-type: none"> • All major schemes were well understood and were particularly effective in enabling consumers to make comparisons between products • However, we still don't know if some are better than others in actually influencing choices made in the shop. • There is not enough evidence to conclude that the triple hybrid outperforms the other label formats tested. • The more complex the label, the longer it takes the consumer to reach the correct answer. • Potentially, more could be gained by measures leading to increased use rather than by further optimising labels for comprehension. <p>We therefore take from the research that all the FOP schemes currently in market show high levels of consumer understanding and that there is little difference between the various schemes evaluated. Our conclusion is supported by the PMP research carried out at our request by Professor Klaus Grunert. This points out that the evidence for "consumer confusion" of current UK market schemes (the main justification for proposing to move to a single scheme) rests on weaker grounds.</p>	<p>does not reference any published evidence around objective consumer comprehension of %GDAs.</p> <p>See the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p> <p>See comments [1] to [3].</p> <p>See comment [8].</p> <p>See comments [1] to [3].</p> <p>See comment [6].</p> <p>See comment [14].</p> <p>See comments [1] and [2].</p>
Morrison's	<p>We are aware of the FSA-funded (PMP) research into consumer understanding of FOP nutrition signposting and welcome the finding that the inclusion of %GDAs is informative to customers and that they would prefer it to be included. However, we also note that it was shown that there are other (price, cultural etc.) factors which influence purchasing decisions about food items, and that FOP signposting is likely to be used only by consumers with a specific health concern or interest.</p>	<p>Noted.</p>
SNACMA	<p>We understand that the latest PMP report on 'Comprehension and use of UK nutrition signpost labelling schemes' demonstrates that all of the FOP schemes currently in market show high levels of consumer understanding and that there is little difference between the various schemes evaluated. We would question whether the same report provides</p>	<p>See comments [1] to [3] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p>

	sufficient evidence to support a move to the 'triple hybrid system' which the FSA is currently consulting on.	
Which?	<p>It is essential that decisions about front of pack nutrition labelling are based on robust consumer research which tests consumer comprehension of different labelling formats.</p> <p>We have fully supported the Food Standards Agency's (FSA's) evidence-based approach. In view of the conclusions of the independent evaluation study, it is essential that all manufacturers and retailers now adopt the integrated FOP labelling approach with 'high/medium/low' text, traffic light colour coding and % guideline daily amount (GDA) information. Which?'s own research (Healthy Signs? 2006; Hungry for Change? 2009) has also supported the conclusions of the study that consumers find it confusing if manufacturers and retailers continue to use different forms of FOP nutrition labelling. Failure to have a consistent approach also makes broader Government communications on healthy living much more difficult.</p>	<p>Agreed.</p> <p>Noted.</p>
Provision Trade Federation	We are concerned that there was no consultation on whether the integrated label was the best format, particularly given the findings of the review carried out for the Food and Drink Federation by Professor Klaus Grunert. There is limited evidence in the FSA research that consumers were confused by the different signpost labelling formats. However, there was evidence that they did not refer to them. Therefore it would be more effective to focus resources on informing consumers about the existing schemes, and encouraging them to use them, rather than harmonising the formats into a single scheme which could itself cause consumer confusion. There will be significant costs associated with a move to harmonise the schemes and there should be a consultation.	[24] See comments [1] to [3], [10], [14] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.
Mars	i) We welcome the Project Management Panel's research into FOP labelling which we believe is a useful addition to the growing body of research to improve our knowledge of how consumers use on-pack nutrition information. Based on the findings of that research, and supported by an independent peer review commissioned by the FDF and carried out by Professor Grunert of Aarhus University, we understand that all FOP labelling schemes, including GDA, showed high levels of consumer understanding, and that there was in fact little difference between the various schemes evaluated. Professor Grunert challenges the claim that there is strong evidence to conclude that a 'triple hybrid' scheme based on %GDAs, text and traffic light colours, as proposed by the FSA, outperforms other label formats, and found that the evidence for consumer confusion caused by different label formats was limited and did not, in his opinion, warrant such a wide ranging conclusion. We have concerns that a combined label is being promoted when there is no conclusive evidence that some label formats are better than others in actually influencing behaviour	See comments [1] to [3], [10], [14] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.

