November, 2016

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Dear Professor Braunack-Mayer and Dr Street

Thank you for your letter of 9 June, 2016, to the Hon. Jay Weatherill M.P., Premier, about the outcome of South Australian Citizens’ Jury on obesity prevention. As this matter falls within my portfolio responsibility, your correspondence has been forwarded to me.

SA Health has provided commentary on seven of the 10 Citizens’ Jury recommendations and five of the seven solutions put forward by HealthyLaws as relevant to the department’s activities. I understand other government departments have also provided commentary which has been included in the response.

The decision made at the COAG Health Council meeting on 8 April, 2016, is relevant to the recommendations from your Citizens’ Jury (April, 2015) and the solutions of the HealthyLaws expert round table (May, 2016). At this meeting Health Ministers agreed that jurisdictions investigate options within their control to limit the impact of unhealthy food and drinks on children.

Citizens’ Jury (CJ) Recommendation 1: School-based education on healthy eating and physical activity
Schools address healthy eating; nutrition; physical activity; as well as growing and cooking food, primarily within the Australian Curriculum: Health and Physical Education learning area.

Preschools provide opportunities through the Early Years Learning Framework (Outcome 3) and the National Quality Standard 2.2 - Healthy eating and physical activity are embedded in the program for children.

The website also provides information for parents and carers including options for healthy lunch boxes. Sites also provide information to parents and carers through their school and canteen newsletters.

CJ Recommendation 2: Mandatory food labelling to clearly indicate sugar and fat content
There are existing mandatory and voluntary labelling mechanisms in place supporting this recommendation. The Australia New Zealand Food Standards Code Standard 1.2.8 - Nutrition information requirements specifies that all foods (apart from a number of exemptions) must include a nutrition information panel (NIP). The NIP includes information about the total sugar and total fat content in grams per 100g and grams per serve.

The voluntary Health Star Rating System (H.S.R.S.) is an easy-to-understand front-of-pack labelling icon featuring a star rating of the nutritional profile of processed packaged foods. The H.S.R.S. icon has optional nutrient information about the energy, saturated fat, (total) sugars and sodium content, expressed in grams per 100g (in most instances, per serve/pack/reference portion variations are permitted for certain pack types and food categories).

South Australian food regulations require food businesses with 20 or more outlets in South Australia or 50 or more outlets nationally to display the average energy content of each standardised food item (expressed in kilojoules), as well as a statement that 'the average daily energy intake is 8,700 kilojoules'. This information is required to be displayed on menus, menu boards, or on food and drink items displayed for sale with a tag or label.

CJ Recommendation 3: Imposition of taxes on food products with high fat/high sugar content; and HealthyLaws Recommendation 7: That South Australia raise the issue of a sugar tax on all food products, or specific food products at the Australian Health Ministers' Advisory Council. This issue is more relevant for consideration at a national level.

CJ Recommendation 4: Improved general public education about nutrition; and Recommendation 8: Education for new parents on nutrition, particularly in the toddler and preschool period.

South Australian Government recognises the importance of improving South Australians' knowledge and awareness about healthy behaviours, including healthy eating. A number of current initiatives supporting public education and awareness about healthy eating include the Get Healthy Information and Telephone Coaching Service; healthy eating information on the SA Health website and via SA Health social media <www.facebook.com/sahealth/> and <https://twitter.com/sahealth>; Healthy Workers-Healthy Futures; SA Community Foodies; and the Premier's Healthy Kids Menus Initiative.
Child and Youth Health (C.Y.H.) nurses provide information on breastfeeding, introducing solids and healthy eating to parents and carers as relevant to the infant or child's age at health checks (1-4 weeks, 6 weeks, 6-9 months, 18 to 24 months, 3 years). Healthy eating and feeding information and support is also provided as relevant at a range of other parenting and child health services offered through C.Y.H. and Women's and Children's Hospital. Information about healthy eating and good nutrition (including for low literacy families) are available on various SA Health webpages (e.g. Nutrition resources for children under 5, Nutrition resources for children, youth and their families, Nutrition Topics), and via the Parent Helpline.

CJ Recommendation 5: Mandatory physical education, mandatory food standards in canteens and zoning to control food outlets near schools
The Guidelines for the implementation of the Australian Curriculum in D.E.C.D. Schools: Reception-Year 10 provides schools with requirements for the implementation of Health and Physical Education.

The Right Bite, Easy Guide to Healthy Food and Drink Supply for South Australian Schools and Preschools policy was developed by dieticians and SA Health. The policy was implemented in D.E.C.D. sites in 2008, and is based on the Australian Dietary Guidelines.

