

HOUSE OF COMMONS ENVIRONMENT, FOOD AND RURAL AFFAIRS COMMITTEE
SUB-COMMITTEE INQUIRY INTO FOOD INFORMATION
Evidence from Sustain: the alliance for better food and farming
19 April 2004

1. Introduction

Sustain advocates food and agriculture policies and practices that enhance the health and welfare of people and animals, improve the working and living environment, enrich society and culture and promote equity. We represent around 100 national public interest organisations, and are independent of the agri-food industry. Current work includes:

- Promoting citizens' participation in food policy making processes
- Reforming farming and food systems, in the UK, via the Common Agricultural Policy and through the World Trade Organisation
- Tackling food poverty
- Promoting five portions of fruit and veg a day
- Facilitating a sustainable London food economy
- Encouraging sustainable food supplies in public sector catering
- Protecting children from junk food marketing

Unfortunately, there has not been time to consult fully with our membership on this submission so it does not represent the detailed views of all relevant members. However, it is based on extensive work we have done with them in the past, and on their respective published policy positions on the issues covered by this inquiry, so the general principles outlined are widely supported. Given the very broad scope of the inquiry, which we warmly welcome, Sustain would be very happy to appear before the committee to expand on the range of issues summarised in this submission.

2. Why do we need food information?

One of the main conclusions of Sir Don Curry's report into the future of farming and food¹ was that **citizens have become almost entirely disconnected from the land** and from the farming systems that produce our food, and that this has a number of negative consequences. One of these is that people know very little about the realities of food production. Surveys continue to show that, for example, some children think oranges are grown in Britain² and some people think margarine is made from milk³.

In a largely urban society, these gaps in our knowledge are perhaps not surprising. In previous decades these gaps may have been filled by schools teaching about farming and food in the curriculum, complemented by practical skills such as cooking in fully equipped domestic science rooms and growing in school farms and gardens. However, **although food education and skills have a place in the National Curriculum, the content and practice vary widely**. There is much anecdotal evidence indicating that children are as likely to be

¹ Policy Commission on the Future of Farming and Food (2002) *Farming and Food: A sustainable future*.
www.cabinet-office.gov.uk/farming

² National Farmers Union (1999) *Ham from Deer and Margarine from Cows?* NFU: London

³ c/o British Farming (2003) *Survey of the public's understanding of food and the countryside*.
www.cobritishfarming.org.uk

engaged in designing a box for a pizza, as they are creating and baking one or – even less likely – growing any of the ingredients.

Even if we were fully connected to and informed about the farming and food system, most of the food we buy now comes **packaged, and often processed, so the ingredients are simply not visible**. Information about what is in the package is therefore essential if the market is to work effectively and consumers are to make informed choices. However, it has been argued that inadequate food labelling is an example of market failure⁴. This submission will also argue that the information that consumers need to exercise choice and send the correct signals to the market has, over decades, been distorted, offered only partially and often simply withheld.

This is despite the fact that public interest groups have been campaigning over the same decades for citizens' right to compulsory, comprehensive and comprehensible food labelling. These demands have been supported by a large volume of research over the years, both from these organisations⁵, and from government (dating back to the now defunct Ministry of Agriculture Fisheries and Food, and currently the Food Standards Agency). Each survey continues to show that citizens want a great deal of information about the food they eat, and find **current labelling information inadequate, almost impossible to understand and frequently illegible**.

