4 November 2019

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Dear Ms D'Silva

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on the *Healthy Food and Guidance – Schools* and *Healthy Food and Guidance – Early Learning Services.*

Yours sincerely

Katherine Rich
Chief Executive

Healthy Food and Guidance – Schools
and
Healthy Food and Guidance – Early Learning Services

Submission by the New Zealand Food & Grocery Council

4 November 2019

NEW ZEALAND FOOD & GROCERY COUNCIL

1. The New Zealand Food & Grocery Council ("NZFGC") welcomes the opportunity to comment on the ***draft Healthy Food and Guidance – Schools*** and draft ***Healthy Food and Guidance – Early Learning Services.***

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. Our members directly or indirectly employ more than 400,000 people – one in five of the workforce.

COMMENTS

GENERAL

3. NZFGC has based the feedback on what we know is typically consumed at schools and Early Childhood Centres (ECCs).

4. This submission is structured in the following way:
   - General questions and comments
   - Healthy food and drink guidance – schools
     - Purpose, scope and principles
     - Developing a school policy
     - Nutrient criteria tables
       - Table categories
         - Items
   - Healthy food and drink guidance – Early learning services
     - Purpose, scope and principles
     - Developing a school policy
     - Nutrient criteria tables
       - Table categories
         - Items.

General questions/comments

5. NZFGC is very concerned that the draft Guidance - Schools and the Fuelled4Life documents do not entirely align. The Heart Foundation has delivered Fuelled4life using the Food and Food and Beverage Classification System (FBCS) for almost 10 years adjusting the system over time to make it more relevant to the sector. The major change was shifting some categories from a nutrient based approach to more food-based guidelines.

6. The Heart Foundation's direct experience of working with schools, early learning services and their suppliers highlighted that a more food-based approach was easier for users of the system and gave a more accurate and aligned (with Dietary Guidelines) assessment of food products. This was particularly so for ready meal type products and fresh food provision (eg, sandwiches). In some categories the FBCS criteria is more detailed compared with the proposed Guidance. For example, the FBCS has more sub-categories for different dairy, meat and snack foods and the nutrient criteria in those sub-categories is more appropriate for product type.

7. NZFGC <u>recommends</u> full alignment between the two documents (Guidance - Schools and the Fuelled4Life) so that there is no confusion created unnecessarily for industry.

8. To a considerable extent, the nutrient framework has been adapted from the DHB healthy food and drink policy framework which applies to DHBs (hospitals). This environment is very different from the education sector. When the FBCS was developed in 2006 it was specifically designed for schools and early learning services. NZFGC recommends alignment with the FBCS to the greatest extent possible.

Emphasis on HSR

9. There is a strong emphasis on HSR through the Guidance. We are firmly of the view that the nutrient levels in these categories are important to retain, while also giving high level advice on healthier ingredients for ready meals and fresh made products. We agree that in some categories HSR is less visible than others. In our view, this could lead to schools, early learning services and their suppliers not being able to adequately apply the criteria.

HEALTHY FOOD AND DRINK GUIDANCE – SCHOOLS

Purpose, scope and principles

Scope p3

10. The Scope states that the Guidance applies to "all food and drink provided by, or able to be purchased within, a primary school, kura, secondary school or wharekura" p3. Having the same guidelines for both primary and secondary schools does not take into account the additional energy and nutrient requirements of older children (ie 14-18 years). For example, a moderately active 7 year old girl requires 7300kJ and 14 g protein per day while a moderately active 16 year old male requires 13,200kJ and 45g protein per day.

11. We also ask if this Guidance is intended to also cover student fundraisers e.g. chocolate/ confectionary fundraising.

12. Reference to the rationale for using the HSR score of 3.5 as the cut off to compare healthiness of food and drinks is mentioned on the last page of the Guidance but is used extensively throughout the Guidance before that. A pointer at the outset to the information on HSR could be made.

Processed

13. The word processed is used throughout the document, however this is not clearly defined.

Discouraging association with products and brands that belong in the Red group

14. NZFGC recommends removing "brands" from this recommendation. For example, Sanitarium and Fonterra have some products in their portfolios that would be considered red by these guidelines, however partner with the Ministry of Education for the Kick Start breakfast programme. It could be interpreted that this guidance document is suggesting that this partnership be stopped.

It should not be used to convey messages about the healthiness of items at the consumer level

15. NZFSA agrees with the above statement. Children should not see food as "green/good" and "red/bad". However, as part of this policy, consumer facing resources for parents should be available for schools that adopt the Guidance as Policy. It would also be positive to support staff to provide a curriculum around healthy eating.

Principles p4

16. The Principles promote offering a variety of healthy foods from the four food groups.

17. With reference to dairy and the inclusion of plant-based beverages in the Guidance, NZFGC considers that nutrition beyond calcium fortification should be considered when including plant beverages as an alternative to milk and milk products. Milk and milk products provide an important range of naturally occurring nutrients to the toddler diet including calcium, vitamin B12 and B2 (riboflavin), phosphorous, potassium and high quality protein. These nutrients should also be considered when assessing the nutrition of plant beverage alternatives, and at the least, B12 fortification should also be emphasised as vegan families may choose to consume such products. We also believe it is more accurate to describe these products as 'plant based beverages' so it is not inferred by the consumer that they are nutritionally equivalent to milk.

