

Proposed changes to the promotion and provision of healthy drinks in schools

Consultation submission by The New Zealand Beverage Council



02 June 2022

INTRODUCTION

1. The New Zealand Beverage Council (NZBC) was established in 1993 as the industry association representing the non-alcoholic beverage sector. Our members are the brand owners, manufacturers, bottlers and suppliers of New Zealand's juice, carbonated drinks, flavoured-dairy and bottled water brands.
2. Our membership is wide and diverse, made up of companies operating in New Zealand. Our members include some of the largest multinational brands in the world through to some of the country's smallest boutique producers. Our members represent over 75 per cent of the non-alcoholic ready-to-drink beverages sold at the retail level in New Zealand.
3. The New Zealand Beverage Council and our members are committed to ensuring that New Zealand's youth grow up fit, healthy and strong. Our members have taken several steps to demonstrate this commitment over the years, and therefore welcome the Government's current consultation on the promotion and provision of drinks in schools.
4. In 2006, an agreement between the Labour-led Government and two of New Zealand's biggest beverage companies (Coca-Cola Europacific Partners NZ (then Coca-Cola Amatil NZ) and Frucor Suntory) and the Ministries of Education and Health committed the beverage companies to not directly sell sugar sweetened carbonated soft drinks and energy drinks to secondary schools. At the time, [this voluntary agreement](#) was the world's first to be negotiated directly between government and industry leaders¹.
5. By 2017, this pledge was extended to all our member companies. Additionally, our members further pledged to only directly sell bottled water to primary and intermediate schools in New Zealand in effort to help address childhood obesity and to deliver sugar-free New Zealand schools.
6. Furthermore, we recognise that schools are a unique and important learning environment and that is why we strongly believe that classrooms should remain commercial free. Our members have committed to not undertake any commercial advertising in any primary, intermediate or secondary school.
7. The NZBC has provided some additional information in response to the discussion document that we hope will assist the Ministry. While our submission does not address each question, we provide information that we believe will be helpful to the Ministry to develop a successful policy that will have a positive impact on the health of New Zealand's youth through school nutrition.

NZBC RESPONSE TO CONSULTATION DOCUMENT AND QUESTIONS

8. Dietary preferences are changing and consumers are becoming increasingly more health conscious when it comes to food and beverage choices. For example, low sugar is the number one dietary lifestyle that New Zealanders are following². Purchase of low and no sugar beverages has

¹ <https://www.beehive.govt.nz/release/full-sugar-fizzy-drinks-out-schools-2009>

² NZBC calculation based in part by frequency of beverage consumption reported by Nielsen through its Consumer and Media Insights, Q1-Q4 2019.

continued to increase over the years, particularly as brands continue to reformulate existing products and introduce new low or no sugar options.

9. The NZBC recognises that childhood obesity, dental health and overall well-being of New Zealand's youth are important issues that need meaningful action. As an industry, the non-alcoholic beverage sector is committed to doing our part to support New Zealanders in making positive dietary choices for themselves and their families. Our members are proud to have undertaken a number of initiatives to support this, such as reformulation, increasing the range of no-added sugar products, reducing pack sizes, implementing the voluntary Health Star Rating labelling system on front-of-packs and ensuring their products are not promoted or advertised directly to children, in line with the Advertising Standards Authority's Children and Young Persons Advertising Code³.

10. Given the changes in diets over the past 20 years, changes in the food supply and composition, and in the school food landscape, we request that an updated survey be conducted as a matter of urgency, to provide comprehensive data to support this proposal and future proposals. A new national children's nutrition survey would provide the most robust, up-to-date and nationally representative data, for which to guide policy proposals. This will ensure evidence-based policymaking with the best likely outcome for both Government and child health.

11. Based on the evidence available, we believe that the problem definition in the consultation document is legitimate but oversimplified. Whilst the data presented in the document is important and useful, we are concerned that the most recent and holistic data that looks at children's nutrition is almost 20 years old.

12. **The NZBC supports** *Option 1; replace the existing NAG 5b with a duty in Regulations for all schools and kura to promote healthy food and nutrition, and a duty on all schools with students in years 1-8 to only supply healthy drinks to year 1-8 students.*

13. It is well known that the earlier in a child's development that balanced and nutritious habits are formed, the better. It is also important that this is reinforced throughout a child's educational pathway.

14. **The NZBC supports** the inclusion of unflavoured water, cows' milk and unsweetened non-dairy milk alternatives as options for promotion, in consistency with existing guidance from the Ministry of Education.

15. **The NZBC supports** the additional inclusion of flavoured waters that contain no sugar and any other non-alcoholic beverage that yields 5 stars under the Health Star Rating System⁴.

16. **The NZBC does not support** the definition of "healthy" in the context of this discussion document. It is our view that labelling a food or beverage product in isolation as "healthy" can be misleading in the sense that a healthy and balanced diet and lifestyle needs to consider total nutritional intake, physical activity and lifestyle behaviours.

17. For example, fruit is healthy, but it is not healthy to only eat fruit. Fruit is certainly considered by nutritionists and experts to be a better addition to a meal or snack than something highly processed but cannot provide a complete and balanced nutritional profile on its own. Therefore, the NZBC would like to see more of a focus on nutritional literacy and what "healthy" looks like in context across the entire food portfolio.

³ <https://www.asa.co.nz/codes/codes/children-and-young-people/>

⁴ <http://www.healthstarrating.gov.au/internet/healthstarrating/publishing.nsf/content/home>

18. The NZBC has worked with wholesalers and third parties, who may be selling our members products directly into schools and encourage them to adhere to the commitments made by our industry when selling beverages into New Zealand schools. However, due to the regulations surrounding anti-competitive behaviour under the Commerce Act 1986, the NZBC or our members cannot restrict the conduct of these third parties who may be selling our members products to schools.

CONCLUSION

19. The New Zealand Beverage Council and our members support a policy that promotes a balanced and nutritional lifestyle for New Zealand's youth throughout their entire education. It is important that the messages delivered in schools are consistent and based on current and accurate data. We believe that only promoting unflavoured water, flavoured waters containing no sugar, milk and non-dairy alternatives in addition to any 5 Star rated beverage is a positive start, but strongly encourage the Government to undertake a new national nutrition survey to help identify additional problem areas affecting New Zealanders health and well-being.

20. We hope that you have found these comments useful. Please do not hesitate to contact us, should you require any further information.

Sincerely,



Emily Fuller

GM Public Affairs

New Zealand Beverage Council