Public Consultation: Feasibility study on options to limit unhealthy food marketing to children

The Food Intolerance Network supports an explicit definition of safety for all consumers including children, which covers nutrition and effects of food on both short and long-term physical and mental health, attention and behaviour. Children are more vulnerable to food additives than adults, due to their smaller size. Pilot trials and studies with up to 1 million students in schools (1-5) have found profound effects on all these aspects due to food additives.

The Health Ministers' Policy Statement is comprehensive: “all those aspects of food consumption that could adversely affect the general population or a particular community’s health either in the short-term or long-term, including preventable diet-related disease, illness and disability as well as acute food safety concerns.” Therefore a limited focus on brands and marketing is only part of the story.

The world’s largest scientific review (6), involving nearly 10 million people, recently found that UPFs (ultra-processed foods) are associated with higher risks of multiple health problems and the Global Burden of Disease Risk Factor Estimate (7) from 1990 to 2016 revealed that diet was the leading cause of death in the USA. So there are many good reasons to limit children’s access to these foods (8) and ensure that they are free from harmful substances.

The National Healthy School Canteens – Guidelines for healthy foods and drinks supplied in school canteens (9) – published by the Australian Government Department of Health and Aged Care, already recommends restricting 14 artificial colours, more than those six identified in the $2 million Southampton study (10). These results led to foods containing most common artificial colours carrying a mandatory warning in the EU (“may have an adverse effect on activity and attention in children”) but the same scientific evidence that convinced EU (and Californian) regulators to act was dismissed in Australia/NZ.

Not all food additives are bad; there are only 56 of concern (11). But a critical issue is emerging: due to consumer apprehensions about the health risks of Ultra-Processed Foods (UPFs) including food additives, the food industry has responded with a Clean-Label initiative to hide additives from consumers. They remove chemical sounding ADDITIVE names and numbers and replace them with innocent-sounding INGREDIENTS. Such foods commonly include a health claim “no artificial preservatives” or “no added MSG” because they have been made in a laboratory by fermenting or concentrating natural ingredients. This Clean-Label approach by the food industry is gaining

momentum to the extent that, for some previously regulated additives, there are now far more ways in which they are added as unregulated INGREDIENTS than as regulated ADDITIVES.

This means that consumers no longer know what is in their food. For one additive class of particular concern (12), the propionate preservatives in bread, other flour products and processed meats (280-283), there of the 19 ways in which they can be added to food, but only 8 are regulated by food standards and must appear as additives on labels. The rest are no longer regulated. Bread is eaten by children on a daily basis and it is our view that many children are affected on a daily basis by these additives.

The Food Intolerance Network urges this feasibility study to **RECOMMEND**:

- that the definition of healthy food excludes those 56 food additives proven to affect children in health, attention and behaviour;

- that the National Healthy School Canteens Guidelines be updated to exclude those 56 food additives proven to affect children in health, attention and behaviour; and

- support for an initiative to bring unregulated additives into regulation as needed and insisting that functional ingredients carry the number of the previously regulated food additive to which they are chemically identical so that consumers can choose safer foods.

References

1. How many children are affected by food additives? - a pilot trial. Dengate H, Dengate S, Watt M (2008). J Food Intolerance No 2. https://www.fedup.com.au/images/stories/JFICoomaNorth2008.pdf

> Abstract: OBJECTIVE: To determine the proportion of children affected behaviourally or physically by 56 common food additives. METHOD: Behaviour and health were rated for 49 children who avoided food additives for two weeks and for 46 children who continued with their normal diet. RESULTS: Rating 14 behavioural symptoms, teachers reported that 69% of all children improved at the end of two weeks; parents reported that 53% improved. For children able to show improvement, teachers reported that 89% improved; parents reported that 59% improved. Parents observed that at least 25% of all children improved in sleeping, headaches, stomach aches, rashes or bedwetting by avoiding food additives for two weeks in a normal school setting. CONCLUSION: More than half of school age children may be affected by common food additives. IMPLICATIONS: The appropriate educational and public health response would be to reduce the use of food additives that contribute to behavioural and physical disorders.