It is a D.E.C.D. requirement that school canteens follow the Right Bite policy.

The policy requires school canteens to provide nutritional foods within the green and amber category, with nutrient poor foods from the red category, allowed twice per term.

Canteens must comply with the food safety legislation required under the Food Act 2001 and the Regulations. They should also comply with public and environmental health authority food safety policies under this legislation.

All members of school and preschool communities should use effective hand washing techniques in the context of food handling.

CJ Recommendation 6: Bans on television advertising of high fat high sugar items during children's viewing times
There is no current national agreement for changes to the current industry self-regulation of food marketing to children.

CJ Recommendation 7: A Senate inquiry to establish clear guidelines for defining unhealthy food
South Australia agrees that clearly defining unhealthy food would facilitate clarity about which foods should not be promoted to children, and could be used nationally and across policy areas and settings; however, suggests further consideration be given as to the mechanism for progressing this body of work.
CJ Recommendation 9: Bans on unhealthy food sponsorship in schools and sport

The Right Bite policy states sponsorships involving food or drink products should be consistent with the Right Bite strategy.

The D.E.C.D. Donations, sponsorship and promotions instruction states that the product or service is consistent with the values and goals of the site and that it does not adversely affect the site's education program.

CJ Recommendation 10: Farm subsidies

This issue is more relevant for consideration at a national level.

HealthyLaws (HL) solution: Audit and enforce existing nutritional guidelines in food outlets in public institutions, including schools and hospitals and, in particular, strictly enforce soft drink bans in schools.

Compliance with the *Healthy Food and Drink Choices for Staff and Visitors in SA Health Facilities* policy was required from 1 October, 2010. This policy applies to all situations where food and drinks are provided at all SA Health sites (such as hospitals, community health services, GP Plus Centres), including on-site cafeterias, vending machines, and catering for meetings and functions.

An evaluation of the implementation of the policy was conducted between December, 2011, and February, 2012 by site-mandatory self-reporting. Overall, SA Health's facilities had made substantial progress towards achieving the key requirements of the policy and recommendations were made to further strengthen its implementation.

The sale of unhealthy foods and drinks (including soft drinks) has been banned in canteens and vending machines in South Australian schools and preschools since 2008.

HL solution: Develop and enforce strategies to steer consumers towards healthy choices, e.g. require water rather than soft drinks be advertised on all drink vending machines on public property.

The *Healthy Food and Drink Choices for Staff and Visitors in SA Health Facilities* policy applies to food and drinks provided in vending machines on SA Health sites, and does not permit advertising or point-of-sale merchandising of any unhealthy food or drinks. This applies to advertising on the vending machine encasement itself.

The Right Bite policy states that sites should provide parents/carers with information on healthy food, encourage them to consider this when providing food and drinks but not to judge what is in a child's lunchbox or send food home with a child.

HL solution: Ban unhealthy food advertising on public property, including bus shelters and public institutions.

Planning legislation has no role in the banning of unhealthy food advertising and related planning applications. However, it does promote healthy lifestyles as part of long term strategic planning.
HL solution: In the new planning act, health should be a consideration for all new planning applications. In particular, there should be zoning regulations to prevent new food outlets close to schools. There are a lack of mechanisms that exist at present under the both the Development Act 1993 and the Planning, Development and Infrastructure Act 2016 to control the approval of food outlets near schools through zoning mechanisms. However, a small window of opportunity may exist for this recommendation to be further investigated whilst the new planning rules frameworks are being created, especially in relation to the Planning and Design Code (Part 5, Division 2, s66).

HL solution: Support councils to implement their public health plans around healthy food access.

SA Health, in partnership with the Local Government Association (L.G.A.), supports councils across South Australia to implement identified priorities in their Regional Public Health Plans. SA Health also funds two positions at the L.G.A. which support councils with capacity-building and implementation.

Councils have had regard for two of the four priority areas of the State Public Health Plan that include consideration of healthy food access. Examples of this include supporting community access to food outlets that provide healthy and affordable food, supporting food production (i.e. community gardens, backyards, verges), food security initiatives, and implementing healthy catering policies within council facilities. The Regional Public Health Planning Resource Directory developed by SA Health and the L.G.A. also provides information to support councils about available resources and grant funding opportunities.

HL solution: There is potential in Part 8, SA Public Health Act, 2011 to issue state-wide Codes of Practice relating to specified industries or activities implicated in any non-communicable condition of significance to public health, for example this might include in the areas of advertising and sale of goods, and for labelling of food. SA Health notes that this capability is included in the Act and is something that could be progressed around a specific issue of concern when necessary. Yours sincerely

[Signature]

Jack Snelling M.P.
Minister for Health