	<p>at the point of purchase.</p> <p>ii) GDA is the most prevalent scheme in the UK. There are 84 adopters (May 2009) across 20,000 product lines. The adopters include five retailers, three foodservice organisations, two convenience store chains and 73 manufacturing companies. The FDF research, supported by the PMP findings, tells us that GDA labelling is having a significant positive impact for consumers.</p>	<p>[25] Noted. The FSA would welcome the publication of the FDF research referred to.</p>
Pepsico	<p>We note that all the signposting systems included in the PMP's research were well understood by consumers and enabled shoppers to make comparisons between products.</p> <p>We were also pleased to see that "calories per portion" was found to be a useful format by consumers, as this is the basis for the GDA system of labelling.</p> <p>However, a further study (Sacks, Rayner and Swinburn, published October 8, 2009) has thrown up some questions about the effectiveness of traffic lights in driving healthier food choices. The key finding of the report was: 'This short term study based on a small number of ready meals and sandwiches found that the introduction of a system of four traffic-light labels had no discernable effect on relative healthiness of consumer purchases.'</p> <p>Research carried out by EUFIC (The European Food Information Council) has also found that 'calories are well understood and participants were generally positive about front-of-pack flags, particularly when flags were uniform across products. The most liked flags are the simpler flags depicting only the number of calories per serving or per 100 g, while more complex flags including references to daily needs or exercise and the flag including a phrase referring to balanced lifestyle were least preferred.'¹⁴</p> <p>Building on the concerns raised by the research of Sacks, Rayner and Swinburn and EUFIC, we do not agree that the PMP research points to the need for a standardised triple hybrid system, firstly because this option is not one which was tested during the research, and secondly, because the view of Professor Klaus Grunert, the independent expert commissioned by the FDF to review the project, was that, "While some evidence for confusion caused by different label formats has been provided, it is certainly limited and does not, in this expert's opinion, warrant such a wide-ranging conclusion."</p>	<p>See comments [1] to [3].</p> <p>See comment [11].</p> <p>See comment [9].</p> <p>Noted.</p> <p>See the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p>

¹⁴ Ellen van Kleef, Hans van Trijp, Frederic Paeps and Laura Fernández-Celemín (2008). Consumer preferences for front-of-pack calories labelling. *Public Health Nutrition*, **11**, pp 203-213 doi:10.1017/S1368980007000304

CEHOG	<p>It is important to recognise that there are many other factors that influence a consumer's decision to purchase food e.g. price, brand loyalty, attitude to healthy eating, knowledge etc. Research shows that these factors are a higher priority than FOP label information for many. Nutrition programmes/initiatives need to include a focus on these wider issues as well as FOP labelling.</p> <p>The independent research found a good level of awareness of FOP labels. However it is important to recognise that on day to day basis individuals often struggle to understand and be able to confidently apply the information to make healthy food choices. This is a key concern as if the FOP label can not be used then any potential public health benefits will be lost. It is clear that a lot of research has been conducted on what is the best type of label format/approach. However further consideration needs to be given on how best consumers can become more confident in using food labels at a practical level i.e. comparing foods, or to make a decision on how healthy a food product is. This is especially important for those consumers who are from lower socio economic classes, have lower levels of educational attainment or are disadvantaged.</p> <p>The FOP nutrition labelling scheme is a substantial public health intervention and must be accompanied by comprehensive monitoring, evaluation and independent research. Information needs to be made available on the extent of uptake of the scheme, the impact on consumer behaviour, response of food industry, costs of scheme versus improvements made in individual/populations diet etc. Progress on this need to be available within 1-2 years of the launch of the scheme.</p>	<p>Noted.</p> <p>See comments [10] and [14].</p> <p>Noted.</p>
Premier Foods	<p>The PMP research and a GDA survey conducted by the Food and Drink Federation has indicated that GDA's are well understood by those consumer's who use them (1), (2).</p> <p>However, the PMP research and other studies such as EUFIC (European Food Information Council) and FLABEL (Food Labelling to Enhance Better Education for Life) (3) show that three-quarters of consumers still do not use the on-pack nutrition information that is now widely available in the UK. It seems that improving the consumer usage and understanding of on-pack information currently available has a real opportunity to make a significant impact on food literacy and ultimately consumer choices. We would like to work with the Government, including the FSA, to encourage more consumers to use the information already available to them and to support food choice through the promotion of the basic principles of nutrition.</p>	<p>See comment [1].</p> <p>Noted. See comments [10] and [14].</p>