3. How can we obtain food information?

- Labelling

The list of information which must appear on a label is rather short⁶. It comprises the name of the product, its weight or volume, the ingredients, the date by which the product should be consumed, and the name and address of the manufacturer or distributor. However, there are some loopholes even to this short list, for example some baked goods seem to be exempt from declaring their weight, and alcoholic drinks still do not need to list their ingredients⁷. Even the name can be misleading, since it is still legal that, for example, cheese flavour crisps contain no cheese whatsoever, while cheese flavoured crisps should contain at least some cheese. More information than the legal minimum is often given, and we cover most of this in section 4 below, but surveys continue to show a small number of products fail even to carry the legal minimum information⁸. New survey work in the sector of fruit juice and juice drinks shows that many imported products may carry, for instance, nutritional information – but in a non-EU standard format, usually American, using scientific terminology unfamiliar to a UK market.⁹

- Education

We have argued above that provision of food education and skills in schools is not universally adequate. Even if it were, however, schools-based education would fail to reach those who

⁴ Lang, T (1995) *The contradictions of food labelling policy*. Information Design Journal 8/1, 3-16

⁵ In particular, the Consumers Association, www.which.net/campaigns/food/nutrition/index.html, the Food Commission, www.foodcomm.org.uk, and the National Consumer Council www.ncc.org.uk

⁶ Food Commission (2001) *Reading food labels*. Food Commission: London

⁷ See the longstanding work by the Campaign for Real Ale www.camra.org.uk

⁸ Organix (2004) *Carrots or Chemistry? Snacking and child health*. Organix: Christchurch. www.babyorganix.co.uk. This survey found 10% of children's snack products had no weight declaration.

⁹ Food Standards Agency, in press (due June 2004) 'Labelling of fruit juices, fruit juice drinks and other similar products'. London: Food Standards Agency

have already left school, except indirectly via schoolchildren in their families. Thus a number of other mechanisms are being used, as described below.

- **Other means of communication**

In the past, **government** has produced vast quantities of leaflets intended to inform citizens about various aspects of food, all of which have been almost entirely useless¹⁰. Increasingly, the Food Standards Agency, as the official body with responsibility for most food labelling and information, is using electronic media, particularly its website and, for particular campaigns, TV and radio ads and articles placed in a variety of print media. While cheaper, and less environmentally wasteful than printing hundreds of thousands of leaflets, effectiveness in raising awareness varies a great deal.

Food companies also generate a huge volume of information about their products through all media, both paid for and as part of editorial coverage, and retailers often also provide a variety of information in-store. Evidence on the effectiveness of this commercially generated information is, as far as we know, not in the public domain. However, the Co-op has been unique among retailers since it has not only provided its customers with information, but also produced a series of campaigning reports, arguing for improvements in food labelling, information and food quality. The Co-op has also deliberately broken food laws where it considers that, based on good research, doing so improves the information available to citizens¹¹.

Public interest groups also provide citizens with information through their campaigns and other activities, mentioned throughout this submission. Many are engaged in work, in tune with the Curry Commission recommendations, to reconnect people – particularly children – with our food supply, including: farm visits, allotment regeneration, curriculum materials, farmers markets, teacher training, farms and gardens in or near schools, and cooking clubs in community settings. This work is often highly valued by the people involved but it is, by its nature, fragmented and piecemeal, only reaching a small proportion of the population.

4. What kind of food information do citizens want?

The following merely sketches the potential for and limitations of information offered to consumers about a wide range of inter-related issues.

- **Nutrition**

Legal requirements state that nutrition information need only be given on a label if a nutrition or health claim is made, or if foods are designed for particular nutritional uses. In practice, most companies do offer some nutrition information on their products, even when not legally obliged to do so, but it is rarely comprehensive, and even more rarely comprehensible. Where nutrition is given on a voluntary basis, the following restrictions apply:

- **Energy.** This must be given in terms of kilojoules (kJ) which almost no non-experts understand, and kilocalories (kcal), almost universally referred to and understood as calories.

¹⁰ Health Promotion Authority for Wales (1992) *Crutches, confetti, or useful tools* Good Health Wales Technical Report Number 3. Health Promotion Authority for Wales: Cardiff

¹¹ The Co-op (2002) *The Lie of the Label II*. The Co-operative Group: Manchester. www.co-op.co.uk. See also *The Lie of the Label* (1997) and a series of reports on issues such as food advertising to children, pesticides, social inclusion and animal welfare.

