2016–2026

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Ultra-Processed Food Control Bill 2026

No. , 2026

A Bill for an Act to regulate ultra-processed foods and designated products, to establish the Independent Food Integrity Authority, to impose a levy on designated products, and for related purposes

Exposure draft for public consultation

Circulated by authority of the Minister for Health, Disability and Ageing

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Part 1 — Preliminary

1 Short title

This Act is the Ultra-Processed Food Control Act 2026.

2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table.

Item	Column 1 — Provision	Column 2 — Commencement
1	Sections 1 to 9 and anything not elsewhere covered	The day this Act receives the Royal Assent
2	Part 2 (Authority)	The day after Royal Assent
3	Part 3 (classification) and section 35 (digital platforms)	The day after the end of the period of 6 months beginning on Royal Assent
4	Sections 36 and 38 (schools, institutions, sport)	The day after the end of 12 months beginning on Royal Assent
5	Part 4 (labels and claims) and section 37	The day after the end of 18 months beginning on Royal Assent
6	Part 7 (levy)	The 1 July next occurring after the end of 12 months beginning on Royal Assent

7	Remaining provisions	A single day to be fixed by Proclamation, or 12 months after Royal Assent if not proclaimed earlier

3 Objects

(1) The objects of this Act are:

(a) to reduce population exposure to ultra-processed foods, with the aim of reducing the share of dietary energy derived from such foods to less than 20 per cent within 10 years after commencement of this section;

(b) to treat the commercial design, marketing, labelling, pricing and political influence of ultra-processed foods as commercial determinants of health;

(c) to require honest front-of-pack warning labels on designated products;

(d) to prohibit health-halo devices, including the Health Star Rating and nutrition content or health claims, on designated products;

(e) to prohibit the marketing of designated products to children and the supply of such products in schools and specified public institutions;

(f) to establish an independent authority, free of industry voting or drafting influence, to classify products and set warning and standard criteria;

(g) to impose a levy so that the price of designated products reflects part of the public cost of diet-related disease, and to apply the proceeds to fresh-food access and enforcement;

(h) to ensure that dietary guidance and Commonwealth food procurement are consistent with the objects in paragraphs (a) to (g).

(2) It is the intention of the Parliament that, where a provision of this Act is ambiguous or obscure, the provision is to be construed in the manner most favourable to the protection of public health and the achievement of the objects in subsection (1).

4 Act binds the Crown

This Act binds the Crown in each of its capacities. Nothing in this Act renders the Crown liable to be prosecuted for an offence.

5 Extension to external Territories

This Act extends to every external Territory.

6 Application of Criminal Code

Chapter 2 of the Criminal Code applies to all offences against this Act.

7 Definitions

In this Act:

Authority means the Independent Food Integrity Authority established by section 10.

child means a person under 18 years of age.

child-directed marketing means any packaging, placement, sponsorship, communication or brand asset that a reasonable person would conclude is designed to attract children, and includes licensed characters, personalities popular with children, shape or colour engineering directed at children, collectible devices, and advertising targeted to an account identified as belonging to a child.

cosmetic additive means a colour, flavour, flavour enhancer, emulsifier, humectant, sequestrant, bulking agent, carbonating agent, firming agent, gelling agent, glazing agent or foaming agent.

designated product has the meaning given by section 24.

Health Star Rating means the Health Star Rating system administered for Australia, and includes any successor interpretive positive score prescribed by the regulations.

marker ingredient means an ingredient or process listed in Schedule 1 or in a legislative instrument made under section 22.

Minister means the Minister administering this Act.

National Product Register means the register maintained under section 25.

packaged food means food or beverage offered for retail sale in a package on which a nutrition information panel is required, or would be required, under the Australia New Zealand Food Standards Code.

principal display panel has the meaning given by the regulations, and otherwise means the part of a package most likely to be displayed or examined under customary conditions of sale.

ultra-processed food has the meaning given by section 21.

warning label means a label required by section 28 in the form specified in Schedule 3.

8 Constitutional basis

(1) This Act relies on:

(a) the corporations power in paragraph 51(xx) of the Constitution, so far as it applies to a trading, financial or foreign corporation;

(b) the trade and commerce power in paragraph 51(i);

(c) the taxation power in paragraph 51(ii), so far as Part 7 is concerned;

(d) the external affairs power in paragraph 51(xxix), including as it gives effect to obligations concerning the rights of the child and the right to health;

(e) the Territories power in section 122.