Principle 1

18. Principle 1 refers to “grain foods, mostly whole grain and naturally high in fibre”’. Our comments relate to the phrase: “naturally high in fibre” principle. There are nutritional benefits to the addition of fibre as an ingredient to these grain food groups, in addition to these foods that naturally contain fibre. For example, inulin type fructans, resistant starch and other such prebiotic fibres, have been shown to provide gut health benefits.

19. We recommend this principle should say:
    ‘’grain foods, mostly whole grain and including those naturally high in fibre”.

20. The last bullet point reads: “some legumes, nuts, seeds, fish/other seafood, poultry (eg, chicken) and/or red meat with the fat removed.” This could usefully be 2 or 3 separate bullet points. It is almost like the authors of the Guidance are embarrassed meat and seafood exists by hiding them in a sentence about legumes.

21. We seek the evidence for the restriction on the consumption of legumes since they are prefaced by ‘some’. NZFGC recommends the removal of ‘some’ before legumes. If there is a place for ‘some’ and we question the case, place it before red meat. Evidence suggests limiting red meat to 350-500g/week, but not necessarily other sources of protein.

22. Alternatively, legumes could be grouped with vegetables as has been done within the Australian Dietary guidelines.

23. Using the term ‘fat removed’ in relation to meat is inconsistent with the balance of the document which refers to the word ‘lean’.

Principle 3

24. This Principle states “Offer only water and unflavoured milk as cold drink options”. NZFGC draws attention to the significant amount of research that demonstrates how flavoured milks contribute to essential nutrient intakes and positive health outcomes in children:

Flavoured milk - a Five Food Group Food

- There is increasing focus on sugary drinks, but not all sugary drinks are the same. Unlike sugary drinks which contain no healthy nutrients, flavoured milk, just like plain milk, provides protein, calcium and other essential nutrients which are often lacking in children's diets.
- According to the Australian Dietary Guidelines[1] and the Australian Bureau of Statistics[2], both plain and flavoured milk are part of the dairy food group and are classified as Five Food Group foods.

Flavoured milk has a positive nutritional impact

- In New Zealand, 29% of children 11-14 years and 43% of Pacific children have inadequate intakes of calcium. Whilst, in Australia, 45% of boys and 54% girls aged 9-11 years are not meeting their calcium requirements. Prevalence increases in adolescents, with 71% boys and 90% girls aged 14-18 years having inadequate intake.[2] Furthermore, eight out of ten children and adolescents 2-18 years do not consume enough milk, cheese and yoghurt.[3]
- Research has shown that drinking milk – whether plain or flavoured – contributed positively to children’s nutrient intake and consequently to the same positive health outcomes.[4,5] Australian studies have shown flavoured milk drinkers aged 9-16 years were 1.7 times more likely to meet the estimated average requirements (EAR) for calcium.[4,5] Flavoured and plain milk drinkers also had higher total daily milk and dairy intake than milk avoiders[4], and adolescents that consumed flavoured milk at least twice a week had a five-fold greater chance of maintaining an adequate dairy intake during adolescence (12-17 years).[6]
- These findings are important as childhood and adolescence is a critical period when they most need these nutrients to support growth and development. However, studies

have shown that milk consumption declined while the intake of poorer nutrient, high calorie food and drinks increased as children moved into adolescence.[4] The body of evidence demonstrated that consuming flavoured milk, particularly for adolescence, was a vehicle for improving key nutrient and dairy intake.

Consuming flavoured milk improves diet quality and decreases consumption of discretionary foods

- Research from both US and Australia showed children who drank flavoured milk had lower intake of nutrient poor sugar sweetened beverages than children who did not drink flavoured milk[4,5,7,8,10]
- When flavoured milk was consumed before a meal and as part of a meal, participants consumed less high energy/low nutrient food compared to an energy equivalent fruit drink.[9] In a randomised controlled trial in 98 children 8-10 years, those who drank flavoured milk rather than soft drink (3 x 200mL/day for 4 months) gained more lean body mass, while boys who drank flavoured milk were 0.7cm taller. Energy intakes were also significantly lower compared to those who continued to drink soft drinks.[11]

Flavoured milk has no adverse effect on weight

- On average, flavoured milk contains 4.4g/100mL of free sugars.[10] Flavoured milk contributes 3% to the total free sugars content of the diet of children and adolescents, far less than that of energy dense, nutrient poor beverages which are the highest contributors to free sugars intake in the Australian diet.[10,13]
- Studies from Australia and US have shown that despite containing added sugar, consumption of flavoured milk did not lead to weight gain or changes in BMI in normal weight children.[4,5,812]
- Research also supported a potential benefit of consuming flavoured milk in place of sugar-sweetened carbonated, fruit flavoured drinks and fruit juice. In a study that assessed the effect of swapping 100g sugary drink (sugar-sweetened carbonated and fruit flavoured drinks and fruit juice) for 100g milk (a small proportion being flavoured milk) on BMI and weight, it found every additional 100g/day increase in sugary drink was associated with a 100g increase in body weight.[14] However, substituting 100g/day of sugary drink with 100g/day of milk was associated with a 0.16kg decrease in weight.
- A systematic review and meta-analysis found that for each additional serve of dairy food included in the diets of children, the risk of overweight and obesity was reduced by 13% (noting that this study included all types of dairy, not just flavoured milk).[15]

