

23 November 2018

Steering Group Advisory Committee on NRVs – Age Range for Adults
National Health and Medical Research Council
GPO Box 1421
Canberra ACT 2601
AUSTRALIA

Email: dietaryguidelines@nhmrc.gov.ac

Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on ***Nutrient Reference Values – Age Range for Adults***.

Yours sincerely

Katherine Rich
Chief Executive



Nutrient Reference Values – Age Range for Adults

Submission by the New Zealand Food & Grocery Council

23 November 2018

NEW ZEALAND FOOD & GROCERY COUNCIL

1. The New Zealand Food & Grocery Council (“NZFGC”) welcomes the opportunity to comment on ***Nutrient Reference Values – Age Range for Adults***.
2. NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. This sector generates over \$34 billion in the New Zealand domestic retail food, beverage and grocery products market, and over \$31 billion in export revenue from exports to 195 countries – some 72% of total merchandise exports. Food and beverage manufacturing is the largest manufacturing sector in New Zealand, representing 44% of total manufacturing income.

COMMENTS

3. NZFGC supports retaining the age of adults at 19 years and over. We understand that the age of adults was changed by the NHMRC Expert Working Group undertaking the Nutrient Reference Value (NRV) reviews commencing with the NRV for sodium.
4. The rationale of the NHMRC Expert Working Group for changing the age which has prior to its decision, been 19 years and over was:
“...this was the accepted and legal definition of an adult in Australia and New Zealand.”
5. The rationale is somewhat flawed. In fact, it depends which legislation is consulted to determine the legal age of adulthood in New Zealand. This can range from 14 years to 20 years as the following selection demonstrates:

Adoption Act 1955

Section 2 **Child** means a person who is under the age of 20 years; and includes any person in respect of whom an interim order is in force, notwithstanding that the person has attained that age

Adult Adoption Information Act 1985

Section 2 **Adult** as a noun means a person who has attained the age of 20 years; and as an adjective it has a corresponding meaning

Age of Majority Act 1970

Section 4 (1) For all the purposes of the law of New Zealand a **person shall attain full age** on attaining the age of 20 years.

Child Support Act 1991

Section 5 Children who qualify for child support

(1) **A child** qualifies for child support if he or she— (a) is under the age of 18, or is aged 18 and enrolled at and attending a school; and ...

Children’s Commissioner Act 2003

Section 4 Interpretation (1) In this Act, unless the context otherwise requires,— **child**, except in section 13, means a person under the age of 18 years

Oranga Tamariki Act 1989 /Children’s and Young Person’s well-being Act 1989

Section 2(a) **young person**,— in Parts 2 to 3A, means a person of or over the age of 14 years but under the age of 18 years:

Section 2(b) **young person**,— in Parts 4 and 5, means a person of or over the age of 14 years but under the age of 17 years:

Civil Union Act 2004

Part 2 Civil Unions, Subpart 1 – Entering into a civil union *Capacity*

Section 7 Age of eligibility **A person** who has not reached the age of 16 is prohibited from entering into a civil union.

Crimes Act 1961

Various deals with young persons under 14 years (section 22), under 16 years (section 124A, Section 134A, section 209A-210A), under 18 years (section 98AA, section 144A, Section 152) inferring those over these ages are adults.

Electoral Act 1993

Section 3 Interpretation (1) In this Act, unless the context otherwise requires,— **adult**— (a) means a person of or over the age of 18 years;

Minimum Wage Act 1983

Section 4 Prescribed minimum adult rate of wages

(1) The Governor-General may, by Order in Council, prescribe a minimum adult rate of wages payable to workers— (a) who are aged 16 years or older; and ...

Sale and Supply of Alcohol Act 2012

Section 4 **purchase age**, in relation to the sale or purchase of alcohol on licensed premises, means the age of 18 years

Social Security Act 2018

Schedule 2 Dictionary **Child** means a single person under the age of 18 years,

Vulnerable Children Act 2014

Section 5 Interpretation (1) In this Part, unless the context otherwise requires,— **child** means a person who— is under the age of 18 years; and

6. While the foregoing presents a predominance of 'adult' as a person over the age of 18 years, there is no 'standard' and any age from 14 years up to 20 years is acceptable in particular circumstances.

Question 1: Has the current age range of 19 years and over raised any issues before this point in time? If so what are these?

7. The current age range of 19 years and over does not appear to have raised any issues. Dietary modelling for food standards has applied adequately with NRVs applying to the current age of 19 years and over.

Question 2: What impact (positive or negative) would changing the adult age range to 18 years and over have on the work of your organisation?

8. Changing the current adult age range to 18 years and over would not have any direct impact on the work of the NZFGC. However, we would be greatly concerned if it had a negative impact on the work of Food Standards Australia New Zealand that resulted in diverting resources from its current work programme to address modelling for food standard in place or in development.
9. We would also be concerned if a decision to change the adult age range was made that might jeopardise decisions to proceed with New Zealand National Nutrition Surveys that are under discussion at this time. There may be issues with trend data and comparisons over time.

Question 3: If changing the adult age range to 18 years and over did have an impact on the work of your organisation, briefly describe what costs, time and resources would be involved in implementing this change?

10. Not applicable.

Question 4: Is there anyone else that should be consulted on this issue?

11. We are confident the NHMRC has consulted widely on this issue.

Conclusion

12. NZFGC is unaware of any compelling rationale for changing the adult age range for NRVs from 19 years and over to 18 years and over since the age of adulthood varies widely across New Zealand legislation from 14 years to 20 years.