

**CODE OF PRACTICE FOR WHOLE GRAIN INGREDIENT CONTENT
CLAIMS (“the Code”)
COMMUNIQUE 16.001**



**Grains &
Legumes
Nutrition
Council**

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Cultivating Good Health

REASON FOR COMMUNIQUE: Key Changes to the Code following the Annual Code Review

Background

An annual review was conducted of the Code of Practice for Whole Grain Ingredient Content Claims (2014) (“the Code”) with the Code Review Paper presented to the GLNC Board for approval in June 2016.

The Code requires an annual review be conducted in order to:

- Assess the performance of the Code against its objectives and
- Recommend any amendments to the Code required to address problems or issues identified during the review process

In January 2016, GLNC conducted the annual review of the Code via Consultation 16.001. The Code Steering Committee met on the 10 March 2016 to review submissions and proposed amendments to the Code. The outcomes of the meeting were released for comment from Registered Users of the Code and stakeholders that made submissions to Consultation 16.001. There were no further comments received from the second consultation. Therefore, this Code Review Paper is based on the recommendations of the Steering Committee after the March meeting.

This Communiqué outlines the key changes to the Code as well as additional issues raised through the public consultation that were reviewed and addressed by the Code Steering Committee and approved by the GLNC Board.

The 2016 Code will be binding on GLNC and all Registered Users as of 1 July 2016.

CHANGES TO THE CODE

This section outlines five changes to the Code listed according to the sections of the 2015 Code followed by two recommendations from the Steering Committee based on suggestions made in the Code review submissions.

CHANGE 1

PART 1 - PURPOSE OF THE WHOLE GRAIN INGREDIENT CONTENT CLAIMS CODE

PART 1 of the Code was updated as outlined below and all reference to the Code as an 'industry standard' was replaced with 'Code of Practice', to ensure a consistent and accurate description.

1. PART ONE – PURPOSE OF THE WHOLE GRAIN INGREDIENT CONTENT CLAIMS CODE

The Australia New Zealand Food Standards Code does not provide a standard to regulate the use of whole grain content claims to describe the amount of whole grain in different foods. As a result, food labelled with a whole grain claim can vary considerably in whole grain content, with some foods contributing significantly more than others to the whole grain Daily Target Intake of 48 grams, leading to confusing messaging.

The 2013 Australian Dietary Guidelines recommend Australians eat a variety of grain foods, 'mostly whole grain &/or high cereal fibre varieties'. This emphasis on whole grain makes consistent messages on the whole grain content of foods more important than ever.

In July 2013, GLNC established a voluntary Code of Practice for Whole Grain Ingredient Content Claims (the Code) which is intended to guide the use of whole grain ingredient content claims, on food labels in Australia and New Zealand. The Code provides clear, consistent messaging on the whole grain content of foods. The Code aligns these messages and helps consumers make informed choices. Development of the Code was undertaken by GLNC on behalf of, and with involvement from, grains industry stakeholders and the public health and nutrition research community.

The Code sets out provisions to guide the way the food industry communicates with consumers on food packaging and in advertising. The Code has been developed as a mechanism for the food industry to aid consumers in their decision-making through the provision of consistent and accurate information about whole grain content. The aim is to encourage widespread uptake and compliance across the food industry. A benefit to Registered Users is being able to promote their adherence to the Code to consumers.

The Code is intended to reflect and support existing Commonwealth, State and Territory legislation in Australia and New Zealand, such as the Competition and Consumer Act (CCA) and Australia New Zealand Food Standards Code (FSC), and should be read and used in conjunction with these. The Code has been designed to complement existing food standards and consumer protection regulation and provide additional guidance in areas where the legislation does not apply or does not adequately address matters covered in this Code. Adhering to the Code does not prevent additional steps being taken by individual companies to provide information to consumers, provided they comply with the appropriate legislation and this Code.

CHANGE 2

PART 2.1 – GLNC CERTIFICATION

The process for GLNC certification of products and all reference to GLNC certification was removed from the Code.

Rationale

Certification is not a core component of the Code to achieve its objective of promoting clear and consistent whole grain ingredient content claims, and has not been taken up by any manufacturers to date. Removing this from the Code improves the clarity of the Code by focusing on whole grain claims. Certification will be retained as an option to manufacturers on application to GLNC, with promotion and requirements administered separately to the Code.

CHANGE 3

PART 4.4 – WHOLE GRAIN CLAIMS FOR INFANT FOODS

The following statement was added to the Code (part 4.4) to outline that a specific whole grain recommendation and provisions for whole grain claims for infants (7 – 12 months) are not included in the Code.

