



The form of the food ('as prepared') rules for the Health Star Rating system

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The Dietitians Association of Australia (DAA) is the national association of the dietetic profession with over 6000 members, and branches in each state and territory. DAA is a leader in nutrition and advocates for food and nutrition for healthier people and healthier nations. DAA appreciates the opportunity to provide feedback on the form of the food ('as prepared') rules for the Health Star Rating system by the Health Star Rating Advisory Committee.

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DAA interest in this consultation

DAA is the peak professional body for dietitians in Australia and responsible for the Accredited Practising Dietitian (APD) program as the basis for self-regulation of the profession.

DAA advocates for a safe and nutritious food supply in which the community has confidence and which meets the nutritional needs of all Australians, including groups with special needs.

As experts in nutrition, APDs assist the general population and groups with special dietary needs to meet their nutritional needs. APDs also assist with the translation of food labels and nutrition content claims.

Statement

DAA wishes to submit a statement in relation to “The form of the food ('as prepared') rules for the Health Star Rating system”. While DAA agrees that revision of the current status quo rules is warranted, a significant number of concerns have been raised highlighting the difficulty of a single rating system across foods which are both ingredients and standalone products. DAA has considered the questions posed by the Health Star Rating Advisory Committee (HSRAC), and summarised considerations under each.

Does the current application of the form of the food ('as prepared') rules in the Guide for Industry to the Health Star Rating (HSR) Calculator pose any problems for consumers, industry, or alignment with dietary guidelines?

DAA believes that the current application of the ‘as prepared’ rules is potentially confusing and misleading for consumers. Products that would otherwise be considered ‘discretionary’ by the Australian Dietary Guidelines when consumed raw or prepared with water, such as hot chocolate mixes, are given a favourable HSR due to product classification according to the manufacturer-determined ‘as prepared’ nutrient profile. Secondly, even when considering the nutritional value provided by the food in its suggested ‘as prepared’ form, the current system may give a false impression of the overall nutritional value of certain food items and their warranted frequency of consumption; since consumers may not always prepare products according to instructions on the label.

Please provide your views on the options previously discussed by the HSR Advisory Committee (HSRAC).

DAA’s views in response to each of the proposals are outlined below:

Status quo

As above, DAA believes that the current application of the ‘as prepared’ rules is potentially confusing and misleading for consumers. The status quo has the potential to enable consumers to compare different products within product categories. However, preparation instructions on the label differ by product, meaning that the status quo option makes it difficult to compare like with like and may create inconsistencies within product categories. This is particularly relevant for a food sold in both prepared and unprepared versions where variations in preparation by consumers may occur. Additionally, this rule is not equally applied across all foods intended to be eaten with other ingredients. For example, breakfast cereal is specifically prohibited from applying this rule though it is universally intended to be consumed with milk.

There is some concern that many consumers may not be aware that HSR is a measure of the relative nutritional value within food product categories, and instead interpret it as a measure across all food group categories. The Heart Foundation progress report (July 2016)¹ showed 58% of consumers agreed with the statement that ‘Health Stars make it easier for them to compare products that are in different categories in the supermarket’, indicating confusion does exist in this area. This lay interpretation would therefore make product ratings determined according to the status quo ‘as prepared’ rules particularly misleading for consumers.

Overall, there has been opposition to the status quo, which supports the current revision of the ‘as prepared’ rules. If the HSRAC opts to retain the status quo, an effective education campaign around “as prepared” rules is essential to minimise consumer confusion.

Clarification of existing rules: Product as sold as default option, with as prepared/rehydrated/drained products specific exceptions

DAA believes that products could be separated into different categories that require rating to be based on different methods as appropriate, e.g. as sold, prepared with water, or according to instructions. This approach is consistent with the approach taken in the Australia New Zealand Food Standards Code-Standard 1.2.7(7)² in relation to the application of nutrition and health claims and provides alignment between the two regimes.

- Products that require draining before consuming: use the ‘as prepared’ after they are drained as the default option.
- Products that are inedible in their raw form and required reconstituting with water (such as mashed potato mix, cake mixes and dehydrated rice/ pasta): use the ‘as prepared’ with water according to the instructions as the default.

- Products that can be either prepared with other food or consumed as sold: use the food ‘as sold’ as the default option.
- Products that are required to be prepared with other food or liquid other than water (such as hot chocolate powders): use ‘as sold’ as the default. A further consideration is the inclusion of two HSR for this product category: one for ‘as sold’ and one ‘as prepared’ according to packet instructions. This may allow for more consistent comparisons for products in this category. However, the presence of two HSR on the packet may be confusing for consumers who are unsure which is the most relevant classification or which relates more closely to their preparation and use of the food product. Further consumer market research is warranted to determine how consumers use this type of product, whether they follow preparation instructions on the label and their view on the use of two HSR.

Restriction of existing rules: Product as sold/rehydrated with water only, with exemptions for specified categories

Requiring classifications to be based on as rehydrated with water for all products would allow a fairer comparison across product categories. Practically speaking, rehydration with water would allow for comparisons of products with different concentrations in their raw form, for example gravy powders. However, not all products would/could be prepared with water for consumption by consumers. Therefore, this option has limited application.

Please provide other relevant information and insight, including other potential options for the 'as prepared' rules.

DAA questions the appropriateness of the HSR on discretionary foods. While the HSR may give an indication of a ‘healthier’ choice within the category, these products are not required to be consumed as part of a nutritious diet and the overall goal is to limit their consumption. This view is supported by consumer research in Australia which showed that “consumers believed the unhealthy nature of these foods meant that it is pointless to search for healthy alternatives and/or that it is acceptable to eat an unhealthy treat once in a while or in small portions”.³

DAA notes that the ‘as prepared’ rules for the current HSR are similar to the rules in the Australia New Zealand Food Standards Code- Standard 1.2.7 – Nutrition, Health and Related Claims.² However, the Code has the added safe guard of health claims being prohibited on foods that do not meet the Nutrition Profiling Scoring Calculator (NPSC) while there is a lack of a similar safe guard for the HSR system. Given that the rules are operating effectively in the Code but not the HSR, it raises a question as to whether the ‘as prepared’ rules are actually the problem

or the framework of the HSR system itself. The message of ‘the more stars the healthier the food’ according to the HSR rating could result in consumers (and nutrition educators) thinking that more stars equates to a healthy food, which is not necessarily correct. For example, core foods like fresh fruits and vegetables do not carry stars while ‘discretionary’ foods like chocolate powders can have inflated high HSR rating purely through the intended presence of the other ingredient. The current HSR documentation and communication strategies of ‘the more stars the healthier’ does not promote a healthy diet.

References

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