Kraft	<p>The PMP's research was comprehensive and the results show that all FOP schemes considered achieve high levels of consumer understanding, with little difference in performance between them.</p> <p>We support the conclusions of the independent peer review by Professor Klaus Grunert of Aarhus University that the research conclusion in favour of a single, triple hybrid scheme - incorporating GDA, text and traffic light colours - rests on "weaker grounds".</p>	<p>See comment [1].</p> <p>See the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p>
Nestlé	<p>Nestlé UK feels that the FSA's decision to promote an "integrated FoP nutrition label" is premature given both the lack of hard evidence to support the need for a single scheme and the potential changes that will be forthcoming with the adoption of the EU Food Information Regulation.</p> <p>Nestlé would like to draw the Agency's attention to the FDF response to this consultation and the fact that an independent review of the FSA PMP research could not support the FSA conclusion "that an integrated front-of-pack labelling approach providing high/medium/low text, traffic light colour coding and % GDA information was most effective in terms of consumer comprehension, consumer preference and enabling consumers to assess the healthiness of a product".</p> <p>The research was carried out Professor Klaus Grunert of Aarhus University. He points out that all signposting systems were, in fact, well understood by consumers and were particularly good in enabling shoppers to make comparisons between products. He challenges the claim that there is strong evidence to conclude that a triple hybrid scheme based on %GDAs, text and traffic light colours outperforms other label formats. In fact, the PMP research shows that the more complex the label, the longer it takes for consumers to compare two products. Prof Grunert also believes that there is little evidence to support calls for the standardisation of labels. He writes: "While some evidence for confusion caused by different label formats has been provided, it is certainly limited and does not, in this expert's opinion, warrant such a wide-ranging conclusion."</p> <p>In addition, a recently published research paper (Sacks G et al Impact of front-of-pack 'traffic light' nutrition labelling on consumer food purchases in the UK, Health Promotion International, 2009) concluded that:</p> <ul style="list-style-type: none"> -The introduction of traffic light labels had no discernable effect on the relative healthiness of consumer purchases. -Further research on the influence of nutrition signposting will be needed before this 	<p>See comments [1] to [3] and [20].</p> <p>See comments [1] to [3] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p> <p>See comment [9].</p>

