



**THE HON PETER DUTTON MP
MINISTER FOR HEALTH
MINISTER FOR SPORT**



Ref No: MC14-003751

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600

Dear Chair

Thank you for your correspondence of 27 March 2014 regarding a petition requesting a ban on the sale of energy drinks to children under 18 years.

The Australian Government is committed to ensuring that Australia's food supply is safe and that consumers have access to appropriate information to make informed choices about the foods they purchase.

Food Standards Australia New Zealand (FSANZ) is the independent statutory authority responsible for developing and maintaining standards within the *Australia New Zealand Food Standards Code* (the Code). The Code restricts how much caffeine can be added to cola-type soft drinks and energy drinks and provides specific labelling requirements for this ingredient. Foods containing guarana (a South American plant with high levels of natural caffeine) must also be labelled as containing caffeine. This is to help people avoid caffeine either for themselves or their children.

Energy drinks are regulated under Standard 2.6.4 – *Caffeinated Energy Drinks* of the Code. The Standard sets maximum permitted levels of caffeine and other substances in these products (the maximum amount of caffeine they can contain is 320 mg per litre). The Standard also includes specific labelling requirements advising the product is not suitable for young children, pregnant or lactating women and individuals sensitive to caffeine.

In May 2011, the then Australia and New Zealand Ministerial Council (now the Legislative and Governance Forum on Food Regulation) agreed to a review of the Policy Guideline on caffeine, taking into consideration global developments in caffeinated products and regulatory approaches being taken in comparable markets. The outcome of this review of the Policy Guideline is expected to be complete by mid-2014. If the Policy Guideline is revised it will be provided to FSANZ and considered in the context of current and future caffeine standards work.

Thank you for bringing the concerns of the Country Women's Association members and members of the general public to my attention.

Yours sincerely

1/5/14

PETER DUTTON