(2) Part 7 is a law imposing taxation within the meaning of section 53 of the Constitution and is to originate in the House of Representatives.

9 Concurrent operation

This Act is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with this Act, including a law about school canteens, food inspection or public-hospital procurement.

Part 2 — Independent Food Integrity Authority

10 Establishment

(1) The Independent Food Integrity Authority is established.

(2) The Authority is a body corporate with perpetual succession, may acquire, hold and dispose of real and personal property, and may sue and be sued.

(3) The Authority is not an agency of Food Standards Australia New Zealand.

11 Functions

The Authority has the following functions:

(a) to classify packaged foods as ultra-processed foods or designated products;

(b) to make and maintain the marker-ingredient schedule and nutrient-threshold instruments;

(c) to specify warning-label design and to administer the National Product Register;

(d) to advise the Minister on product standards under Part 6 and levy administration under Part 7;

(e) to determine whether a Health Star Rating algorithm, if any, may be applied to a class of food that is not an ultra-processed food;

(f) to publish an annual report on ultra-processed food energy share, reformulation, warning coverage and enforcement;

(g) any other function conferred by this Act or the regulations.

12 Powers

The Authority has power to do all things necessary or convenient to be done for or in connection with the performance of its functions, including requiring a manufacturer or importer to produce formulation information.

13 Board

(1) The Authority has a Board consisting of a Chair and 6 other members appointed by the Governor-General.

(2) The members must consist of:

(a) 2 persons with recognised standing in public-health nutrition;

(b) 1 clinician practising in metabolic, endocrine or cardiovascular medicine;

(c) 1 consumer representative;

(d) 1 economist;

(e) 1 person with expertise in food systems or agriculture;

(f) a Chair with standing in public or administrative law.

(3) Appointments are to be made on the recommendation of a selection panel comprising one member nominated by the Minister, one nominated by the Leader of the Opposition, and one nominated by the President of the Australian Academy of Health and Medical Sciences.

14 Independence — disqualification

(1) A person is not eligible to be appointed, and must not remain a member, if, in the previous 5 years, the person has had an employment, consulting, grant, director or equity relationship with:

(a) a manufacturer or importer of ultra-processed food or designated products; or

(b) an industry association representing such manufacturers or importers.

(2) A member must disclose any potential conflict to the Board. A conflicted member must not be present during deliberation or vote on the matter.

(3) Industry representatives may make public submissions. They must not draft, vote on, or be present for Board deliberation on a standard, schedule or classification rule.

15 Term and termination

(1) A member holds office for 5 years and may be reappointed once.

(2) The Governor-General may terminate an appointment for misbehaviour, bankruptcy, absence, or a breach of section 14.

16 Procedures

The Board may determine its procedures, subject to this Act. A quorum is 4 members. Questions are decided by a majority. The Chair has a deliberative vote and, if votes are equal, a casting vote.

17 Chief Executive Officer

(1) There is to be a Chief Executive Officer of the Authority, appointed by the Board.

(2) The CEO is responsible for the day-to-day administration of the Authority and is not subject to direction by the Minister in relation to a classification or standard-setting decision.

18 Ministerial directions

(1) The Minister may give a written direction to the Authority only about the performance of its functions in relation to matters of general policy.

(2) The Minister must not give a direction about a particular classification, a particular product, or the content of Schedule 1, 2 or 3.

(3) A direction must be published on the Authority’s website within 7 days.

19 Annual report

The Authority must give the Minister an annual report for presentation to the Parliament, including the matters in paragraph 11(f) and a statement of any direction given under section 18.

20 Relationship with other agencies

(1) Food Standards Australia New Zealand retains its functions under the Food Standards Australia New Zealand Act 1991 in relation to food safety and compositional standards, other than matters conferred on the Authority by this Act.

(2) The Australian Competition and Consumer Commission has concurrent functions with the Authority in relation to sections 30, 31, 32, 34 and 35.

(3) The Authority and the Commission must enter a memorandum of understanding on the exercise of concurrent functions within 6 months after the commencement of this section.

Part 3 — Classification of products

21 Meaning of ultra-processed food

(1) A food or beverage is an ultra-processed food if it is a formulation of ingredients, the majority of which are substances extracted, derived or synthesised from foods or other organic sources, combined by industrial processes, and it contains one or more of the following:

(a) a cosmetic additive;

(b) a protein isolate or concentrate used other than as a minor fortificant;

(c) a hydrogenated or interesterified oil;

(d) a high-intensity sweetener used to sustain sweetness in a formulated matrix;

(e) maltodextrin, a glucose syrup or an invert sugar used as structural bulk.

