2 October 2018

Senator Richard Di Natale
Senate Select Committee into the Obesity Epidemic in Australia
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Re: Clarifying Energy Drinks

Dear Senator,

Further to the hearing of the Senate Select Committee into the Obesity Epidemic in Australia in Melbourne on 4 September 2018, we would like to provide some further information about Energy Drinks to clarify some inaccuracies in the exchange between Senator Lisa Singh and Ms Jane Martin (see attachment for transcript).

Key Facts on Energy Drinks

On page 30 of the Hansard transcript of 4 September, Senator Singh states: 'Obviously these are the kinds of drinks that have even more sugar than your average sugary fizzy drink'. It is important that this factually incorrect statement is addressed. A standard serving of Energy Drink (250ml) contains approximately 27 grams of sugar or 11g/100mL. This is about the same as many non-alcoholic sugar-sweetened beverages. However, as with most other beverages, there are a wide variety of Energy Drinks sweetened with non-sugar alternatives, providing zero sugar options.

In the attached, Ms Martin references Energy Drinks as being 'high in caffeine'. While Energy Drinks contain caffeine, this is true of many other foods and drinks, such as chocolate, coffee and tea, and caffeine has been consumed by people for hundreds of years for its positive effects.

Standard 2.6.4 of the Australia and New Zealand Food Standards Code provides a maximum caffeine limit on Energy Drinks. Accordingly, a standard serving of Energy Drink (250ml) contains 80mg of caffeine – about the same amount of caffeine in cup of instant coffee with one teaspoon of powder. Food Standards Australia New Zealand (FSANZ) has further information on caffeine: http://www.foodstandards.gov.au/consumer/generalissues/Pages/Caffeine.aspx

In addition to Standard 2.6.4, Energy Drinks must also comply with caffeine labelling requirements, recommended daily usage declarations and advisory statements that the product is not suitable for children, and pregnant or lactating women.

FSANZ and EFSA Data

Data released as part of a broad ranging review into caffeine indicates a clear picture of the sources of caffeine, particularly in teenagers. FSANZ specifically looked at the proportion of caffeine intake from selected food groups, including Energy Drinks. Assessing data from the Department of Health and Ageing, FSANZ concluded that Energy Drinks contribute less than 1.2 per cent of overall caffeine intake for Australian children aged between 9 and 13 years, and 3.8 per cent for children aged between 14 and 16 years. This compares to 32 per cent from coffee, 5.2 per cent from flavoured milk and 4.5 per cent from confectionery and muesli bars.

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Clearly, if caffeine is truly of concern, a review of caffeine from other sources should be conducted, particularly when the amount of caffeine in an energy drink is comparable to or less than the amount of caffeine in a cup of coffee, yet it is clear we are consuming vastly more caffeine from coffee than from Energy Drinks.

In 2015, the European Food Safety Authority (EFSA) also confirmed the safety of energy drinks and their ingredients. EFSA found that the consumption of 200mg of caffeine in one serve and daily intakes of up to 400mg of caffeine are not a cause for concern in adults.

The Industry's Approach

The Australian Beverages Council Limited (ABCL) is committed to the responsible sale and promotion of Energy Drinks in Australia. Earlier this year, the ABCL and its Members refreshed the industry's Energy Drinks commitments, which were originally launched in 2011. All Members of the ABCL that are involved in the manufacture and distribution of energy drinks have agreed to seven major commitments (see attachment), including not promoting excessive consumption.

As an industry that produces a range of non-alcoholic beverages to suit all lifestyles, tastes, hydration needs and kilojoule preferences, we advocate for energy balance as the most important factor in maintaining a healthy Body Mass Index. Energy consumed through all foods and beverages, comprising the whole diet, should be matched with energy expended through daily activity that includes regular exercise.

When considering what people should eat or drink, we support consumers making informed choices about their diet. The ABCL understands everybody is different, and we support a balanced diet where all foods and drinks can be consumed in moderation. This combined approach to energy balance and managing overweight and obesity is supported in overarching advice from leading authorities such as the World Health Organisation and the National Health and Medical Research Council.

The non-alcoholic beverage industry has been committed to being part of the solution to overweight, obesity and chronic disease for more than two decades, and the ABCL will continue to work with a range of stakeholders on these important activities while offering a range of products to suit every lifestyle, taste, hydration need and kilojoule preference.

Finally, we extend our appreciation to you and the Committee for overseeing this important process. Should you require any additional information, please do not hesitate to contact either myself or our Public Affairs Manager, Mr Shae Courtney (copied in).