Flavoured milk contains teeth-friendly nutrients

- Milk, including flavoured milk, contain teeth friendly nutrients and components such as casein, whey, calcium and phosphorus that are protective against dental caries. Research shows higher intakes of sugar sweetened beverages (sugar-sweetened carbonated and fruit flavoured drinks and fruit juice) increased risk of dental caries and erosion, while higher intakes of milk-based beverages reduced the risk against dental caries.[10]
- When it comes to flavoured milk, studies are limited but the majority reported no association between flavoured milk and dental caries.[12] Researchers have concluded that the carcinogenicity of flavoured milk was negligible to low when consumed in moderation and a preferable alternative to sugar sweetened beverages(sugar-sweetened carbonated and fruit flavoured drinks and fruit juice).[16]

References for flavoured milk comments

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Developing a school policy p5-6

Food and drink groups

25. The following comments relate to the criteria listed under the green, amber and red food groups.

26. We note from the Purpose statement that the Guidance "enables children to: …develop critical perspectives about food and nutrition" p2 yet under the section on Developing a school policy, the comment is made "it is not intended to be used to educate children and whanau about food". We consider the two statements to be inconsistent and confusing.

Definition of food groups p6

27. The level of processing has been included in the definitions as follows:
    'green group items' – 'mostly whole and less processed'
    'amber group items' - often more processed'
    'red group items' – 'are often highly processed foods and drinks'.

28. NZFGC questions whether introducing this level of processing classification criteria into this Guidance is based on robust scientific evidence that highly processed foods and drinks are those that need to be unavailable in schools and early learning centres. For example, many of the products placed into the green categories could be considered highly

processed such as plant-based milks, custard, packaged meals, sauces and dressings, margarine and spreads.

29. NZFGC does not support the introduction of 'level of processing' as criteria into what foods are nutritionally sound because this is not based on the most up to date evidence. Processed foods are overwhelmingly necessary to feed the population with safe, sustainable, nutritious food which also provides variety and affordable options.

Nutrient criteria tables

Vegetables and fruit p7

Fruit

Fresh, frozen and canned fruit – Green

30. Canned fruit can be higher in sugar due to it being 'in juice' or 'reduced sugar' with presence of sweeteners'. Most dietary guidelines recommend choosing fruit canned in fruit juice and not syrup. Some fruit canned in light syrup have an HSR of 3.5. We suggest some qualification be added such as changing the wording to specify canned in fruit juice or no added sugar.

Breads, cereals and grains p7

Breakfast cereal

Wholegrain breakfast cereal with an HSR of ≥ 3.5 and ≤ 15g sugar / 100g – Green

31. The sugar criteria set for Breakfast Cereals does not align with the New Zealand Heart Foundation reformulation targets for this category which sets a total sugar target of 22.5g/100g. This is a target that breakfast cereal manufacturers have been working towards in New Zealand. NZFGC recommends that the sugar target be amended accordingly in this Guidance.

32. NZFGC does not believe this takes into account sugar from dried fruit. We therefore suggest different sugar recommendations such as:
    ≤15g/100g for breakfast cereals without added fruit
    ≤22.5g/100g for breakfast cereals with added fruit (as per Heart Foundation reformulation targets)

33. The definition of a wholegrain breakfast cereal is quite vague. Some products may contain <8g of wholegrains per serve but still state that they are wholegrain. NZFGC recommends changing the phrase to:
    'Breakfast cereals that are high or very high in wholegrains' or similar.
    Alternatively, it could be required that a minimum amount of fibre be used as a proxy for the wholegrain content e.g. >4g/100g (as per the Fuelled4Life Food and Beverage Classification System).

Other grains

34. NZFGC recommends including **wholegrain noodles** in the green category to provide more variety and choice for schools in this category and to reflect the preference for noodles for some ethnicities.

35. It is not clear why flavoured noodles with an HSR of <3 are placed in the red category whilst unflavoured noodles with an HSR of ≥ 3.5 are placed in the amber category. The addition of flavour in noodles is not generally creating a product with a lower nutritional profile than unflavoured noodles. It provides more choice for noodle options however, and if the noodles are wholegrain plus scoring ≥ 3.5 HSR, this could be considered a green category choice.

36. Cous cous is generally considered a refined grain. NZFGC recommends changing this to wholemeal cous cous.

Milk and milk products p8

Flavoured milks

37. We draw attention to the research conducted on flavoured milk mentioned above. We also request the addition of "or fortified, non-dairy alternatives" and "or fortified soy milk" to the appropriate area.