(2) Subsection (1) does not apply to:

(a) infant formula products regulated by Standard 2.9.1 of the Food Standards Code; or

(b) a food prescribed by the regulations as excluded, being a food that is not formulated for hyper-palatability or brand substitution of a minimally processed staple.

(3) The Authority must have regard to the NOVA classification as published from time to time, but the text of this Act prevails.

22 Marker schedule

(1) Schedule 1 has effect.

(2) The Authority must, by legislative instrument, maintain a schedule of marker ingredients and processes, first published within 90 days after the commencement of Part 2.

(3) An instrument under subsection (2) is a legislative instrument, but section 42 (disallowance) of the Legislation Act 2003 applies.

23 Rebuttable presumption

(1) A packaged food is presumed to be an ultra-processed food if it contains:

(a) 2 or more marker ingredients; or

(b) 1 marker ingredient together with a high-intensity sweetener or a protein isolate or concentrate.

(2) The manufacturer or importer may rebut the presumption by written application to the Authority establishing that the product is not an ultra-processed food within the meaning of section 21.

(3) The applicant bears the onus of proof. The Authority must decide the application within 60 days and publish reasons.

24 Meaning of designated product

A product is a designated product if it is an ultra-processed food and one or more of the following applies:

(a) it exceeds a nutrient threshold in Schedule 2;

(b) it is the subject of child-directed marketing;

(c) it carries, or is proposed to carry, a nutrition content claim or health claim.

25 National Product Register

(1) The Authority must maintain a public, machine-readable register of packaged foods offered for retail sale in Australia, recording for each product:

(a) whether it is an ultra-processed food;

(b) whether it is a designated product;

(c) each warning label that applies;

(d) the number of cosmetic additives;

(e) whether a Health Star Rating is permitted.

(2) The register must be updated at least quarterly.

(3) A manufacturer or importer of packaged food must lodge the information reasonably required by the Authority to populate the register.

26 Classification decisions

(1) The Authority may, on its own initiative or on application, determine the classification of a product.

(2) A determination is reviewable under the Administrative Review Tribunal Act 2024.

27 Offence — false classification information

A person commits an offence if the person lodges information under subsection 25(3) that the person knows is false or misleading in a material particular. Penalty: 200 penalty units or, for a body corporate, 1,000 penalty units.

Part 4 — Warning labels and claims

28 Duty to display warning labels

(1) A person must not sell, offer for sale, or import for sale, a designated product unless the principal display panel displays each applicable warning label specified in subsection (2).

(2) The applicable warning labels are:

(a) HIGH IN SUGAR — if the product exceeds the sugar threshold in Schedule 2;

(b) HIGH IN SODIUM — if the product exceeds the sodium threshold in Schedule 2;

(c) HIGH IN SATURATED FAT — if the product exceeds the saturated fat threshold in Schedule 2;

(d) HIGH IN ENERGY — if the product exceeds the energy-density threshold in Schedule 2;

(e) ULTRA-PROCESSED — if the product is an ultra-processed food.

(3) The label in paragraph (2)(e) applies whether or not a nutrient threshold is exceeded.

(4) Subsection (1) is a civil penalty provision. Civil penalty: 2,000 penalty units for a body corporate, for each stock keeping unit for each distribution week during which the contravention continues.

(5) A person commits an offence of strict liability if the person contravenes subsection (1). Penalty: 200 penalty units or, for a body corporate, 1,000 penalty units.

29 Form of labels

(1) A warning label must comply with Schedule 3.

(2) A warning label must not be obscured, diminished or designed around by packaging, stickers, sleeves or outer wraps.

(3) The Authority may, by legislative instrument, specify additional technical requirements consistent with Schedule 3.

30 Health Star Rating not to appear on designated products

(1) A person must not sell a designated product that displays a Health Star Rating or any other interpretive positive nutrition score.

(2) Subsection (1) is a civil penalty provision. Civil penalty: the maximum applicable under the Australian Consumer Law for a body corporate in relation to a contravention of a civil penalty provision of that Law.

31 Health and nutrition content claims

(1) A person must not, in trade or commerce, make a nutrition content claim or health claim, within the meaning of Standard 1.2.7 of the Food Standards Code, about a designated product.

(2) Without limiting subsection (1), the following claims about a designated product are prohibited: a claim that the product is high in protein, a source of fibre, natural, fresh, wholesome, made with whole grains, or made with real fruit.

