Consumer concerns relating to food labelling and trust – Australian governance actors respond

ABSTRACT

This study aims to report and critically analyse the responses of governance actors to a set of consumers’ concerns relating to food labelling, and by doing so describe how these actors construct both consumer perspectives and the food policy environment in which they work. Fifteen food labelling governance actors in Australia and New Zealand were asked to view an online presentation of the findings from a previous study exploring consumer perspectives on food labelling and trust before completing a one hour in-depth, semi-structured interview. Colebatch’s social constructionist perspective on policy was adopted in the analysis. Participants used their own constructions of Australian food policy, the role of labelling and consumer trust as a means to minimise the consumer concerns. Inadequate critical engagement with the moral dimension of consumer concerns is a core driver of the inertia demonstrated in the Australian government’s approach to addressing consumer concerns regarding food matters.

Author Affiliations

a Discipline of Public Health, Flinders University of South Australia, Australia

b Behavioural and Regulatory Analysis Section, Food Standards Australia New Zealand, Australia

c School of Public Health and Health Systems, University of Waterloo, Canada
Corresponding author

Emma Tonkin

Discipline of Public Health

GPO Box 2100

Adelaide, South Australia

5001

Phone: +61 8 7221 8451

Fax: +61 8 7221 8424

emma.tonkin@flinders.edu.au

ACKNOWLEDGEMENTS
Emma Tonkin received an Australian Postgraduate Award to complete her doctoral studies. The funder had no role in the research process. No other funding was sought for the project.
INTRODUCTION

The past decade has been marked by a series of national and international food scares and scandals, from frozen berries causing an outbreak of hepatitis A in Australia, to horsemeat masquerading as beef in the United Kingdom. These breaches of consumers’ expectations by food chain actors have shaken public trust and faith in the bodies charged with keeping food safe and maintaining integrity in the food supply. It is essential that consumers have trust in their food supply and the agencies responsible for governing it (Meijboom, Visak and Brom 2006; Papadopoulos et al. 2012). Therefore a goal of public policy is to prevent consumer concerns from undermining trust in the food supply (Brom 2000).

In relation to food, consumer concerns about food matters have been separated into safety concerns, and moral/ethical concerns (Kjærnes 2012; Zwart 2000). Brom (2000, 130) further defines moral concerns, delineating those related to ‘the good life we want to live’ (Brom’s consumer concerns) and ‘the good society (or world) we want to live in’ (Brom’s public concerns). Thus consumers’ moral concerns extend beyond simply morality relating to their own conduct, to the moral functioning of society more broadly. Brom (2000) also states that if food system actors want to maintain public trust, and be seen as trustworthy, they must acknowledge this moral dimension in interaction with consumers. In short, they must take the public’s moral concerns seriously. Despite this, food safety matters, in a narrow sense, feature prominently on food policy agendas globally, while ethical and moral concerns are often sidelined. One perspective is that the reasons for this privileging of some concerns over others originates and is maintained by a number of features of the policy process, including the interaction between individual governance actors and the structured environments in which they work (Colebatch 2009). In the present study we seek to investigate how these dimensions of the policy process interact to address consumers’ moral concerns through critically analysing the response of food governance actors to a particular set of consumers’ moral concerns relating to food labelling.
Australian Food Regulation

Food labelling regulation in Australia is complex. Food is governed by multiple agencies, over local, state and federal government (FSANZ 2013). The Legislative and Governance Forum on Food Regulation (referred to as the Forum) is responsible for the development of both food policy and guidelines for the formulation of food standards (Department of Health 2014). The Food Standards Code, which is a binational legislative instrument developed by Food Standards Australia New Zealand (FSANZ), sets out standards for food. The Food Standards Code is then interpreted, implemented and enforced by state and territory agencies, for example state health departments and local councils (FSANZ 2013; Szabo, Porter and Sahlin 2008; Winger 2003). The state and territory agencies also provide advice to the members of the Forum, and thus are closely involved in the development of policy. In brief, the scope of food policy in Australia is set down by the Forum (who is in-turn advised by state and territory agencies), standards reflecting this scope are developed by FSANZ and these standards are implemented and enforced by state and territory agencies. As such, major changes to overarching food labelling policy must be sanctioned by the Forum before they can be written in to the Food Standards Code, and consequently implemented and enforced by the relevant agencies. Nevertheless, state and territory agencies have freedom as to how they interpret, and therefore implement and enforce, the Food Standards Code.