38. The Guidance should reflect evidence-based science and New Zealand Eating and Activity guidelines. There is no evidence that flavoured milk is detrimental for health. Flavoured milk is completely different nutritionally from water-based, sugar sweetened drinks and to include flavoured milks in the same category does not reflect the science and is misleading.

39. Flavoured milk drinks have been shown to contribute positively to childrens' diets. In line with scientific opinion, it is recommended to limit 'added sugars' in the diet. This does not mean excluding all food that contains added sugar. An important and evidence-based action would be to allow flavoured milk but limit the serve size to support the availability of a nourishing drink whilst also limiting the energy and added sugar delivery.

Yoghurt/dairy food – Green and Amber

40. Reference to "150ml portion" should be g not ml. The product is sold by weight not volume.

Custard – Green

41. NZFGC recommends custard be removed from the green category. These products can be a source of added sugar in the diet and we would not consider these an everyday food. They should also be referred to as g not ml since the product is sold by weight not volume.

Custard – Amber

42. This should be referred to as g not ml since the product is sold by weight not volume.

43. NZFGC is concerned at the inconsistency of categorising portion controlled, reduced or low fat custard and yoghurts (which can include sweetened versions since there is no sugar criteria applied) scoring ≥ 3.5 HSR are in the green category when flavoured sweetened milks (of any HSR, or fat content) are categorised into the red category as a blanket rule. It seems that there is a nutritional decision being made that sweetened milk foods such as custard and yoghurt are green whereas sweetened milk drinks are ALWAYS red. We suggest that reduced or low fat flavoured milks could be included provided the HSR is ≥3.5, along with portion guidance recommendation to improve variety and choice as well as nutritional outcomes for children who do not like to drink plain milk (refer to previous evidence provided on this point).

Frozen desserts - Amber

44. Because ice cream is aerated, a standard serve of ice cream recommended by most manufacturers will be around 50-60g. NZFGC recommends the reference is updated in line with what most manufacturers use on packaging. The note on packaging is generally that 100mL is a standard serve size, so at a minimum, a unit change is needed.

Legumes, nuts, seeds p8-10

Legumes p8

Baked beans – Green

45. There is a wide variety of baked beans on the market in New Zealand and they range from very high in sodium and sugar (eg. 1380mg sodium and 22.5g sugar per 300g tin) to varieties lower in sugar and sodium. NZFGC recommends this be changed to reduced salt/

sugar baked beans for the green category and standard baked beans for the amber category.

Fish and other seafood p9
Processed fish – Red
46. NZFGC recommends a definition/ example of processed fish be provided as tinned fish is considered processed but categorised as green and amber.

Eggs, poultry and red meat p9
47. The Principles reference consideration of people's special dietary requirements including vegan and vegetarian options, yet there are no categories included for meat alternative products. We recommend including some criteria for these types of products similar to the red meat criteria of HSR ≥ 3.5

Red meat p9
Processed and packaged meat with HSR of <3.5 – Green
48. Dietary guidelines recommend limiting or avoiding processed meats. Advise that all processed meats are moved to red category

Mixed meals/ready-to-eat and ready-to-heat meals p10
49. No comments.

Fats and oils, spreads. Sauces. Dressings and condiments p11
Savoury condiments
50. NZFGC suggests adding to the Amber categorisation products such as standard stock, sweet chilli sauce, soy sauce etc as these may be used in recipe dishes/ prepared meals.

Sweet condiments
Reduced sugar jam, honey or commercially made compote – Green
51. Some NZFGC members are of the view that many of these products contain added sugars and they should be amber. As well they point to many reduced sugar jams containing polyols or intense sweeteners.

Standard jam, honey or commercially-made compote (<1 tbsp portion) – Amber
52. NZFGC asks how honey and compote can be categorised as both green and amber. If the phrase 'reduced sugar' is intended to apply to jam, honey and compote then it should be followed by a colon. Without that, the descriptor relates only to jam. In any event we are not sure there is such a product as a reduced sugar honey.

Packaged snack foods p12
Packaged snack foods with a HSR ≥3.5 and ≤800kJ per packet for single serve products – Amber
53. There are inconsistencies within Guidance when it comes to packaged foods eg the Guidance categories the following packaged snacks as Green in other sections
    - wholegrain/ wholemeal crispbread and crackers ≥3.5 HSR
    - Yoghurt/ dairy food
    - Unsalted nuts.