(3) Subsection (1) is a civil penalty provision and is taken to be a contravention of the Australian Consumer Law in relation to misleading conduct, so far as that Law applies.

32 Health-halo imagery

A person must not, on a designated product or in advertising for a designated product, use an image of fruit, vegetables, a farm, an athlete or a health professional in a manner likely to convey that the product confers a health benefit.

33 Restriction on mandating Health Star Rating

(1) A Commonwealth agency must not require the display of a Health Star Rating on an ultra-processed food.

(2) If a Health Star Rating is required or permitted on food that is not an ultra-processed food, the algorithm must be determined by the Authority and must not be determined by, or voted on by, a body on which a manufacturer of ultra-processed food has a voting seat.

Part 5 — Marketing and supply restrictions

34 Child-directed marketing prohibited

(1) A person must not engage in child-directed marketing of a designated product in Australia, including on packaging, in a retail premises, outdoors, in broadcast or cinema, or on a digital service accessible in Australia.

(2) Subsection (1) is a civil penalty provision. Civil penalty: 2,000 penalty units for a body corporate.

(3) A person commits an offence if the person engages in child-directed marketing of a designated product knowing that the marketing is child-directed. Penalty: 300 penalty units or, for a body corporate, 1,500 penalty units.

35 Digital platform duty

(1) A person who provides a digital platform with users in Australia must take reasonable steps to prevent advertising of designated products being delivered to an account the provider has identified, or ought reasonably to have identified, as belonging to a child.

(2) The steps required by subsection (1) are to be no less diligent than the steps required of the provider under a law of the Commonwealth dealing with online safety for children.

(3) Subsection (1) is a civil penalty provision. Civil penalty: 3,000 penalty units for a body corporate.

36 Schools and public institutions

(1) A person must not sell, serve or promote a designated product in:

(a) a school or early childhood education and care service;

(b) a public hospital; or

(c) a sporting facility that receives Commonwealth funding.

(2) Subsection (1) does not apply to a product supplied solely for clinical nutrition under the direction of a registered health practitioner.

(3) The Commonwealth must take all reasonable steps, including through intergovernmental agreement, to give effect to subsection (1) in schools and public hospitals conducted by a State or Territory.

37 Retail placement

A person who conducts a supermarket or similar retail premises must not place a designated product at child eye-level, at a checkout, or in an end-of-aisle display adjacent to fresh fruit or vegetables.

38 Junior sport sponsorship

(1) A person must not, as a manufacturer or importer of a designated product, sponsor a sporting activity principally for children.

(2) Sponsorship of an elite adult sporting activity is permitted only if the product advertised in connection with the sponsorship is not a designated product.

Part 6 — Product standards

39 Nutrient and additive ceilings

(1) The regulations may prescribe, for categories of ultra-processed food, maximum levels of added sugars, sodium and saturated fat.

(2) The first regulations under subsection (1) must be made within 12 months after Royal Assent.

(3) Those maximums must be tightened, by further regulations, at intervals of not more than 24 months during the period of 6 years beginning on the commencement of the first regulations.

(4) A person must not sell an ultra-processed food that exceeds a maximum in force under this section.

40 Additive-purpose labelling

The package of an ultra-processed food must state, in plain English, the number of cosmetic additives in the food and the industrial purpose of each (for example, that an emulsifier is used to imitate creaminess).

41 Intense sweeteners combined with sugar

On and from the day after the end of 3 years beginning on Royal Assent, a person must not sell a food that contains both an intense sweetener and added sugar.

42 Imitation fruit

A person must not sell a food that uses a flavouring system designed to mimic fruit if the food contains less than 10 per cent fruit by weight.

43 Formulation dossiers

(1) A manufacturer of a designated product must file with the Authority, each year, a formulation dossier including target sensory specifications used in product development.

(2) The Authority may defer public release of commercially confidential material in a dossier for not more than 12 months. The deferral does not limit the Authority’s use of the material.

Part 7 — Ultra-processed product levy

44 Imposition of levy

(1) A levy is imposed on the manufacture in Australia, or the importation into Australia, of a designated product.

(2) The levy is imposed as a duty of excise so far as it applies to manufacture in Australia, and as a duty of customs so far as it applies to importation.

45 Rate

(1) The rate of the levy is the rate set out in Schedule 4.

(2) The regulations may index a rate in Schedule 4 by reference to a published index, but must not increase a rate other than by indexation except by an Act.

46 Person liable

The levy is payable by the manufacturer or importer.

