

Feedback on the draft updated Health Star Rating Calculator and Style Guide – October 2020

About this submission

The George Institute for Global Health is a leading independent medical research institute established and headquartered in Sydney. It has major centres in China, India and the UK, and an international network of experts and collaborators. Our mission is to improve the health of millions of people worldwide by using innovative approaches to prevent and treat the world's biggest killers: non-communicable diseases (NCDs) and injury.

Our food policy team works in Australia and overseas to reduce death and disease caused by diets high in salt, harmful fats, added sugars and excess energy. The team conducts multi-disciplinary research with a focus on generating outputs that will help government and industry deliver a healthier food environment for all.

The George Institute has been a supporter of the Health Star Rating (HSR) system since its inception and remains keen to see the system achieve its full potential as a critical component of Australia's response to diet-related disease.

We continue to systematically monitor the performance of the HSR system using our FoodSwitch database and app. While our research suggests the HSR system is performing well overall, it also highlights areas where the system must continue to be strengthened to retain consumer trust and support the achievement of its primary public health goals.

The George Institute welcomes the opportunity to engage with the Secretariat on the updated Calculator and Style Guide. While we broadly support the revised content of this document, this submission highlights areas where further clarity is required to give full effect to decisions made in the Five-Year Review.

Given our understanding that the Guide is intended to remain a 'living document', we also highlight key areas where guidance on the HSR system's design should be strengthened to reflect international best practice. We strongly encourage the HSR system's governing bodies to further explore these improvements in the next phase of implementation to ensure that system works for consumers, not just food companies.

Answers to specific prompts in the consultation document are provided under corresponding headings below.

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Glossary and Definitions

Definitions requiring further clarification

- **As prepared:** The George Institute recommends further attention is paid to the glossary explanation of 'as prepared' and 'as sold', given the complex history of these provisions and the clarification of their intent in the Five-Year Review. Text in the glossary should be consistent with use of terms in the text. For example, page 15 uses the term "as it appears on the shelf" rather than "as sold". Text in the glossary on "as prepared" goes beyond that definition to describe the very limited categories of foods that can be calculated "as prepared" for the purposes of an HSR. The George Institute recommends the glossary make it clear that both "as prepared" and "as sold" relate to the form of the food for the purposes of calculating HSR, making it easier for new users to understand where this is relevant (for example, Step 3 of calculating HSR).
- **The HSR system:** The current definition of the HSR system relates only to the HSR system graphic (for example, a rating with an energy icon and further nutrient information). However, the term "HSR system" has previously been defined, for example, in the Terms of Reference for the Five-Year Review, more holistically, i.e. "The HSR system consists of the graphics, including the words 'Health Star Rating', the rules identified in the HSR system Style Guide, the algorithm and methodology for calculating the HSR identified in the Guide for Industry to the HSR Calculator, and the education and marketing associated with the HSR implementation". While this definition would need to be updated to reflect the combining of HSR Guidance documents, The George Institute believes the HSR system is more than the HSR graphic and recommends a broader definition to capture the entire HSR system.
- **Minimally processed fruit and vegetables:** The George Institute broadly supports this definition. Please see our related comments in 'Steps to assess the HSR of a product' below. The George Institute strongly believes that fresh fruit and vegetables should be included in the decision to give minimally processed fruit and vegetables an HSR of five.

Application of the Health Star Rating System

Provisions requiring further clarity

- **Products intended to use the HSR system:** The George Institute supports the list of products that are intended to use the HSR system and notes that this definition is linked to the uptake targets. For this reason, it is important that the products intended to use the HSR system are very clear. The George Institute agrees with the exclusion of products that cannot vary in nutrient composition, if this is narrowly defined as set out in the consultation document detailing uptake targets. The George Institute supports further clarification around products intended to use the system in that document. The definition of products that can vary in nutrient composition must be based on broad categories of food, not on smaller subcategories – e.g., milk as a whole group rather than full fat milk. The George Institute recommends that the guide include a list of products that do not vary in nutrient composition.

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- **Encourage consistent application of HSR to *all* products made by a manufacturer:** For the HSR system to be a useful tool for consumers, it must be applied consistently across all products.