    There are many nutritious, convenient snack foods that are pre-packaged which can be consumed as part of an everyday diet. NZFGC recommends changing to:
    Green = HSR ≥3.5
    Amber = HSR ≥3.0
    Red = HSR <3.0

54. NZFGC also suggests specifying that the kilojoule requirement is for single serve items only.

Baked items p12-13

55. No comments.

Drinks p13-14

56. See description of milk and non-dairy milks above in the milk and milk products section above.

Plain full-fat milk and plant-based milks (eg, rice, almond, oat, soy) with added calcium – Amber

57. We question the evidence base for categorizing calcium fortified plant beverages as suitable alternatives to dairy products in the Guidance.
    - Milk and milk products are naturally nutrient rich and provide an important source of nutrients in the toddler and young child diet including not only calcium but vitamin B12 & B2 (riboflavin), phosphorous, potassium and high-quality protein. Milk and milk product consumption has been associated with a number of health benefits, including reduced risk of CVD, particularly stroke, neural or reduced risk of Type 2 diabetes, reduced risk of colorectal cancer, in adults improved body composition and in childhood reduced risk of childhood obesity (Throning et al 2016; Lu et al 2016). Thus, milk and milk product are recommended in dietary guideline globally.
    - Plant based beverages are chosen by consumers for a number of reasons. Vegan families may choose to use such products (B12 levels should also be considered), and those with dairy allergies. Plant based beverages are not nutritionally equivalent to cows' milk. Generally, they have a lower protein content and/or quality, and key vitamins and minerals such as calcium (if present) have been mostly added. Key nutrients often present in the plant prior to processing (eg fibre, vitamins C, E, K), may not be in the final beverage. While dairy product consumption has been shown to have a range of health benefits; that same has not been demonstrated for the majority of plant-based beverage alternatives.
    - Health Bodies, such as the Belgian Superior Health Council, have not included plant-based beverages as alternatives to milk and milk products in their dietary guidelines. They have outlined further research is needed on the relationship between health and plant-based beverages before decisions can be made to include such products within dietary guidelines citing reviews that include Vanga and Raghava 2018, Thorning et al 2016.

58. NZFGC believes it is more accurate to describe these products as 'plant based beverages' so that it is not inferred by the consumer that they are nutritionally equivalent to milk.

59. In summary, there are a range of important nutrients and health benefits associated with milk and milk product consumption that would need to be considered when assessing plant-based beverage alternatives, not simply calcium.

References

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Smoothies – Amber or Red p13

60. NZFGC requests these be clarified in relation to whether they relate only to pre-prepared smoothies. Under mixed meal classification, smoothies made with fresh fruit and low-fat milk would be categorised as Green.

61. Evidence also shows we should be limiting added sugar, not sugar naturally found in fruit and dairy. NZFGC also recommends changing the portion size to 250mL as this reflects a glass or normal portion.

62. NZFGC suggests amending reference to 'plain unsweetened yoghurt' or alternatively build in added sugars through sweetened yoghurt options. This could include >3.5 HSR per dairy category for Amber categorisation.

Toolkit resources

63. NZFGC would like to know what toolkit resources would be helpful to deliver healthy food and drinks and how these are intended to work, whether they will be piloted and whether there will be targeted or broad consultation on these that includes industry.

Other comments

64. The Guidance does not allow for wholegrains with some added sugar. This seems contradictory to the scientific evidence showing that 20% of all global deaths are related to diet with sodium and inadequate intake of wholegrains and fruit responsible for half of diet-related deaths. We need to be encouraging children and young people to eat more wholegrains and dairy. Allowing small amounts of sugar/sodium to encourage intake can be a pragmatic way to achieve this just as iodised salt in bread is a carrier to the population of iodine.

65. NZFGC agrees that, in general, nutritionally poor ‘refined’ foods that contain primarily added sugar, salt and/or saturated fat should be discouraged. Nutritious food choices such as wholegrain, nuts and seed snacks and dairy containing small amounts of sodium, added sugar and/or saturated fat have merit to be categorised as Amber. Including these types of nourishing foods in Amber categories can achieve this, providing portion and HSR guidance is given, that will by default limit those inappropriately high in public health sensitive nutrients.

HEALTHY FOOD AND GUIDANCE – EARLY LEARNING SERVICES
(ELS Guidance)

General

66. NZFGC considers this ELS Guidance needs be in alignment with:
    - advice in the separate draft 'Ministry of Health: Minimising food related choking risk in Early Learning Service settings.'
    - the MOH review of the draft Maternal, Infant and Toddler Dietary Statements/Guidelines which is currently underway

67. NZFGC is very concerned at the use of HSR for a purpose for which it was not designed especially for the age range birth to 5 years. We note, for example that HSR does not apply to supplementary foods for young children, foods for special medical purposes or infant formula creating problems for the ELS Guidance's heavy reliance on HSR. The challenge is that HSR is not readily apparent on a lot of the packaging for the age group.

68. We are concerned for ECEs that have joined the Heart Foundation Fuelled4Life and Healthy Heart Programmes:
    - Fuelled4Life already has category breakdowns and nutrition targets for 'green/amber/ red' – these documents must align.
    - Fuelled4Life criteria is easier in some ways for people to apply at a product level since they provide parameters found in the nutrition information panel. This is especially important as HSR is not on all packaging, so having the figures is helpful in terms of application.

Age range

69. NZFGC is not clear what age group the ELS Guidance applies to such as from birth to 5 years or 1—5 years. NZFGC suggests that ELS Guidance for application from birth to 6 months or 12 months needs to be considered separately since infants and young children have different requirements, especially for texture as they are learning to eat.