2. Burke, K 2008, 'The effects of food allergy and food intolerance on the development of concepts of healthy eating and nutrition: incidence rates in an Australian population' in Allan, A, Bell, C, Cross, D, Devine, A, Martins, R, McGuigan, M, Newton, R & Rudd, C (eds.) 2008, VARIO Health Conference: physical and mental wellness - integrative approaches to Health. Conference proceedings, 1st and 2nd December, 2008. Edith Cowan University, Joondalup, WA, pp. 32-39. https://www.fedup.com.au/images/stories/Burke2008.pdf

A survey of food intolerance in an Australian population reported an incidence rate for diagnosed food intolerance of 19% of households. Further, because diagnoses of food intolerances may not be conclusively made until adulthood, many individuals may suffer the adverse effects of this chronic condition for years prior to diagnosis.

3. Diet first for ADHD (blog by author Sue Dengate) with 18 international scientific references included https://www.fedup.com.au/sues-blog/diet-first-for-adhd and this with 14 references https://www.fedup.com.au/sues-blog/disruptive-school-behaviour-and-food-additives

Multiple studies published in the last three years around the world - in China, Turkey, Iran, Italy and USA - show that a diet high in processed food can increase ADHD symptoms. There are also fully referenced submissions made to the Senate Standing Committee on Barriers to consistent, timely and best practice assessment of attention deficit hyperactivity disorder (ADHD) (2023) https://www.fedup.com.au/images/stories/FINSenateADHD.pdf and to the Senate Standing Committee on Disruption in Australian Schools (2023) https://www.fedup.com.au/images/stories/FoodIntoleranceNetwork%20school%20disruption.pdf

4. Short videos of food trials at Nana Glen public primary school https://youtu.be/K9KhjVLKRDo and Palmers Island public primary school https://youtu.be/5JVrFeosiNI - these schools simply removed the 56 food additives identified by Sydney's Royal Prince Alfred Hospital's Allergy Unit as affecting health, attention and behaviour for two weeks.

5. Schoenthaler, SJ, Doraz WE, Wakefield JA. 1986 – The Impact of a Low Food Additive and Sucrose Diet on Academic Performance in 803 New York City Public Schools, International Journal of Biosocial Research, Vol. 8(2): 185-195 and Schoenthaler, SJ, Doraz WE, Wakefield JA. 1986a – The Testing of Various Hypotheses as Explanations for the Gains in National Standardized Academic Test Scores in the 1978-1983 New York City Nutrition Policy Modification Project, International Journal of Biosocial Research, Vol. 8(2): 196-203

The most convincing study: in the 1980s, removal of additives from school meals was strongly associated with learning a reduction of learning disabilities and improved academic achievement in the largest study of its kind ever done, with over a million students in 803 New York City schools.
https://www.fedup.com.au/images/stories/NewYorkCityPublicSchools.pdf

6. Lane MM et al, Ultra-processed food exposure and adverse health outcomes: umbrella review of epidemiological meta-analyses. BMJ. 2024 Feb 28;384:e077310.
https://pubmed.ncbi.nlm.nih.gov/38418082/

7. Esmonde-White C. Let food be thy knowledge gap: the lack of nutrition education in medical curricula. Can Med Educ J. 2023 Sep 8;14(4):142-143.
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10500411/

"The United States Global Burden of Disease Risk Factor Estimate from 1990 to 2016 revealed that diet was the leading cause of death, with dietary risks accounting for 529, 299 deaths in 2016 alone. Professors (rightly) spend many hours harping on the risks of tobacco, but smoking declined by 42.8% during the study period ..."

8. Monteiro CA et al, Reasons to avoid ultra-processed foods. BMJ. 2024 Feb 28;384:q439. https://www.bmj.com/content/384/bmj.q439

9. National Healthy School Canteens – Guidelines for healthy foods and drinks supplied in school canteens (2013) https://www.health.gov.au/resources/publications/national-healthy-school-canteens-guidelines-for-healthy-foods-and-drinks-supplied-in-school-canteens

10. McCann, D., Barrett, A., Cooper, A., Crumpler, D., Dalen, L., Grimshaw, K., Kitchin, E., Lok, K., Porteous, L., Prince, E., Sonuga-Barke, E., Warner, J., and Stevenson, J. (2007). "Food additives and hyperactive behaviour in 3-year-old and 8/9-year-old children in the community: a randomised, double-blinded, placebo-controlled trial" The Lancet September 6, 2007. https://pubmed.ncbi.nlm.nih.gov/17825405/