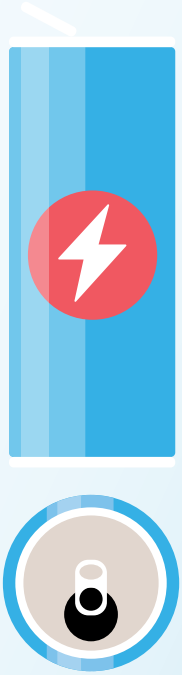
Yours sincerely,

Geoff Parker
Chief Executive Officer

Australian Beverages

Energy Drinks:
An industry commitment

The Australian Beverages Council Limited (ABCL) – the peak body for the non-alcoholic beverages industry – is committed to the responsible sale and promotion of energy drinks in Australia.



All of our members involved in the manufacture or distribution of energy drinks have voluntarily agreed to:

- not direct any marketing and advertising activities at children;
- not sell energy drinks in primary or secondary schools;
- not promote excessive consumption;
- not market energy drinks as only providing hydration;
- not use labelling to promote the mixing of energy drinks with alcoholic beverages;
- not manufacture or sell energy shots;
- provide consumers with up-to-date information about energy drinks on the ABCL website.

How does caffeine content stack up?

Comparison of caffeine in beverages (per 250ml)

ENERGY DRINK REGULATIONS

Australia has some of the most stringent regulations on energy drinks in the world. Energy drinks fall under general food law and must comply with Standard 2.6.4: Formulated Caffeinated Beverages (FCBs) under the Australia and New Zealand Food Standards Code. Standard 2.6.4 states that energy drinks must have no more than 32mg of caffeine per 100ml. This is comparable to the amount of caffeine in a cup of coffee made with one teaspoon of instant powder.

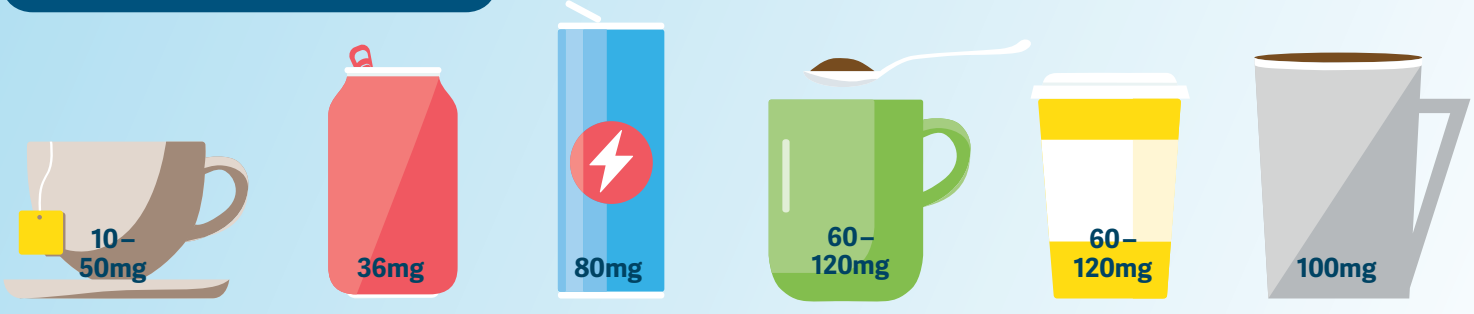
That's not all. Energy drinks must also comply with:

- caffeine labelling requirements,
- recommended daily usage declarations, and
- advisory statements that the product is not suitable for children, pregnant or lactating women.

In addition, energy drink companies are bound by the Competition and Consumer Act 2010 when marketing and promoting their products.

COMPARISON OF CAFFEINE IN BEVERAGES (PER 250ML) [1,2]

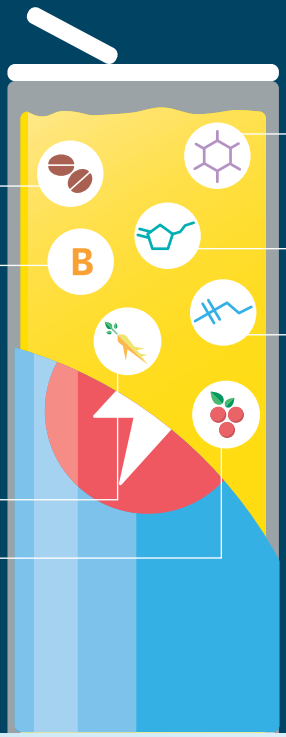
The European Food Safety Authority released a landmark scientific report on caffeine in 2015. It concluded that caffeine intakes from all sources up to 400mg per day do not raise any safety concerns for adults in the general population[3].



Source: FSANZ (2011)[1], FSANZ (2015)[2]
Source: EFSA (2015)[3]

What's in an energy drink?