70. The ELS Guidance only provides recommendations for milk for 1-2 years. There are no other options/selections to support ECE menu development in relation to yoghurt or cheese for example in the 1-2 year age group or 6 months plus. This needs to be included to ensure the ELS Guidance is of use to centres that provide food to this younger age group. We note for example that some of these recommendations are not suitable for infants and toddlers in places (eg. honey, chilli and fish sauce, wholegrain foods which could provide too much fibre for young children and infants who should start on white or wholemeal cereals and breads to have more of a moderate fibre intake, iron fortified cereals should be specified etc).

71. NZFGC recommends splitting the ELS Guidance out further for 6 months - 2 year olds and 2-5 year olds to follow other MOH guidelines more closely and give clearer guidance to ECEs.

Purpose, scope and principles

Scope p3

72. The Scope states that the Guidance applies to "all food and drink provided by, or served within, an early learning service" p3. Having the same guidelines for both birth to 1-2 and 2-5 years does not take into account the additional energy and nutrient requirements of older children.

Parents and carers should be encouraged to provide a lunchbox consistent with the Guidance p3

73. NZFGC agrees with promoting healthy eating however care needs to be taken not to stigmatize parents who are not able to follow these guidelines all of the time. Almost on in five New Zealand children live with food insecurities and providing food at all can be a struggle for some families. The wording of this part of the ELS Guidance needs to be careful as we do not want to discourage parents sending their children to ELS because they cannot provide the recommended food.

Principles p4

Principle 1

74. Principle 1 refers to "some milk and milk products". NZFGC suggests the inclusion of "or fortified soy milk".

75. The last bullet point reads: "some legumes, nuts, seeds, fish/other seafood, poultry (eg, chicken) and/or red meat with the fat removed." This could usefully be 2 or 3 separate bullet points. It is almost like the authors of the Guidance are embarrassed meat and seafood exists by hiding them in a sentence about legumes.

76. We seek the evidence for the restriction on the consumption of legumes since they are prefaced by 'some'. NZFGC recommends the removal of 'some' before legumes. If there is a place for 'some' and we question the case, place it before red meat. Evidence suggests limiting red meat to 350-500g/week, but not necessarily other sources of protein.

77. Alternatively, legumes could be grouped with vegetables as has been done within the Australian Dietary guidelines.

78. Using the term 'fat removed' in relation to meat is inconsistent with the balance of the document which refers to the word 'lean'.

Principle 2

79. Principle 2 refers to "preferably unpackaged". There are many nutritious, convenient products that are pre-packaged. In addition, many foods that are pre-packaged are considered core foods or are recommended by the Ministry of Health in 'Healthy Eating Guidelines' eg. wholegrain cereals, bread, canned legumes, yoghurt, plain sweet biscuits. NZFGC recommends removing "preferably unpackaged" from the ELS Guidance. We note this is not a provision in the Principles for the companion Schools Guidance.

Developing a policy for early learning services p6-7

Food and drink groups

80. We note from the Purpose statement that the ELS Guidance "enables children to: …learn to make positive and informed choices about food" p2 yet under the section on Food and drink groups under Developing a school policy, the comment is made "it is not intended to be used to educate children and whanau about food". We consider the two statements to be inconsistent and confusing.

"*It should not be used to convey messages about the healthiness of items at the consumer level*" p6

81. NZFSA agrees with the above statement. Children should not see food as "green/good" and "red/bad". However, as part of this policy, consumer facing resources for parents

should be available for ELSs that adopt the ELS Guidance as Policy. It would also be positive to support staff to provide a curriculum around healthy eating.

Definition of food groups p7

Come from four food groups: … some milk and milk products (mostly low and reduced fat) – Green group items 5th bullet

82. This should be clarified for over 2 year's only. For under 2 years', full fat dairy is recommended because reduced fat milks are of low energy content. https://www.health.govt.nz/system/files/documents/publications/food-and-nutrition-guidelines-healthy-infants-and-toddlers-revised-dec12.pdf.

Nutrient criteria tables

Vegetables and fruit p8

83. NZFGC recommends the inclusion of commercial fruit and vegetable pouches with no added sugar in green category. Advice could be added that such food be fed with a spoon not from the pouch.

Fresh, frozen and canned fruit – Green

84. Most dietary guidelines recommend choosing fruit canned in fruit juice and not syrup. Some fruit canned in light syrup have an HSR of 3.5. NZFGC suggests changing the wording to specify canned in fruit juice or no added sugar. Canned fruit that is 'reduced sugar - with presence of sweeteners' might be best categorised as Amber for the ELS Guidance.

Breads, cereals and grains p8

85. For children <12 months, NZFGC recommends adding 'iron enriched infant cereals' and grains that are white or fine wholemeal rather than wholegrain.

Wholegrain breakfast cereal

86. The definition of a wholegrain breakfast cereal is quite vague. Some products may contain <8g of wholegrains per serve but still state that they are wholegrain. NZFGC recommends changing the phrase to 'Breakfast cereals that are high or very high in wholegrains' or similar. Alternatively, the ELS Guidance could stipulate a minimum amount of fibre as a proxy for wholegrain content e.g. >4g/100g (as per the Fuelled4Life Food and Beverage Classification System).

