

**POLICY GUIDELINE ON MENU LABELLING:  
DISPLAYING AND PROVIDING ENERGY INFORMATION FOR STANDARD  
FOOD ITEMS ON MENUS AND AT THE POINT-OF-SALE IN STANDARD FOOD  
OUTLETS**

**CONTEXT**

How a food is labelled may influence choice, with food labelling providing useful information to support consumers in making dietary (e.g. what or how much to eat) or shopping-based (e.g. comparing products) decisions.<sup>1</sup> A food label's content, format and context contributes to its usefulness.<sup>1</sup>

Information on the energy contribution of ready-to-eat food may support people to make more informed purchasing decisions. Information about the overall daily energy intake is also necessary so that consumers have a point of reference to help understand the contribution of individual food items to overall energy intake.

Many ready-to-eat meals and snacks are not required to bear a food label, and therefore lack information about energy content. Menu labelling is one approach for providing energy information to consumers for these foods.

Menu labelling should be complemented by promotional strategies that increase consumer understanding of kilojoules and how to use menu labelling within the broader context of healthy eating and energy balance; and encourage consumers to make healthier ready-to-eat food choices.

Between 2011 and 2017, mandatory menu labelling schemes were introduced by five Australian jurisdictions. Variations between these schemes relate to captured businesses, and how and when to display energy information. During this time, the food industry has continually evolved with new products and new ways of promoting, offering, and selling food and drinks.

**AIM**

The intent of this Policy Guideline is to ensure any food regulatory measure developed for menu labelling:

1. assists people to understand and use energy information to make informed, healthier food purchase choices at the point-of-sale;
2. ensures that all modes of sale and types of menus enable comparison of all menu options within and across businesses;<sup>2</sup>
3. creates a level playing field (with respect to menu labelling) for all businesses that sell standard food items; and
4. minimises the proliferation of different menu labelling systems.

This Policy Guideline provides guidance for Food Standards Australia New Zealand (FSANZ) in developing a food regulatory measure under the *Australia New Zealand Food Standards Code* for the provision and display of energy information for standard food items at the point-of-sale (i.e. menu labelling).

## **SCOPE**

The scope for this Policy Guideline is information about the energy content for ready-to-eat food and drinks standardised by content and portion that are not already required to bear a label by the Food Standards Code on menus and at the point-of-sale to allow consumers to compare the energy value of menu items before committing to a purchase.

Out-of-scope for this Policy Guideline is energy labelling on the product packaging of standard food items, and the composition of standard food items. Pre-packaged items which have a nutrition information panel are also out-of-scope, unless sold as part of a combination meal or the information on the label is not readily accessible by consumers prior to purchase.

## **HIGH ORDER POLICY PRINCIPLES**

Menu labelling should:

- Guide consumer choice towards healthier food options consistent with the Australian and New Zealand dietary guidelines.
- Contribute to improving public health outcomes, and reducing chronic disease related to overweight and obesity.

The *Food Standards Australia New Zealand Act 1991* (the Act) establishes three objectives for FSANZ in developing or reviewing food regulatory measures and variations of food regulatory measures:

1. the protection of public health and safety;
2. the provision of adequate information relating to food to enable consumers to make informed choices; and
3. the prevention of misleading or deceptive conduct.<sup>3</sup>

The Agreement between the Government of Australia and the Government of New Zealand concerning a Joint Food Standards System;<sup>4</sup> and Australian and New Zealand Governments guidelines for regulatory action<sup>5-6</sup> are also relevant to the development of any food regulatory measure for menu labelling.

## **SPECIFIC POLICY PRINCIPLES**

1. Menu labelling should:

- Enable consumers to make comparisons between standard food items (including within and between categories) and therefore make informed choices at the point-of-sale.
- Provide consumers with energy information for all standard food items, combination meals and multi-serve items on menus and/or at the point-of-sale; and for dietary context, provide the average adult daily energy intake at the point-of-sale.
- Ensure that energy information provided is available, clear, legible, and easy-to-read and understand at-a-glance.
- Enable consumers to readily access energy information for standardised ingredients (which can be used to customise standard food items or can be combined to make customised menu items), and for pre-packaged items at the point-of-sale to assist with purchasing decisions.

2. Menu labelling regulation should:
  - Promote equity for regulatory requirements across standard food outlets.
  - Enable other businesses to voluntarily display energy information in a manner consistent with the requirements for standard food outlets.

## ADDITIONAL POLICY GUIDANCE

- Tools should be freely provided to support businesses to calculate the energy content of standard food items.