Our research has previously demonstrated that in its voluntary form, the HSR system is being used as a marketing tool, without providing transparent information on lower scoring products. In 2019, >75% of products displaying HSR scored ≥ 3.0 .¹

We also found that among major manufacturers using the system, most were doing so selectively. In a sample of >17,000 products, the mean rating for products displaying the HSR logo on packaging was significantly higher than the mean HSR of products made by the same manufacturer that did not display the HSR logo.

For example, Kelloggs displays HSRs on its breakfast cereals (mean HSR of 3.4); but does not display HSRs on its children snack bars (mean HSR 1.7). Nestle has a mean HSR of 3.9 on products which display the system, but only a mean of HSR 1.4 for the 20% of its products that do not feature HSRs. Recently, Coca-Cola has started applying HSR on new dairy beverages that receive an HSR of 5.0, while it continues to omit HSR information on its non-dairy beverages. This application is in accordance with current regulations but is against the spirit of the HSR system, given that in many settings these beverages appear next to each other for retail sale. The same pattern was consistent for all major manufacturers, except Coles, Woolworths, McCain Foods and San Remo.² These findings suggest stronger guidance and incentives are needed to encourage manufacturers to use HSRs fairly.

The George Institute recommends the wording on page eight be strengthened to omit explicit reference to categories, given this appears to have been used as an excuse for manufacturers to only use the HSR system on categories where it offers marketing value.

We suggest this section read: “Use of the HSR system is voluntary; however, food companies that choose to adopt the HSR system are encouraged to do so consistently across their full product range, ~~and within product categories.~~”

The George Institute also recommends information on consistent application be moved or repeated under the Section 2 heading on ‘Application of the HSR system’ on page nine to ensure it is taken into account by manufacturers.

In the next phase of implementation, The George Institute recommends HSR monitoring include data on use by manufacturer, and that the results of this monitoring are shared publicly as an accountability tool to encourage fair use. This is similar to uptake monitoring of the voluntary Nutri-Score in France, which requires producers and distributors to register their commitment to using Nutri-Score, and to register relevant brands and product lines and their ratings so that use can be monitored across relevant products.

¹ Shahid M, Neal B, Jones A. Uptake of Australia’s Health Star Rating System 2014–2019. *Nutrients*. 2020;12(6):1791.

² Ibid.

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The Health Star Rating Calculator

Calculation of FVNL points

- **Improving transparency around use of fruits, vegetables, nuts and legumes (FVNL) points:** The George Institute appreciates the attention that has paid to assisting manufacturers to calculate FVNL points, given known ambiguities in this area, and the lack of transparency around FVNL use by manufacturers, given this information is not provided publicly on the label. The George Institute recommends the HSR Style Guide should make it clear what records manufacturers need to keep in order to substantiate FVNL points claimed in the event of a compliance check.

The George Institute recommends the Guide could provide additional guidance on best-practice in FVNL use. For example, manufacturers can list FVNL content as a % in the ingredients list to support transparency in the system. It is understood that this is already being done by some manufacturers (for example, Simplot). Alternatively, manufacturers could be encouraged to submit records of FVNL points relied upon as part of the new food monitoring database being established by Food Standards Australian and New Zealand (FSANZ).

- **FVNL should not be claimed for fruits and vegetables that constitute added sugars:** Current methods of calculating FVNL points allow processed fruit and vegetable ingredients that The George Institute considers added sugar, to receive points for fruit and vegetable content. These ingredients include fruit and vegetable paste, juice, juice concentrate and dried fruit. This essentially allows manufacturers to obtain fruit and vegetable points for putting added sugar in their food, which is not consistent with the Australian Dietary Guidelines.

The George Institute notes that FSANZ is currently reviewing added sugar labelling, and as part of this work will develop a definition of added sugar. The HSR definition of FVNL must be updated to reflect this definition of added sugar, which is likely to include some of the elements given points under the HSR as a form of fruit and vegetables.