Summary: Background We undertook a randomised, double-blinded, placebo-controlled, crossover trial to test whether intake of artificial food colour and additives (AFCA) affected childhood behaviour. Methods 153 3-year-old and 144 8/9-year-old children were included in the study. The challenge drink contained sodium benzoate and one of two AFCA mixes (A or B) or a placebo mix. The main outcome measure was a global hyperactivity aggregate (GHA), based on aggregated z-scores of observed behaviours and ratings by teachers and parents, plus, for 8/9-year-old children, a computerised test of attention. This clinical trial is registered with Current Controlled Trials (registration number ISRCTN74481308). Analysis was per protocol. Findings 16 3-year-old children and 14 8/9-year-old children did not complete the study, for reasons unrelated to childhood behaviour. Mix A had a significantly adverse effect compared with placebo in GHA for all 3-year-old children (effect size 0·20 [95% CI 0·01–0·39], p=0·044) but not mix B versus placebo. This result persisted when analysis was restricted to 3-year-old children who consumed more than 85% of juice and had no missing data (0·32 [0·05–0·60], p=0·02). 8/9-year-old children showed a significantly adverse effect when given mix A (0·12 [0·02–0·23], p=0·023) or mix B (0·17 [0·07–0·28], p=0·001) when analysis was restricted to those children consuming at least 85% of drinks with no missing data. Interpretation Artificial colours or a sodium benzoate preservative (or both) in the diet result in increased hyperactivity in 3-year-old and 8/9-year-old children in the general population.

11. List of those 56 additives proven to affect children https://www.fedup.com.au/additives-to-avoid/on-one-page

12. See 14 recent scientific references about the effects of propionates in this blog by Sue Dengate https://www.fedup.com.au/sues-blog/dementia-propionate-preservatives-french-study-confirms-the-link

Submitted March 2024 by Dr Howard Dengate for the 20,000 member Food Intolerance Network, PO Box 718, Woolgoolga NSW 2456 AUSTRALIA +61 408 801 490 confoodnet@ozemail.com.au www.fedup.com.au The Food Intolerance Network provides independent information about the effects of food on behaviour, health and learning in both children and adults, and support for families using a low-chemical elimination diet free of additives, low in salicylates, amines and flavour enhancers (FAILSAFE) for health, behaviour and learning problems. ABN 72 705 112 854

ADDENDUM March 2024 in submission

As referenced in the detailed submission above, spurious health claims are now part of the food industry Clean-Label initiative to hide additives from consumers. They remove chemical sounding ADDITIVE names and numbers and replace them with innocent-sounding INGREDIENTS. Such foods commonly include a health claim “no artificial preservatives” or “no added MSG” because they have been made in a laboratory by fermenting or concentrating natural ingredients. This Clean-Label approach by the food industry is gaining momentum to the extent that, for some previously regulated additives, there are now far more ways in which they are added as unregulated INGREDIENTS than as regulated ADDITIVES.

Only one country to my general knowledge has successfully taken on a major food company in this way: India in 2018! Under Indian regulations, foods with any ingredient that naturally contains MSG cannot add a label “No added MSG” on their packaging, as this could give a misleading impression that the product contains no MSG. This is where Nestle went wrong in India and it has agreed to remove the ‘No added MSG’ claim on their packaging. While free glutamates are naturally present in many foods, consumers are being actively misled about the ADDED levels in products strongly labelled as “no added MSG”.

Then India went on bravely in 2019: The Food Safety Standards Authority of India will ban 'frivolous' terms such as 'natural', 'fresh', 'traditional', 'premium', 'best' and more on the labels of processed foods unless these meet certain standards. In the meantime, these are the 'trending food claims', largely unregulated, now used on Australian/NZ food labels: 100% Natural, Vegan, Superfood, Free Range, Healthy, Made in Australia, and Live cultures, according to soldout workshops run by FoodLegal http://www.foodlegal.com.au/events/ https://www.foodnavigator-asia.com/Article/2018/11/28/No-more-false-claims-FSSAI-finalises-ban-of-frivolous-terms-on-processed-food-labels See also blog on how India fixed the 'no added MSG' scam

And in 2021 India took another giant step with a draft standard for vegan products as “those foods or food ingredients that have not made use of any ingredients, additives and processing aids of animal origin including milk and milk products, fish, poultry and meat, egg or egg products, honey or honey bee products, materials of insect origin like silk, dyes, chitin/chitosan etc or ingredients that are clarified using animal sourced products e.g., bone char used in sugar bleaching, isinglass in clarifying beer etc.” In the rest of the world, processing aids are totally hidden and increasingly used.

See more:

https://www.fedup.com.au/newsletters/2018/failsafe-89-may-september-2018

https://www.fedup.com.au/newsletters/2019/failsafe-91-january-april-2019

https://www.fedup.com.au/newsletters/2021/failsafe-102-november-december-2021