Comments on the draft Montevideo Roadmap 2018-2030 on NCDs as a Sustainable Development Priority (version dated 9 August 2017)

The German Federation for Food Law and Food Science (BLL) appreciates the opportunity to comment on the draft Montevideo Roadmap 2018-2030 on NCDs as a Sustainable Development Priority (version dated 9 August 2017).

The BLL represents the German food sector, both in Germany and at the European level. All types of businesses related to food production and sales are represented in the BLL.

The development of Non Communicable Diseases (NCDs) is of complex and multifactorial causation. Therefore the BLL strongly supports that an evidenced-based approach is needed to combat NCDs. All interventions proposed need to be based on sound and convincing scientific evidence taking into account all possible relevant evidence. Given the complexity and multi-factorial causes of NCDs, it is imperative that all relevant stakeholders have to be involved. Therefore the BLL also strongly supports the “…call on WHO… to enhance multistakeholder engagement and dialogue…”.

The BLL also welcomes the Draft’s recognition that “…access to education that promotes health literacy at all levels of society and contexts is a key determinant of health." This is why the food industry has for a long time been involved in the field of consumer information and consumer education and provides a vast amount of information for consumers, including a lot of information on the subject of nutrition and diet (e.g. on nutritional labelling). Food companies are also involved in various other fields where they live up to their social responsibilities in many ways. For example, the food industry successfully cooperates with the Federal Ministry for Nutrition and Agriculture, the Federal States, authorities, unions and sports federations within the scope of the platform Ernährung und Bewegung e.V. (platform for nutrition and exercise). This platform bundles together a number of social stakeholders that are involved proactively in promoting a balanced diet, lots of exercise as well as relaxation times as being decisive elements of a health-promoting lifestyle for children and adolescents. The expertise of all scientific and social circles is combined in this platform resulting in successful measures such as the project "9 + 12 - keep healthy during pregnancy and during the first year of life" where gynecologists, midwives and pediatricians work hand in hand on obesity-proof concepts (http://www.pebonline.de).
However, from our point of view regulatory and fiscal measures such as food taxes do not constitute an appropriate measure to strengthen consumer skills and are thus not effective in combating NCDs.

The impact of introducing a tax can be wide-ranging and highly uncertain and depends on many variables. Few studies provide a robust and complete account of the impact of such taxes on public health, and so far there is no sound evidence that such food taxes lead to a healthier diet and have any impact on reducing NCDs. Rather food taxation may have various negative impacts like an additional inflationary pressure and a decreased consumer purchasing power. Furthermore such taxes would penalise all consumers, regardless of how balanced one’s lifestyle is and negatively impact low-income consumers as well as the competitiveness of the industry. Those negative consequences are clearly demonstrated by the abolition of the Danish Fat Tax in 2012 (one year after introduction) and Finland’s decision to scrap the tax on confectionary and ice cream (introduced in 2011).

In 2014 the European Commission conducted a comprehensive study entitled “Food taxes and their impact on competitiveness in the agri-food sector”. The independent consortium concluded that taxes on high sugar, salt and fat products do not necessarily reduce the consumption of the targeted ingredients and that they can affect the competitiveness of the agri-food sector. Furthermore, evidence from academic literature is inconclusive and sometimes contradictory. Against this background more research is needed in order to assess more extensively the impact of these measures on the competitiveness of the agri-food sector.

The draft encourages the private sector “…to take measures to implement WHO set of recommendations to reduce the impact of the marketing of unhealthy foods and non-alcoholic beverages to children, while taking into account existing national legislation and policies”. The causes of NCDs are multi-factorial. Therefore, to focus only on a single factor is not effective. Advertising plays – if it all – a minor role in influencing the food choices, food preferences and eating behaviors of children. This has been shown in practice and in scientific studies. In addition to this, the BLL is convinced that the framework of legal and voluntary regulations in place is adequate, in principle, to the task of ensuring that marketing and advertising of food are conducted in a responsible manner. Marketing and advertising are already comprehensively regulated in the European Union as well as in the Member States. Numerous European and national regulations are in place containing detailed rules on advertising for food and take account of children’s special needs for protection.
Moreover, the industry has developed voluntary codes of conduct and has implemented EU-wide self-regulatory systems. The rule of conduct of the German Advertising Council, for example, which has long been in place, is a functioning self-regulatory framework for responsible advertising – including advertising for food. Furthermore, the German food sector in cooperation with the German Advertising Federation (ZAW) established specific common rules of conduct on commercial communication regarding food for the entire food industry, the media, and retailer and advertising agencies. These comprehensive rules include the use of all communication tools i.e. traditional advertising as well as sponsorship or advertising in digital media and networks. The focus is in particular on vulnerable groups like children. The EU Pledge is another a successful voluntary initiative by leading food and beverage companies to change the way in which they advertise to children. The companies participating in the EU Pledge represent over 80 percent of advertising spending on food and beverages in the EU.

The draft also encourages the private sector “…to produce and promote more food products consistent with a healthy diet, including by reformulation products to provide healthier options that are affordable and accessible and that follow relevant nutrition facts and labelling standards, including information on sugars, salt and fats and, where appropriate, trans-fat content;…” Besides the fact that there are no healthy and unhealthy foods, our members have already made significant investments in reformulation and innovation of products, offering a wider range of products for consumers to meet various requirements. Apart from traditional products, a number of calorie-reduced, low sugar, low salt and/or low fat products are available from different product categories. This also applies to the variety of packaging sizes where the consumer can choose from a large selection. Furthermore, the food industry is continually responding to other consumer needs and offers, for example, vegan and vegetarian products as well as gluten-free or lactose-free products or products that are high in fiber or contain a higher proportion of whole grain. Thanks to significant efforts made by the industry in considerably reducing the amount of industrially produced trans fats in food products, the total dietary trans-fat intake today in Germany is below the WHO recommended level of 1% of dietary energy.

Furthermore, according to the EU Food Information Regulation, the energy content as well as the content of fat, saturated fat, carbohydrate, sugar, protein and salt need to be indicated already on prepackaged food in Europe. Even before the mandatory nutrition labeling, more than 80 percent of the packaged food was labeled correspondingly.
Finally we would like to mention again, that all interventions proposed need to be based on sound and convincing scientific evidence taking into account all possible relevant evidence. Currently there is only a limited amount of representative data on the nutrient intake of the population in the Member States available. Moreover, only a few empirical findings are currently available which show how the reduction of certain nutrients such as salt, saturated fats and sugar in food products affects the health of the population in general.

A concerted effort and an engagement of all sectors of society are needed in order to prevent and combat NCDs. Our members take their responsibility very seriously and are open to dialogue and willing to collaborate in a constructive way. This includes for example companies continuously refining their range of products in order to meet consumer’s requests, providing consumers with comprehensive information and a range of voluntary commitments. It also includes the continuing advancements of recipes and the further development of product formulation in respect of salt, sugar, fat or calorie content by member companies on voluntary basis.