## DEFINITIONS

For this Policy Guideline:

- **Menu labelling:** energy information for standard food items on menus at the point-of-sale.
- **Energy information:** the average energy content of standard food items (expressed as kilojoules per item).
- **Average daily energy intake:** a reference statement expressed as *the average adult daily energy intake is 8700kJ*.<sup>7</sup>
- **Point-of-sale:** the place where a customer orders and purchases ready-to-eat food, (places including, but not limited to, checkouts, drive-through facilities and self-service devices (e.g. kiosks) within physical premises; and electronic sales point via business websites and mobile applications and third-party food delivery platforms).
- **Category:** a type or group of standard food items, for example burgers, sandwiches, beverages, sides, desserts.
- **Menu:** a list or similar that shows one or more standard food items available for sale, in printed or electronic form (including, but not limited to, menu boards, posters, leaflets, price/food/identifying tags or labels, digital menu panels, business websites, mobile applications, third-party food delivery platforms, printed and online catalogues).
- **Standard food item:** ready-to-eat food<sup>8</sup> that is sold in servings that are standardised for portion and content, and which is not required to bear a label<sup>8</sup>; includes items available in different serving sizes (e.g. small, medium, large), but not items sold by weight (e.g. salads from a deli) as not standardised by portion. Includes all standardised items, including trial/promotional menu items.
- **Combination meal:** a combination of two or more standard food items (e.g. cheeseburger and hot chips); or a combination of standard food items and pre-packaged food (e.g. salad sandwich and a can of drink).
- **Multi-serve item:** a standard food item that provides more than one serving and is not intended to be consumed by one person (e.g. whole cake, pizza). Energy information to be displayed for the whole item as well as per serving to enable comparison with single-serve items.
- **Pre-packaged item:** a ready-to-eat food required to bear a label.
- **Standardised ingredient:** ingredient that is standardised for portion and content (e.g. bacon, slice of cheese) which can be added by customers to standard food items (e.g. burger); or combined with other standardised ingredients to make a customised menu item (e.g. tortilla, beef filling and guacamole).
- **Standard food outlet:** a food business that sells standard food items at 50 or more outlets in Australia, or 20 or more outlets in an Australian State or 7 or more in an Australian Territory or 20 or more outlets in New Zealand. Food businesses are those owned/operated

under franchise arrangements; outlets operated under the same trading name, the same trademark, or the same brand; and outlets owned or controlled by the one parent company/central owner/corporation.

## REVIEWS AND UPDATES

This Policy Guideline should be reviewed and updated as required. Any review should:

- Assess whether the Policy Guideline continues to reflect the food environment, dietary patterns, and dietary guidelines.
- Assess whether displaying nutrition information such as the amount of added sugars, sodium, saturated fat, alcohol, and/or other nutrients, would assist people to make healthier choices.
- Consider the impacts of any promotional approaches on consumer behaviour and health outcomes.
- Be informed by emerging evidence of the impacts of menu labelling in Australia and New Zealand as well as the regulation of menu labelling in other jurisdictions.
- Use a coordinated, collaborative bi-national approach to evaluation for consistency and to maximise the outputs from limited resources.
- Be informed by consultation with stakeholders.

1. Rayner M et al. 2013. Monitoring the health-related labelling on foods and non-alcoholic beverages in retail settings. *Obesity Reviews*, 14(S1): 70-81.

2. Modes of sale include, but is not limited to, in-store, online, third-party providers; types of menus include, but is not limited to, digital menu panels, kiosks, paper menus and tags, menu boards, drive-thru menus, online menus.

3. *Food Standards Australia New Zealand (FSANZ) Act 1991, Part 2, Division 2, Section 18(1)*

4. Available at: <https://foodregulation.gov.au/internet/fr/publishing.nsf/Content/key-system-documents>

5. Commonwealth of Australia, Department of the Prime Minister and Cabinet. 2021. *Regulatory Impact Analysis Guide for Ministers' Meetings and National Standard Setting Bodies*. <https://obpr.pmc.gov.au/resources/guidance-impact-analysis/regulatory-impact-analysis-guide-ministers-meetings-and-national>

6. Government of New Zealand. 2017. *Government Expectations for Good Regulatory Practice*. <https://treasury.govt.nz/publications/guide/government-expectations-good-regulatory-practice>

7. 8700kJ is the reference value for energy as defined in the Australia New Zealand Food Standards Code – Standard 1.2.8—8 – Percentage daily intake information.

8. 'Ready-to-eat food' and 'bear a label' as defined in the Australia New Zealand Food Standards Code – Standard 1.1.2 – Definitions used through the Code.