47 Assessment and collection

The levy is to be assessed and collected in accordance with the Taxation Administration Act 1953, as if it were a tax imposed by a tax law administered by the Commissioner of Taxation. The regulations may modify that Act for that purpose.

48 Fresh Food Access Fund

(1) The Fresh Food Access Fund is established.

(2) Amounts equal to levy received are to be credited to the Fund in accordance with Schedule 4.

49 Application of the Fund

The Fund must be applied only as follows:

(a) 40 per cent to price support for fruit, vegetables, legumes, plain dairy and whole grains in low-income and remote communities;

(b) 30 per cent to school kitchen and lunch programs that serve food that is not ultra-processed food;

(c) 20 per cent to independent research and evaluation commissioned by the Authority;

(d) 10 per cent to enforcement of this Act.

Part 8 — Dietary guidelines and public procurement

50 Australian Dietary Guidelines

(1) The Minister must, in writing, direct the body responsible for reviewing the Australian Dietary Guidelines to:

(a) treat degree of processing as a first-order dietary risk;

(b) adopt the NOVA classification, or the classification in this Act, as a primary organising frame alongside food groups;

(c) include a first-order recommendation that Australians minimise ultra-processed food;

(d) state that ultra-processed food is not required in a healthy diet.

(2) A direction under subsection (1) must be published.

51 Commonwealth procurement

(1) A Commonwealth entity that procures food for Defence, aged care funded by the Commonwealth, immigration detention, or parliamentary catering must ensure that, within 3 years after the commencement of this section, no more than 15 per cent of the energy content of food so procured is ultra-processed food.

(2) The Minister may, with the agreement of a State or Territory, provide funding to assist that State or Territory to apply an equivalent cap to public hospitals and schools.

Part 9 — Enforcement

52 Forfeiture of non-compliant stock

A designated product sold in contravention of section 28 may be forfeited to the Commonwealth by order of a court of competent jurisdiction.

53 Director liability

(1) If a body corporate contravenes section 28, 30, 31 or 34, a director of the body who knowingly authorised or permitted the contravention is taken to have contravened the provision.

(2) A director who knowingly approves a package design that conceals a warning label, or a campaign that is child-directed marketing of a designated product, commits an offence. Penalty: 200 penalty units.

54 Category suspension

(1) If a body corporate is found to have contravened a civil penalty provision of this Act on 3 occasions in a period of 36 months, the Authority may, by notice, suspend the sale of a category of the body's designated products for a period of not more than 12 months.

(2) A suspension is reviewable under the Administrative Review Tribunal Act 2024.

55 Injunctions

The Federal Court or the Federal Circuit and Family Court of Australia (Division 2) may grant an injunction, including an interim injunction, to restrain a contravention of this Act.

56 Public-interest standing

(1) A registered health or consumer organisation may apply to a court for an injunction under section 55, or for a pecuniary penalty order in respect of a contravention of a civil penalty provision of this Act.

(2) The court may order that a portion of a pecuniary penalty be paid to the organisation to meet its reasonable costs of the proceeding.

57 Whistleblowers

(1) Part 9.4AAA of the Corporations Act 2001 applies, with appropriate modifications prescribed by the regulations, to a disclosure by an officer or employee of a manufacturer or importer about a contravention of this Act.

(2) The Authority may pay a prescribed reward from the Fund to a discloser whose disclosure results in a successful enforcement action.

58 Enforceable undertakings

The Authority or the Commission may accept a written undertaking in connection with a matter in relation to which the Authority or the Commission has a function under this Act. The undertaking is enforceable as if it were an undertaking under section 87B of the Competition and Consumer Act 2010.

59 Infringement notices

The regulations may provide for infringement notices in respect of a contravention of a civil penalty provision of this Act, in terms modelled on Part 5-5 of the Regulatory Powers (Standard Provisions) Act 2014.

60 Regulatory Powers Act

Parts 2, 3, 4, 5 and 6 of the Regulatory Powers (Standard Provisions) Act 2014 apply to this Act, with the Authority and the Commission as authorised persons and relevant chief executives, and with a relevant court being the Federal Court or the Federal Circuit and Family Court of Australia (Division 2).

61 Compensation for acquisition of property

If the operation of this Act would result in an acquisition of property from a person otherwise than on just terms, the Commonwealth is liable to pay a reasonable amount of compensation. If the Commonwealth and the person do not agree on the amount, the person may institute proceedings in the Federal Court.