- **Protein.** This information must be given (along with energy, total fat and total carbohydrate) if any nutrition information is listed. However, protein content information is almost completely useless, since protein deficiency is virtually unheard of in rich countries.
- **Fats.** Information about fat content is useful to consumers, and indeed many producers make claims about the fat content of their product, but these are almost always misleading. For example: despite official advice to avoid “% fat-free” claims on food (as these usually give the false impression that the product is low fat), the practice continues. By contrast, information about hydrogenated (or trans) fats is almost completely absent, despite Food Standards Agency advice that this type of fat is even more damaging than saturated fat in increases the risk of coronary heart disease.
- **Sugars and other carbohydrates.** A total carbohydrate figure on a food label is worthless, since we should be eating more of one type (complex) and less of another (simple – also known as sugars). Sugar information is often hidden on a label’s ingredients list under several different ingredient headings such as sucrose, fructose, glucose, dextrose, maltose and others.
- **Fibre.** There are currently three different methods of measuring fibre which produce different figures. After years of haggling over the definition of fibre for food labelling purposes there is still no ‘official’ method, so comparing products for their fibre content (if fibre information is given or claims about fibre content are made) is just impossible¹².
- **Sodium and salt.** While technically correct to label sodium, since this is the element of sodium chloride (salt) responsible for raising blood pressure, very few citizens are aware of this fact. Nor do most people know that, to obtain a salt equivalent figure from the sodium that may be declared on the label, it is necessary to multiply it by roughly 2.5, then compare the resulting figure to the recommended daily maximum intake.
- **Vitamins and minerals.** Although essential for good health, when they are consumed in foods that are naturally rich in useful micronutrients, vitamins and minerals are often added to ‘junk’ foods (processed foods high in fat, salt or sugar). Many products fortified in this way overstate the importance of the added vitamins and minerals – especially in foods targeted at young children.
- **Health claims.** The Joint Health Claims Initiative¹³, a tripartite initiative involving the food industry, food law enforcement officers and consumers, has developed a robust system for developing health claims that withstand independent scientific scrutiny. Unfortunately, the system is voluntary and not widely used, and the EU health claims directive, which would have given statutory backing to a similarly robust system, has recently been delayed, yet again¹⁴.

A scientifically rigorous system has been devised¹⁵ to label nutrients high, medium or low. This system has been used by the Co-op on its own-label products for a decade, and a number of government-funded research projects have shown that people find it easy to understand and to use. It would be straightforward to link this system to “**traffic light**” labelling, a proposal with a long history which has recently been resurrected.

¹² Food Magazine (2001) *Fibre labelling – a bad situation is about to get worse*. No. 52 January/March 2001. Food Commission: London

¹³ www.jhci.co.uk

¹⁴ Food Standards Agency (2004) *Nutrition and health claims proposal: com(2003)424. Bulletin on the Brussels negotiations. Issue 12, April 2004*. FSA: London

¹⁵ Coronary Prevention Group (1990). *Nutrition banding. A scientific system for labelling the nutrient content of foods*. CPG: London; Black A, Rayner M (1992). *Just read the label*. London: HMSO.,

- **Safety**

Despite being a vital aspect of food information, safety information remains flawed.

- **Storage and cooking instructions.** Many people remain confused about the difference between “use-by” dates (on highly perishable food) and “best before” dates on less perishable items. A recent survey found information about the dangers of unpasteurised dairy products for pregnant women was rarely on the label or available at retailer “deli” counters¹⁶.
- **Allergens.** Many manufacturers and retailers are now improving the information available to people suffering from a range of allergic/intolerant reactions to some foods/ingredients, though this remains inconsistent and inadequate. However, the defensive use of “may contain nuts” on a very wide range of products has been widely criticised as being unhelpful to people with nut allergy.
- **Additives.** A recent study¹⁷ has revealed that some children may be consuming as many as 80 different additives each day, some of which are banned in other countries due to safety concerns¹⁸. Even where rules exist on the prominence to be given to additives causing concern e.g. on labelling of sweeteners, some manufacturers persist in concealing the information.
- **Agrichemical residues.** EU laws specify the maximum amount of residues of pesticides and veterinary medicines that should be found in food. While most citizens would not want any such residues left in their food, regular surveys continue to find them, sometimes above what is legally permitted¹⁹ and in “cocktails” of combinations that have not been tested.
- **Strength of alcoholic drinks.** As far as we are aware, the Co-op remains the only retailer to label alcoholic drinks with the number of units of alcohol they contain. This allows customers to link their consumption directly to government information on the number of alcohol units that can safely be consumed by men (21 per week) and women (14 per week). This task is virtually impossible with customary alcohol by volume (ABV) labelling.

