

Acai berry hype highlights flaws in new food marketing rules

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Credit: University of Melbourne

Hype in the marketing of açaí berry products—which sell for up to \$150

a kilo—has highlighted serious flaws in new rules governing food health claims.

University of Melbourne legal expert Professor Christine Parker says up to a third of açai berry products on sale in Australia carry unproven claims about anti-ageing properties, and serious conditions like cancer and heart disease.

In a paper published today in the Federal Law Review, she says Australian consumers have far less protection from misleading or false [food](#) claims than Europeans.

"With obesity and diabetes on the rise, consumers are increasingly anxious to make [healthy food choices](#)," Professor Parker said.

"Consumers are at risk of making expensive or unnecessary choices because our regulations fail to cover many health claims, and are inadequately enforced."

The açai berry is often referred to as a 'superfood', a concept that has no formal definition under Australian law.

Açai berry product marketing often invokes the berry's origins in the Amazon basin, and its antioxidant content, as evidence of more powerful health benefits than other fruits.

Yet unlike EU regulators, which check all food health claims by manufacturers and retailers, Australia only regulates a list of specific health claims, under the revised Standard 1.2.7 of the Australia New Zealand Food Standards Code, which came into force in April.

Any claims not on this list can be "self-substantiated" by industry.

"If you applied this principle to medicines, you'd be letting new drugs onto the market without TGA approval," Professor Parker said.

"Many food marketers are perhaps taking too literally the adage that food is medicine, and direct online marketing of some of these products is making it easier for false [health claims](#) to be accepted widely and uncritically, with sometimes dangerous consequences."

Professor Parker said the marketing message that people should spend large sums on special superfoods to be fit and healthy into old age is misleading.

"It detracts from more helpful public health messages that simply encourage people to eat a variety of any fruit and vegetables," she said.

Provided by University of Melbourne

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