Steps to assess the Health Star Rating of a product

Fresh fruit and vegetables must receive an automatic HSR of 5.0

The George Institute joins other public health stakeholders and representatives of fruit and vegetable growers who note the updated Style Guide and Calculator does not reflect the Australia and New Zealand Ministerial Forum on Food Regulation (Forum) decision to apply an automatic 5-star rating to all *fresh and minimally processed* fruit and vegetables.

In its response to the Five-Year Review, the Forum said it supports ‘...the promotion of all unprocessed and minimally processed fruits and vegetables without differentiation’. In our view, the Forum response suggests unprocessed fruit and vegetables will also receive a 5-star rating along with the minimally processed fruit and vegetables currently covered.

The Guide must be amended to promote the integrity of the HSR system. If the current approach is maintained, some whole fruit and vegetables will receive a lower rating than a

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processed version of the same food. The current definition of minimally processed fruit and vegetables also appears to include fruit and vegetables that have only been cut or peeled. Many large fruit and vegetables are often cut before they are sold, including watermelon, pumpkin, cabbage, pineapple and others. Under the current Guide, these cut products would receive an automatic 5-star rating, but a whole version of the same food may not. For example, frozen banana and cut pineapple will receive HSR 5.0, but whole bananas and pineapples will not. This could confuse consumers, deter consumption of fresh fruit and vegetables, and encourage retailers to sell more processed products. We do not believe this was the intended outcome of the Five-Year Review.

The George Institute understands the environmental imperative that HSRs should not encourage retailers to unnecessarily package fruit and vegetables, but do not believe this justifies fresh fruit and vegetables being omitted from this rule. Supplementary guidance can address this point by allowing retailers to display HSRs on shelf or floor signage where unprocessed fruit and vegetables are sold. Work by Adrian Cameron and colleagues at Deakin University² has previously shown that posters in the fresh produce section with HSRs were well received by both retailers and customers, and resulted in an increase in sales of these items.³ We also note the reality that many whole fruit and vegetables are already packaged, and this is unlikely to change.

On pack presentation

Improving the clarity of current provisions

- **Application of HSR graphic options:** The Style Guide advises that 'Food and beverage companies are encouraged to use as many elements of the HSR system graphic as possible, consistent with the hierarchy of elements' (page eight).

The George Institute recommends this advice be removed from the Guide. There is no evidence that displaying as many elements as possible is beneficial for consumers, and our research indicates that in many instances the use of the star icon alone may be more useful for consumers.⁴ The additional elements also take up more package space for manufacturers. The George Institute notes that some elements of the HSR graphic, such as the energy icon, are not interpretive and have been shown to be of limited use to consumers.

The George Institute supports the HSR graphic as a stand-alone front-of-pack interpretive label and does not support the addition of extra elements. If the decision is made to continue with the option of extra elements, The George Institute strongly advises that the hierarchy terminology is modified so that it is understood the HSR graphic is the most important and most beneficial to consumers, as demonstrated by evidence.

³Cameron A, Sacks G, Brown A, Ngan W, Isaacs J. Customer and staff perceptions of a supermarket marketing intervention to promote healthy eating. Paper presented at: 15th World Congress on Public Health; 2017 Apr 3-7; Melbourne.; Cameron A, Brown A, Gamble G, Reimers J, Marshall J, Steele T, Orellana L, Ni Mhurchu C, Moodie M, Etile F, Swinburn B, Ananthapavan J, Blake M, Ngan W, Sacks G. Outcomes of a 12 month supermarket RCT to promote healthy eating. Paper presented at: PHAA Food Futures conference; 2018 Nov 20-21; Brisbane.

⁴ Pettigrew S, Dana L, Talati Z. Enhancing the effectiveness of the Health Star Rating via presentation modifications. *Australian and New Zealand Journal of Public Health*. 2020;44(1):20-1.

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The George Institute also recommends that the Guide is amended to make it clearer to readers that, where a manufacturer chooses to use the HSR system on a particular product, the HSR graphic must always be used. This appears to be the overall intention of the Guide, however wording in some parts is unclear. The George Institute recommends clauses 5.5, 5.5.1 and 5.5.2 include a statement advising that the energy and nutrient content icons can *only* be used together with the main HSR graphic.