- **Production and processing methods**

Historically, this area of food information has received less attention than nutrition and safety, but seems to be growing in importance as issues around sustainable development become more integrated into the mainstream.

- **Quality marks and assurance schemes.** These include, but are not restricted to organic and other sustainable farming (or fishing) methods. A recent Sustain publication²⁰ lists over 30 such schemes, without claiming to be comprehensive, and the number continues to grow. The National Consumer Council has noted²¹ that these schemes are often “more likely to confuse and mislead consumers rather than inform them” and made a number of recommendations for improvement.
- **Genetically Modified Organisms.** It is clear from a variety of sources that most citizens have profound reservations about GMOs or any derivatives in their food, and their

¹⁶ H.U.S.H. UK E.Coli Support Group. Survey published in 2003. www.ecoli-uk.com

¹⁷ Organix (2004) *Carrots or Chemistry? Snacking and child health*. Organix: Christchurch. www.babyorganix.co.uk.

¹⁸ See information produced by the Hyperactive Children’s Support Group, www.hacsg.org.uk

¹⁹ See regular analyses of statistics produced by the Pesticides Safety Directorate and the Veterinary Medicines Directorate by, among others, Friends of the Earth (www.foe.co.uk) and the Soil Association (www.soilassociation.org).

²⁰ Petts J, Peckham, C (2003) *Good Food on the Public Plate: A manual for sustainability in public sector food and catering*. Sustain: London

²¹ National Consumer Council (2003) *Bamboozled, Baffled and Bombarded*. NCC: London

minimum requirement is information to be able to choose to avoid this technology in its entirety if they wish. So far, despite recent legislation to improve labelling, this requirement remains unfulfilled²².

- **Irradiation.** As with GMOs, there are serious concerns about the use of this technology, and in practice the only irradiated food products on the UK market are some herbs, spices and dietary supplements. These must be labelled as having been treated with ionising irradiation. However, FSA surveys have shown some products, particularly food supplements, are being sold illegally, with their irradiated ingredients undeclared.
- **Country and region of origin.** Increasing numbers of citizens want to support sustainable development by buying local produce²³. However, few realise that the presence of a union flag on a product may mean merely that imported ingredients have been processed here.
- **Meaningless claims.** Despite volumes of guidance exhorting companies not to use claims with no legal status, or with no supporting standards, terms such as “traditional”, “farmhouse”, “selected”, “wholesome” and so forth continue to be widely used. Similarly pictures of fruit and vegetables continue to adorn packages of products containing little – and often no – fruit or vegetables.

- **Ethical considerations**

As with production and processing methods, ethical considerations seem to be growing in importance for increasing numbers of citizens.

- **Animal welfare.** Vegetarian and vegans continue to find labelling unhelpful in following their ethical principles, particularly for ingredients derived from animal sources²⁴. Those who wish to eat animal products from high welfare systems are faced with a range of confusing choices including organic labelling, the RSPCA’s Freedom Food scheme, and a variety of smaller schemes.
- **Fair trade.** The Fair Trade Foundation²⁵ (and also Oxfam and Traidcraft) independently certify products to ensure that producers in the South receive a fair price and have decent working conditions. Given the inadequacy of the voluntary code of practice covering supermarkets’ dealing with their suppliers, many are arguing for a similar “fair trade” approach for producers in the North²⁶.
- **Religious requirements.** While it is essential for some faith groups to consume only those products certified by their religion, citizens of other religions or with ethical concerns may wish to avoid precisely these products. They may consider, for example, that some slaughter methods undermine animal welfare. However, surplus products from religious slaughter can be used, unlabelled, in the food chain.