Understanding energy drink safety, ingredients and their functions



Caffeine

Caffeine is an ingredient contained within foods, such as chocolate, coffee and tea that has been consumed by people for hundreds of years. In small quantities (up to 200mg per day) some people may notice positive effects ranging from increased energy, alertness and concentration.

Ginseng

Ginseng has been used for centuries as a medicinal herb and has reputed benefits such as increased energy, anti-fatigue properties, stress relief and memory retention.

B Vitamins

B Vitamins are found naturally in the foods we eat such as seafood, seeds and meat. They help the body convert carbohydrates to energy. Any excess of these water-soluble nutrients (B6, B12, niacin, B5) is flushed out of the body.

Guarana

Guarana is a source of caffeine that comes from the seeds of a plant native to South America. Amazonians have long used the seeds for heightening alertness and energy levels.

Inositol

Inositol is a carbohydrate, which is found in the human body, produced from glucose. Inositol is also contained in a range of natural foodstuffs.

Glucuronolactone

Glucuronolactone is a derivative of sugar that occurs naturally in the body, where it is produced in the liver through the metabolism of glucose.

Taurine

Taurine is an amino acid that occurs naturally in the human body and is involved in many vital functions. It is also present in foods such as seafood and poultry.

Energy drinks and children

Some community concerns about energy drinks have focussed on excessive consumption of caffeine by children. This concern is not supported by the facts.

Research commissioned by the Australian Government shows energy drinks constitute a tiny proportion of the total caffeine consumed by children: 1.2 percent for 9–13 year-olds and 3.8 percent for 14-16 year-olds[4].

Our members do not sell energy drinks in primary or secondary schools or direct any marketing and advertising activities at children. These voluntary commitments show we take the health of children and the community seriously.

TOTAL PERCENTAGE OF CAFFEINE INTAKE FROM SELECTED FOOD GROUPS

9 – 13 years

1.2% of caffeine intake is from energy drinks

98.8% of caffeine intake is from other foods

19.2 mg per day caffeine intake

14 – 16 years

3.8% of caffeine intake is from energy drinks

96.2% of caffeine intake is from other foods

41.7mg per day caffeine intake

Source: Department of Health and Ageing[4]

Frequently Asked Questions

WHAT IS AN ENERGY DRINK?

Energy drinks are functional non-alcoholic beverages designed for busy and active people who need a boost to get through their day. Energy drinks contain caffeine and may contain other safe ingredients such as taurine and B vitamins, ginseng and guarana. Energy drinks are popular around the world and can be found in more than 165 countries.

ARE ENERGY DRINKS SAFE?

Energy drinks are safe. All of the ingredients used in energy drinks are approved for use in Australia by the food regulator, Food Standards Australia and New Zealand.

Energy drinks labels must also contain daily maximum recommendation limits.

HOW MUCH CAFFEINE DOES AN ENERGY DRINK CONTAIN?

The amount of caffeine in energy drinks is strictly regulated by the Australian Government. Energy drinks can have no more than 32mg of caffeine per 100mL. This means a 250ml serving of an energy drink contains 80mg of caffeine, which is equivalent to the amount of caffeine in a cup of instant coffee (with one teaspoon), and less than half the levels found in a standard espresso. In May 2015, the European Food Safety Authority released its landmark scientific opinion on caffeine. It concluded that caffeine intakes from all sources up to 400mg per day do not raise any safety concerns for adults in the general population – that's equivalent to five 250ml servings of an energy drink.

ARE ENERGY DRINKS SUITABLE FOR CHILDREN?

Energy drinks are not recommended for children and this is clearly stated on the label. Although energy drinks contain around the same amount of caffeine as an instant coffee, caffeine is not an ingredient that is advised for children.

References:

1. Food Standards Australia New Zealand (FSANZ). (2011). NUTTAB 2010 – Australian Food Composition Tables. Canberra: FSANZ. Available at http://www.foodstandards.gov.au/science/monitoringnutrients/nutrientables/Pages/default.aspx
2. FSANZ. (2015). Caffeine. Canberra: FSANZ. Available at http://www.foodstandards.gov.au/consumer/generalissues/Pages/Caffeine.aspx
3. European Food Safety Authority (EFSA). (2015). Scientific opinion on the safety of caffeine. EFSA Journal 2015; 13(5):4102.
4. Department of Health and Ageing. (2012). The 2007 Australian National Children's Nutrition and Physical Activity Survey Volume Two: Nutrient Intakes. Commonwealth Scientific and Industrial Research Organisation.

For further information regarding energy drinks, please visit the ABCL's dedicated energy drinks website **www.energydrinksinformation.org**

Australian Beverages