- **Size of graphics:** The Style Guide advises that the HSR graphic can be scaled to fit the size of the pack if it remains legible. The George Institute strongly believes that the Guide should include a minimum size requirement, and that this may vary in accordance with the size of the pack, for example, as a proportion of the pack. Establishing a minimum size is important because the visibility of the HSR graphic to the consumer will affect its impact.
- **Colour and Contrast:** The HSR system is the only front-of-pack system worldwide where use of colour remains entirely at the discretion of manufacturer.⁵ The George Institute recommends clearer wording around the use of the HSR graphic and contrast requirements on the label to avoid examples such as the Tim Tam package below:



Example: Tim Tam package displaying an HSR of 0.5 (bottom left corner, not visible).

To improve clarity around contrast requirements, we suggest: “The HSR system graphic should must be presented in a colour that provides good contrast to the background to maximise legibility.”

We also suggest: “Where the HSR system graphic may not be legible due to background images or colour, a white or contrasting colour panel can must be used behind the HSR System Graphic to further aid legibility”.

The George Institute also suggests removal of the final sentence as we do not believe it improves clarity in the application of the system: “~~This panel forms part of the standard HSR system graphic and can simply be included or removed as required.~~”

Options which warrant consideration in ongoing updates to the Style Guide

The Style Guide is an ideal opportunity to specify requirements that will enhance the visibility and salience of the HSR system on products to improve its effectiveness with consumers. Our research has previously examined 31 government-endorsed front-of-pack systems worldwide, highlighting a range of display specifications that appear in similar documents

⁵ Jones, A., Neal, B., Reeve, B., Mhurchu, C. N., & Thow, A. M. (2019). Front-of-pack nutrition labelling to promote healthier diets: current practice and opportunities to strengthen regulation worldwide. *BMJ Global Health*, 4(6).

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used by governments elsewhere.⁶ It is disappointing to see minimal substantive consideration of improved HSR display specifications in this iteration of the Style Guide. As the Guide is intended to be a 'living document', we strongly encourage the HSR governance committees to continue exploration of the options set out below for inclusion in future updates of the Guide.

- **Use of specified, meaningful colours:** Our research demonstrates that the inclusion of traffic light colours in the star graphic would substantially improve consumers' ability to interpret the meaning of the HSR and their use of the HSR in their decision-making.⁷
- **Uniform placement on pack:** At least four front-of-pack systems now specify some form of uniform placement on pack. For example, Nutri-Score specifies that the label should be placed in the lower left-hand corner of the principal display surface (see image below). The HSR system should consider similar provisions, which have potential to improve consumer recognition of the label on pack.



Example: Extract from the Nutri-Score style guide guiding manufacturers on FOP placement.

- **Separation from competing claims:** Several other front-of-pack labelling systems worldwide incorporate minimum space requirements around the front-of-pack graphic. The Nordic Keyhole specifies separation from competing claims (e.g. high in protein); and in draft Canadian legislation, front-of-pack labels must appear in the top right-hand corner and other health and nutrient claims must be removed from this area. Introduction of these requirements would help to standardise the presentation of HSRs as an objective, government-led label and differentiate it from marketing techniques such as the 'heroing' used by Kelloggs below:

⁶ Jones, op cit.

⁷ Pettigrew, op cit.

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Example: An example of 'heroing' by Kelloggs which inappropriately blurs the line between government-led system and marketing scheme.

- **Use of HSRs in advertisements:** The Style Guide could also provide additional clarity on requirements to display the HSR on imagery of product packages where these appear in advertisements, for example, on billboards or public transport. In France, the government has also passed legislation requiring Nutri-Score, which is currently voluntary on packaging, to appear on a mandatory basis in all food advertisements. This is one innovative way for consumers to receive the benefit of improved labelling without waiting for manufacturers to apply the label to updated packaging.

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Contact

Dr Alexandra Jones
Research Fellow, Food Policy and Law, Food Policy
The George Institute for Global Health
T 02 8052 4629 | E ajones@georgeinstitute.org.au

Chelsea Hunnisett
Policy and Advocacy Adviser, Global Advocacy & Policy Engagement
The George Institute for Global Health
T 02 8052 4402 | E chunnisett@georgeinstitute.org.au

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