5. Why aren’t citizens getting the food information they want?

The previous analysis of food information, albeit in outline, demonstrates that **parts of the food industry remain unwilling to provide accurate, full and clear information**. This is not surprising since, unless all companies are legally obliged to provide it (and they are not) and until the legislation is rigorously enforced (and it is not, see below) companies will be at a

²² For the most up-to-date information about legislative developments, please see the website of the Five Year Freeze, the multi-sector coalition urging caution in this field www.fiveyearfreeze.org

²³ Jones, A (2001) *Eating Oil: Food supply in a changing climate*. Sustain/Elm Farm Research Centre: London

²⁴ See information provided by the Vegetarian Society, www.vegsoc.org and by Vega Research, www.vegaresearch.org

²⁵ See www.fairtrade.org.uk

²⁶ The Soil Association may shortly be launching such a scheme, www.soilassociation.org

competitive disadvantage if they reveal more than their rival firms. It is significant, therefore, that the company that has offered most food information – the Co-op – is not a plc.

In the USA legislation has compelled companies to give more nutrition information than is required in the EU, and restricted the health claims that can be made on labels.

Unsurprisingly, research has shown this approach to be popular among citizens, but less so among food companies, as a result of which restrictions on health claims are now being weakened²⁷.

Food companies often claim that there is **not enough room on the label**, to provide all the information that people want. While this has some validity for very small packages, a cursory glance at food packaging will demonstrate that non-essential marketing material takes up the majority of space. However, there is a genuine **problem with providing information** about the increasing proportion of our food that is eaten outside the home, particularly **from catering outlets**.

Even if legislation about food information and labelling was improved, the issue of **enforcement would need to be tackled**. Every issue of the quarterly *Food Magazine*²⁸ catalogues misleading and possibly illegal labelling, and written complaints are regularly sent to the relevant local authority trading standards office. However, prosecutions for breaking food labelling laws are extremely rare. Local authority trading standards departments often do not have enough staff or money to take food companies (often major multinational firms) to court. Central government support for food law enforcement has focused exclusively (and perhaps understandably) on food safety issues such as fraud in the meat trade. Even if a court case is brought and won by a local authority, penalties for the company are weak, with low fines and precious little adverse publicity. In other words, most companies who break food labelling laws are likely to get away with it.

Moreover, the information and, perhaps more relevant, **imagery conveyed in advertising and other marketing promotions can eclipse any details that might be provided on a label**. The case for prohibiting junk food marketing to children is now well-known²⁹. While marketing does not affect adults in the same way as children, it is clearly intended to influence adults' purchasing patterns and, although comparative figures are not available, it is likely that considerably more money is spent on marketing campaigns than on providing information on labelling and in other ways. Moreover, if enforcement of food labelling laws is inadequate, then enforcement of codes of practice supposedly **controlling broadcast³⁰ and non-broadcast advertising is close to non-existent, and actually non-existent for the internet³¹**.

There is, it is true, limited room for the UK Government to manoeuvre on food labelling issues in particular, given that **all labelling legislation is set at EU level**. However, as noted

²⁷ See information from the Washington-based Center for Science in the Public Interest, www.cspinet.org

²⁸ Produced by the Food Commission: London, www.foodcomm.org.uk

²⁹ Powell, C. (2004) *Children's Food and Health: Why legislation is urgently required to protect children from unhealthy food advertising and promotions*. A submission to government in March 2004. Sustain: London

³⁰ Powell, C (2004) *The future regulation of broadcast advertising: Response to the Ofcom consultation by Sustain*. January 2004. Sustain: London

³¹ The Food Commission (2002) *Advertising authorities fail to regulate internet slimming ads*. The Food Magazine February 2002

above, where there is good evidence that citizens will be helped, not harmed by breaking EU labelling laws, the Co-op has broken them in citizens' interests.