87. Cous cous is generally considered a refined grain. NZFGC suggests this be changed to to wholemeal cous cous.

88. Spaghetti should be included in either this food group 'breads and cereals, with other grains' or in 'mixed meals' in the amber category. NZFGC suggests this should include '(preferably reduced salt and sugar) and HSR ≥3.5'. This is aligned with current Food and Beverage Classification System (FBCS). This would also then align with the Australian school guidelines.

Milk and milk products p9

89. NZFGC is very concerned that there is no mention of breast milk or infant formula for children less than 1 year especially when, in the latter case, infant formula is the only safe alternative to breast milk. Some ECEs have children under 1 year. NZFGC recommends the addition of:

    "that for children <1 year, breast milk or an appropriate infant formula is the only safe drink to provide"

Children 1-2 years – Green

90. This does not provide ECE with any support on yoghurts/cheese etc. Children from one year but under 2 years will consume dairy products other than milks.

Children 2+ years – Green

Milk and added calcium plant based milks eg, rice, almond, oat, soy – Green

91. It is not recommended that children under 5 years consume almond, rice or oat milk as a cows' milk replacement as it is too low in protein to support normal growth and development. NZFGC recommends changing this to:
    "added calcium soy milk or non-dairy milk with protein ≥5g/serve".

All sweetened cold milk drinks – Red

92. The current ELS Guidance does not allow for categorisation of flavoured milk with no added sugar. NZFGC recommends such products be included in Green and Amber categories.

Yoghurt/dairy food (<= 80ml portion) – Green

93. The reference should be to g not ml since the product is sold by weight not volume.

Custard (<= 80ml portion) – Green

94. NZFGC recommends custard be removed from the Green category. Custards are often a source of added sugar in the diet and we would not consider these a food choice for every day. The reference should be g not ml since the product is sold by weight not volume.

Reduced or low fat varieties… cheese ≤20g portion – Green

95. NZFGC recommends specifying which cheeses are lower in fat as many consumers are not aware e.g. Edam, ricotta, cottage cheese.

Children 2+ years – Amber

Yoghurt/dairy food (<= 80ml portion) – Amber

96. The reference should be g not ml since the product is sold by weight not volume.

Custard (<= 80ml portion) – Amber

97. The reference should be g not ml since the product is sold by weight not volume.

Frozen desserts … ice cream with an HSR of >= 3.5 (<= 50g portion) – Amber

98. This is in-line with a standard serve size on pack for a general population. NZFGC recommends that for toddlers, this is at least halved to reflect a portion size appropriate for the age. It is important to note that on packaging of such products, 100mL is a standard serve size, and the recommendation is 50mL. At a minimum a unit change is needed.

All sweetened cold milk drinks – Red

99. NZFGC seeks clarification as to whether regular, non-dairy milks (which have some added sugar) are considered as green, amber or red. It is not clear from this part of the ELS Guidance. Regular soymilk has a similar sugar content as dairy milk therefore we do not believe they should be categorised as Red.

100. The current guidelines do not allow for classification of flavoured milk with no added sugar. NZFGC recommends the ELS Guidance include these in the Green adn/or Amber categories.

101. As custard can be high in sugar, NZFGC suggests that low fat custard be removed from the Green category and allocated instead to the Amber category (it is currently included for 'non fat options').

Legumes, nuts, seeds, fish and other seafood, eggs, poultry (eg, chicken) and red meat p9-10

Nuts and seeds

102. NZFGC recommends adding smooth nut butters (no added salt or sugar) to Green categories where there is no 'nut free' policy.

Baked beans – Green

103. Some baked beans are high in sodium and sugar. NZFGC suggests consideration be given to changing this to reduced salt/ sugar baked beans for the Green categorisation and standard baked beans for the Amber category.

Fish and other seafood

Processed fish – Red

104. NZFGC recommends a definition/ example of processed fish be provided as tinned fish is considered processed but categorised as green and amber.

Eggs, poultry

105. The Principles reference consideration of people's special dietary requirements including vegan and vegetarian options, yet there are no categories included for meat alternative products. We recommend including some criteria for these types of products similar to the red meat criteria of HSR ≥ 3.5

Red meat p10

Processed and packaged meat with HSR of <3.5 – Green

106. Dietary guidelines recommend limiting or avoiding processed meats. NZFGC suggests consideration be given to all processed meats being categorised to Red.

Red meat p11

Processed and packaged meat with HSR of <3.5 – Amber

107. Dietary guidelines recommend limiting or avoiding processed meats. NZFGC suggests consideration be given to all processed meats being categorised to Red.

Mixed meals p11

108. NZFGC recommends the addition of commercial baby and toddler savoury meals as reflected in ECE.

Meals that contain …and minimal amounts of amber items or ingredients (no more than 25%). as determined by … – Green

109. The full stop after "25%)" appears to be a typo.

110. Reference is made to Green and Amber ingredients and packaged meals with and HSR ≥3.5 having to meet the Green criteria. Reference needs to be made to include natural flavours, herbs, spices and it is also important to be aware that other ingredients may require the addition of, for example, small amounts of salt and sugar, hence using the term 'only' in the amber category for mixed meals "..prepared with green and amber items only' could be confusing. As sodium is potentially a nutrient of concern, maybe it makes sense to have a target <280mg/100g. By way of example, soups (unlike baked beans, spaghetti, tomato sauce) do not typically have low salt/sugar variants.