4.4 INFANT FOODS

The Grains & Legumes Nutrition Council recommends the inclusion of some whole grain foods in to the diet of infants to promote healthy habits from a young age.

While the Code of Practice does allow the use of whole grain ingredient content claims on foods intended to be consumed exclusively or primarily by toddlers 1-3 years old (see Part 4.3), the Code does not include provisions for specific whole grain ingredient content claims or recommendations for infants (7 – 12 months).

Rationale

In consultation with paediatric Accredited Practising Dietitians, GLNC determined that a specific whole grain ingredient content claim or recommendation for infants (7 – 12 months) in the Code of Practice is not appropriate. The rationale for the decision to exclude a specific whole grain ingredient content claim or recommendation for infants (7 – 12 months) the following content is published as an FAQ on the [GLNC website](#).

CHANGE 4

PART 5.5 - REVIEW AND AMENDMENT

The frequency of the Code of Practice review has been extended from annually to once every three years and provisions were added to the Code of Practice that GLNC and the Steering Committee will consider revisions to the Code of Practice, suggested by stakeholders outside of the three yearly reviews.

Part 5.5 of the Code of Practice was amended based on the wording below. All reference to the “annual” review throughout the Code was also amended.

PART 5.5 - REVIEW AND AMENDMENT

A review of the Code of Practice will be coordinated by the Code Manager, in consultation with Registered Users once every three years. The objectives will be to:

- assess the performance of the Code of Practice against its objectives; and
- recommend any amendments to the Code of Practice required to address problems or issues identified during the review process.

The information obtained through the compliance monitoring and complaints handling procedures will be an important contributor to the review process. Data collected can assist with identifying ways to improve the performance of the Code of Practice.

In addition to the Code of Practice review undertaken every three years, stakeholders can suggest amendments to the Code of Practice to be considered by the Code of Practice Steering Committee at any time. Suggested amendments to the Code of Practice made outside of the three yearly Code of Practice review are to be raised directly with the Code Manager. The Code Manager will take the suggested amendment to the Code of Practice Steering Committee for advice and any changes will be taken to public consultation. Within six months of being raised an outcome will be determined which will include either the rejection of the suggested amendment, further information being requested or submission of the proposed amended to the GLNC Board for approval. The final decision will remain with GLNC Board.

On approval of proposed amendments by the GLNC Board, the amendments will form part of the Code and will be binding on GLNC and all Registered Users. A copy of the amended Code will be made available on the GLNC website and will be sent to each Registered User.

CHANGE 5

Appendix 2 – GUIDANCE ON THE WHOLE GRAIN CALCULATION – TYPICAL RATIO OF CEREAL FRACTIONS

The information on the typical ratio of fractions in common cereal grains (Appendix 2 of the 2015 Code) was removed from the Code and placed in its present format within the Code FAQ's on the GLNC website.

Rationale

During the course of 2014 and 2015 GLNC became aware that the guidance provided on the typical ratio of the cereal fractions may be limited in its applicability and may be creating difficulties for industry in adhering to the Code. As a result of such feedback, in 2016 GLNC plans to undertake targeted consultation with milling and baking companies to investigate the typical ratio of cereal fractions, to understand current industry best practice for the calculation of whole grain content from cereal fractions and to identify whether GLNC's current level of guidance is adequate/appropriate and whether GLNC has a role in providing further guidance on this. The outcome of this consultation will inform future guidance provided by GLNC on the typical ratios of cereal factions to ensure compliance with the Food Standards Code.

STEERING COMMITTEE RECOMMENDATIONS

Recommendation 1 and 2 outlined below relate to additional issues raised in regard to GLNC Certification through Consultation 16.001. These issues were reviewed and addressed by the Steering Committee, and while the recommendations are related to items that will sit outside of the Code (as per change 2 removal of GLNC Logo and Certification), these have been included as background as they have not been carried through as amendments to the Code but will be actioned by GLNC as relevant.

RECOMMENDATION 1

Foods Permitted to Carry Certification: “Core foods” as referred to in the Code is defined by the Australian Bureau of Statistics *2011-12 Australian Health Survey User Guide*.

RECOMMENDATION 2

Nutrient criteria to assess eligibility for Certification: The Nutrient Profiling Scoring Criterion (NPSC) is adopted as the healthier food criterion to assess GLNC Certification eligibility in place of the Heart Foundation Tick Program criteria.