The World Trade Organisation (WTO) adds another layer of difficulty. The USA has been particularly vocal in arguing that governments who require labelling of, for example, country of origin or processing and production methods are erecting unjustifiable, and therefore illegal barriers to trade. However, it is helpful that the WTO has recently overturned its previous two decisions, in the *shrimp-turtle* case, so that countries may indeed specify processing and production methods that, say, protect wildlife so long as these are not applied in a discriminatory manner³². It is less helpful that the WTO often takes its cue, on food matters, from the *Codex Alimentarius*, the UN system for setting rules about food which is globally traded, since global corporations play a large and unwarranted role in how these rules are set³³.

6. What should be done, and by whom, to improve the quality of food (and information)?

We are led, by the weakness described in the availability of food information, to the following general recommendations:

- The UK government should join with other EU states to demand **changes in the WTO approach to food information**. Currently trade considerations are treated as more important than citizens' right to know about their food. This is not acceptable. If Codex is to be used to set standards, the influence of private companies must be reduced and the food standards set should be a floor (below which food traders must not fall) not a ceiling (allowing countries to set higher standards if they wish).
- **EU rules on food information across the full range of issues should also be improved.** However, based on past experience, this will take considerable time. In the meantime, member states that can demonstrate that their non-EU conforming systems provide better food information for citizens should not be penalised, but encouraged.
- **At UK level, there is an urgent need to toughen up the enforcement of rules on food information**, except where this would inhibit helpful information and/or formats (see EU recommendation above). As a matter of urgency, given the obesity epidemic, government should introduce legal protection for children from junk food marketing. There is a high and growing level of public support for this measure³⁴. Broadcast and non-broadcast advertising, including the internet, should be more – not less – tightly regulated. However, Government appears to be encouraging Ofcom down the path of “light-touch” self-regulation, an approach which has been shown not to work in the Advertising Standards Authority's sphere of non-broadcast advertising³⁵.

³² Commission by Compassion in World Farming (2003) *WTO – the Greatest Threat Facing Animal Protection Today*. CIWF Trust: Petersfield

³³ Avery, N, Drake, M, Lang, T (1993) *Cracking the Codex: An analysis of who sets world food trade standards*. National Food Alliance. Available from Sustain: London

³⁴ At time of writing, the Sustain campaign on this issue has the support of 113 national organisations. Please check the website for the latest number, www.sustainweb.org

³⁵ Dibb, S (1996) *Slim hopes: The results of a survey of slimming advertising*. National Food Alliance. Available from Sustain: London

At the same time, the Food Standards Agency should offer support and funding for trading standards officers to prosecute companies breaking food labelling laws. In addition, the Agency has a practice of “naming and shaming” companies who, for example, have too much salt in their products. This approach could usefully be extended to include companies who routinely flout labelling laws and guidance. Some further research may need to be funded to solve the problems of communicating information about food sold without packaging, and in catering outlets.

- There appears to be overwhelming support for **making food education and skills a more central part of school life**, both in the curriculum and outside it. Legislation may be needed to prevent the wide variations in practice that are reported. Meanwhile, Government could instruct Ofsted to make food education and skills an integral part of school inspections.

Pending these changes, public interest organisations, such as those referenced in this submission, will continue to do their best to encourage citizens to demand better food information, including on labelling, complain more when this information is inadequate and use their purchasing power to reward good practice and punish recalcitrant companies.

However, experience to date shows that improving the quality of food information is necessary, but not sufficient to improve the sustainability of our farming and food system. The recommendations in the Curry report, complex and interconnected as they are, need to be implemented by Government as a whole, not piecemeal.

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