Fats and oils, spreads, sauces, dressings and condiments p12

Savoury condiments – Green

111. NZFGC suggests adding to the Amber categorisation, products such as standard stock, sweet chilli sauce, soy sauce etc as these may be used in recipe dishes/ prepared meals.

Sweet condiments
Reduced sugar jam, honey or commercially made compote – Green

112. Some NZFGC members are of the view that many of these products contain added sugars and they should be Amber. As well, they point to many reduced sugar jams containing polyols or intense sweeteners.

Standard jam, honey or commercially-made compote (<1 tbsp portion) – Amber

113. NZFGC asks how honey and compote can be categorised as both green and amber. If the phrase 'reduced sugar' is intended to apply to jam, honey and compote then it should be followed by a colon. Without that, the descriptor relates only to jam. In any event we are not sure there is such a product as a reduced sugar honey.

Packaged snack foods p13
Packaged snack foods with a HSR ≥3.5 and ≤800kJ per packet for single serve products – Amber

114. There are inconsistencies within ELS Guidance when it comes to packaged foods eg the ELS Guidance categories the following packaged snacks as Green in other sections
- wholegrain/ wholemeal crispbread and crackers ≥3.5 HSR
- Yoghurt/ dairy food
- Unsalted nuts.

There are many nutritious, convenient snack foods that are pre-packaged which can be consumed as part of an everyday diet. NZFGC recommends changing to:

Green = HSR ≥3.5
Amber = HSR ≥3.0
Red = HSR <3.0

115. NZFGC recommends soup is not included with 'Packaged snack foods'. Soups are a good, nutritious ready-to-eat option (and commonly consumed) so clear guidance around the category is required. It does not make sense for soups to have a calorie cap. Soups higher in legumes are going to be significantly higher than a straight vegetable soup.

116. It also does not make sense that any target is based on a 'packet' as this varies significantly eg. 200- 535g in one company's range with the 535g serve for 2. NZFGC recommends soups sit under the 'Mixed meals/ready to eat and ready to heat meals' food group as a separate category and has Green aligned with mixed meals - >75 green and ≥HSR 3.5 (especially as often significant component water).

117. NZFGC also suggests specifying that the kilojoule requirement is for single serve items only. Further, NZFGC recommends specifying that the kilojoule requirement is for single serve items only. For example, a packet of biscuits may be considered Amber based on the HSR criteria, but a whole packet would not be provided to one child.

Baked Items p13
Allows dried fruit in baked items – Amber

118. Dried fruit is considered a choking risk in other parts of the ELS Guidance. Dried fruit should be removed for consistency.

Drinks p14-15

119. NZFGC recommends this section be qualified as for 2+ years only.

120. Since full fat milk is Amber, this needs to reflect earlier milk advice for different age groups low and full fat.

Cold drinks p14
Description of milk and non-dairy milks – All categories

121. See comments above from the milk and milk products section.

Reduced- or low-fat milk

122. This should only apply to over 2 years.

Unsweetened Reduced- or low-fat plant-based milks (eg rice, almond, oat, soy) with added calcium – Green

123. Nutrition beyond calcium fortification should be considered when including plant-beverages as an alternative to milk and milk products. Milk and milk products provide an important range of naturally occurring nutrients to the toddler diet including calcium, vitamins B12 and B2 (riboflavin), phosphorous, potassium and high quality protein. These nutrients should also be considered when assessing the nutrition of plant beverage alternatives, and at the least, B12 fortification should also be emphasised as vegan families may choose to consume such products. We also believe it is more accurate to describe these products as 'plant-based beverages' so that it is not inferred by the consumer that they are nutritionally equivalent to milk.

Plain full-fat milk – Amber

124. NZFGC recommends this be green for under 2 years.

Liquid beverages – Red

125. Liquid breakfasts have a very different nutritional profile to flavoured milks and other cold beverages. Liquid breakfasts are a Formulated Supplementary Foods and contain protein, fibre and added micronutrients. We therefore query the appropriateness of grouping liquid breakfasts in this section of the guidance document.

Smoothies – Amber or Red

126. NZFGC requests clarification about whether this is relating only to pre-prepared smoothies. Under the mixed meal category, smoothies made with fresh fruit and low-fat milk would be green. Evidence also shows we should be limiting added sugar, not sugar naturally found in fruit and dairy.

No-added sugar … or yoghurt-based smoothies… – Amber

127. NZFGC recommends this is changed to 'plain unsweetened yoghurt' otherwise added sugars could be built in through sweetened yoghurt options. As well, there could be added '>3.5 HSR per dairy category' guidance for Amber.

Toolkit resources

128. NZFGC would like to know what toolkit resources would be helpful to deliver healthy food and drinks and how these are intended to work, whether they will be piloted and whether there will be targeted or broad consultation on these that includes industry.