	<p>labelling format can be considered a promising public health intervention. Nestlé believes that it is unwarranted to propose a new scheme which is more complicated than any of the individual ones and will require the changing of most FoP nutritional labels and that there is an opportunity to educate the consumers who are not currently using label information.</p>	
<p>Sugar Bureau</p>	<p>From its terms of reference the PMP was tasked with evaluating the various labelling schemes that are in use, in terms of their effects on consumer behaviour. However, they were not asked to conclude on a single winning scheme. It is therefore surprising and disappointing that this consultation takes the premise of looking at the practical issues of implementing <i>the</i> most effective FOP label, deemed to be a triple hybrid approach.</p> <p>Given this approach and in order to examine the robustness of the conclusions drawn by the PMP, an independent review of their findings was carried out by Professor Klaus Grunert from Arhus University on behalf of the Food and Drink Federation, of whom the Sugar Bureau are members. As an expert in the field, Professor Grunert concluded that the PMP had carried out a thorough piece of research and that all major labelling schemes were well understood by consumers. However, he found there was not enough evidence to conclude that some schemes were better than others in influencing consumer behaviour, or that the triple hybrid scheme outperformed other label formats tested. He suggested in order to best help consumers the way forward should be to promote the <i>use</i> of food labels, rather than refining their comprehension further.</p> <p>In addition to the concerns as to the questions asked in the PMP research, another fundamental question remains unanswered. This is whether more complex labelling schemes, such as the triple hybrid scheme preferred by PMP, are more effective in delivering public health gains than simple schemes.</p> <p>Recent research (Brunstrom and Rogers, 2009) shows that consumers tend to choose portion sizes not according to liking (as has been previously supposed) but based on their perception of expected satiety (i.e. perceived calorie content). Furthermore, this research found there is evidence that consumers estimate the calorie content of portions poorly, especially when the food is energy dense. The most rational response to concerns about obesity, therefore, would be to focus consumer attention exclusively on the calorie content of foods. This has been previously suggested as a rational approach to front of pack</p>	<p>See comment [4].</p> <p>See comments [1], [2], [10], [14] and the TNS-BMRB response to the FDF commissioned critique by Professor Grunert at Annex 6.2.</p> <p>[26] Being able to understand the information provided on the FOP label and relate it to wider dietary health messages are key to influencing consumer purchasing behaviour. Promoting and implementing one approach to FOP labelling is an integral part to increasing usage of the FOP labels and consumer literacy.</p> <p>Noted. See comment [11].</p>

	labelling, and would receive widespread acceptance from food enterprises across Europe.	
Boots	Boots welcomes the findings of recent independent research on the effectiveness of different FOP labelling schemes being used in the UK marketplace. We continue to support the application of FOP labelling with our lunchtime food, drink and all-day snacking products and already apply the current traffic light labelling, along with percentage guideline daily amounts (GDAs) on the back of pack, to a wide range of foods and drinks.	Noted.

Appendix A

Tables included in FDF response, taken from Chapter 5 of the report 'Comprehension and use of UK nutrition signpost labelling schemes', BMRB 2009.

Chart 5.1: % correct answers by label type and product category at test 1 (evaluation of the level of individual nutrients within a product)

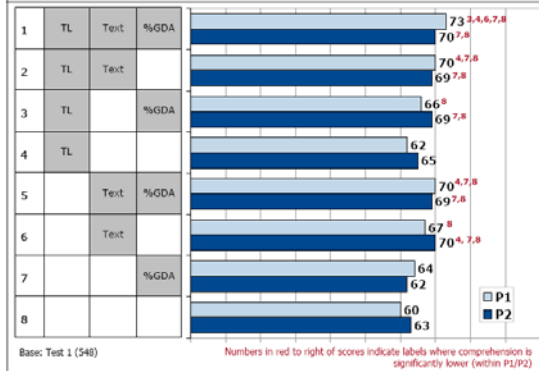


Chart 6.1: % correct answers by label type and product group at test 2 (evaluation of the overall healthiness of a product)

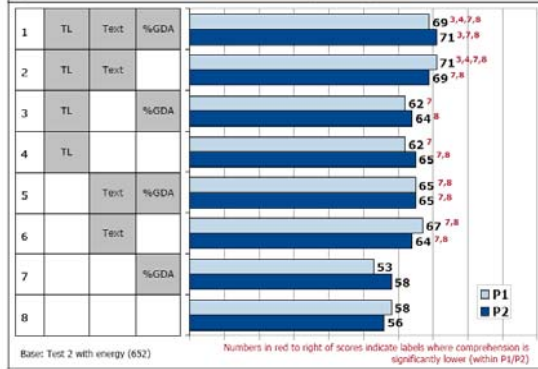


Chart 7.1: % correct answers by FOP label type and product category at test 3 (comparison of two products in terms of healthiness)