Part 10 — Miscellaneous

62 Delegation

The CEO may, in writing, delegate any of the CEO's functions or powers under this Act, other than this power of delegation, to an SES employee or acting SES employee of the Authority.

63 Regulations

The Governor-General may make regulations prescribing matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

64 Review of Act

(1) The Authority must cause an independent review of the operation of this Act to be completed as soon as practicable after the sixth anniversary of the commencement of section 3, and again after the tenth anniversary.

(2) The review must report on the objects in section 3, including the ultra-processed food share of dietary energy, warning-label coverage, reformulation, child-directed exposures, and incidence of type 2 diabetes in adults under 45.

(3) The Minister must cause a copy of the report to be tabled in each House of the Parliament within 15 sitting days.

65 Severability

If a provision of this Act is held to be unsupported by a head of power in section 8, the provision is to be read down or severed to the extent necessary, and the remainder of this Act continues in force.

66 Crown not liable to offence

To avoid doubt, section 4 does not prevent a court granting an injunction against the Crown in right of the Commonwealth, a State or a Territory.

Schedule 1 — Marker ingredients and processes

Note: See sections 21 to 23.

The following are marker ingredients and processes (an indicative starting list, to be maintained by the Authority under section 22):

- Cosmetic colours and flavours (including "natural flavours" used in an industrial flavouring system).
- Flavour enhancers including glutamate salts and ribonucleotides.
- Emulsifiers, including mono- and diglycerides, carboxymethylcellulose, polysorbates and lecithin used other than as a traditional culinary ingredient.
- Humectants, sequestrants, glazing agents, bulking agents, carbonating agents, firming agents, gelling agents and foaming agents.
- Protein isolates and concentrates (soy, whey, pea or other) used other than as a minor fortificant.
- Hydrogenated oils and interesterified oils.
- High-intensity sweeteners, including aspartame, sucralose, acesulfame potassium, steviol glycosides used in a formulated matrix, and sucralose–acesulfame blends.
- Maltodextrin, glucose syrup, invert sugar and high-fructose syrups used as structural bulk.
- Modified starches used to imitate the texture of a minimally processed food.
- Industrial extrusion, hydrogenation, interesterification, or reconstitution of a powder into a product designed to imitate milk, yoghurt, cheese, meat or fruit.

Schedule 2 — Nutrient thresholds

Note: See sections 24 and 28. Thresholds are to be no less strict than Chile's third-phase nutrient profile, adapted by the Authority to Australian category conventions.

Warning	Solid foods (per 100 g)	Liquids (per 100 mL)
HIGH IN SUGAR	≥ 10 g total sugars	≥ 5 g total sugars
HIGH IN SODIUM	≥ 400 mg sodium	≥ 100 mg sodium
HIGH IN SATURATED FAT	≥ 4 g saturated fat	≥ 3 g saturated fat
HIGH IN ENERGY	≥ 275 kcal (1,150 kJ)	≥ 70 kcal (293 kJ)

The Authority may, by legislative instrument, tighten a threshold or prescribe a category-specific threshold that is stricter than this Schedule. The Authority must not loosen a threshold except by an Act.

Schedule 3 — Warning label specifications

Note: See section 29.

(1) A warning label is a black regular octagon on a white ground, with white sans-serif text in capital letters.

(2) A single warning must occupy not less than 10 per cent of the principal display panel. Each additional warning increases the minimum combined area by 5 percentage points, up to 30 per cent.

(3) Warnings must be placed in the top-right quadrant of the principal display panel.

(4) Text inside the octagon must be HIGH IN SUGAR, HIGH IN SODIUM, HIGH IN SATURATED FAT, HIGH IN ENERGY, or ULTRA-PROCESSED, as applicable.

(5) Contrast, minimum type size and exclusion zones are to be prescribed by the Authority and must be sufficient to be read at ordinary supermarket viewing distance.

Schedule 4 — Levy rates and hypothecation

Note: See sections 44 to 49.

(1) For a designated beverage that is not an alcoholic beverage, the levy is a specific rate prescribed by the regulations that increases the expected retail price of a typical 375 millilitre unit by not less than 20 per cent at commencement, indexed annually.

(2) For any other designated product, the levy is:

(a) in the first 3 years after commencement of Part 7 — 10 per cent of the wholesale value; and

(b) thereafter — 20 per cent of the wholesale value.

(3) A product that has ceased to be a designated product is not subject to the levy.

(4) Amounts equal to levy received are credited to the Fresh Food Access Fund and applied in accordance with section 49.