Food labelling however is also represented in Australian Consumer Law, with the Australian Competition and Consumer Commission (ACCC) responsible for taking punitive action on false and misleading claims in food advertising and packaging. In referring to the above system here we will use the terminology of ‘food governance system’ and ‘food governance actors’ for those who are employed within these agencies. Following Colebatch (2009), ‘policy’ is used here in the broadest sense to refer to the processes and activities of governance, while ‘food policy’ specifically refers to the overall agendas determining the scope of food governance activity, predominantly those set down by the Forum.
Australia is a net food exporter and is an important actor on the world food production and trade stage. This has influenced the Australian political system to adopt policy approaches underpinned by neoliberal ideology and economic rationalist theory (Jamrozik 2009). Neoliberalism is defined by Dean (2014) as a ‘thought collective’ which champions reduced governance from the state to enable unimpeded market function in capitalist economies as a means of fostering outcomes desirable for all citizens. It typically advocates for deregulation and self-regulation of business, and the privileging of the concerns of commercial business in policy agendas (Meghani and Kuzma 2011). The adoption of these ideals has led to clear statements of commitment from the Australian Government to reduce the burden of regulation, boost productivity, increase competitiveness and reduce unnecessary regulation (Commonwealth of Australia 2014). The Forum is also guided by these national frameworks emphasising the need for ‘minimum effective regulation’ (FSANZ 2013). Thus, it can be argued that food policy in Australia, due to the content of these guiding frameworks for regulatory standard setting, is broadly situated in a neoliberal philosophy.

In keeping with this general philosophy and following the Codex Alimentarius Commission recommendation, food standards setting in Australia has emphasised risk analysis as a policy process to prioritise food matters, defining ‘risks’ as hazards to human health (FSANZ 2013). Consistent with this approach were the recommendations of the most recent review of food labelling law and policy in Australia which set out a framework for regulatory intervention in food labelling entirely founded on health risk (Blewett et al. 2011). This framework privileges technoscientific risk issues, explicitly identifying ‘consumer values issues’ (for example provenance, animal welfare and environmental issues) as ‘low-risk’ and therefore not seen as appropriate for government intervention (Blewett et al. 2011). The issues identified as ‘low-risk’ in policy are the type of consumer concerns identified by Brom (2000) as both ‘concerns that matter to certain consumer groups’ and ‘public concerns’, and are moral in nature. The Forum response to this review was supportive of this position (ANZFRMC. 2011).
Prioritisation of Policy Issues

Prioritisation of food matters is essential for determining the scope of food governance in resource limited environments, and for preventing trade disputes (Brom 2000). However, it is under-acknowledged that this process of framing and prioritising food matters, and therefore determining the food policy agenda, is an inherently normative process. That is, it is based upon cultural, economic, ethical and political considerations (Meghani and Kuzma 2011). Broadly, risk-based approaches to determining food policy agendas are presented as bringing a level of objectivity to the process, raising it above ‘messy, socio-political distractions’ (Duckett et al. 2015). However in reality how policy agendas and problems are viewed, and the choices available for addressing them, are structured by both the agents responsible for them, and the guiding principles of the organisations in which they work (Colebatch 2009). Generally the values and beliefs underlying claims to knowledge are invisible to groups of like-minded people, but ‘Being trustworthy in the current agri-food context cannot be without reflection on and explication of one’s values’ (Meijboom, Visak and Brom 2006, 441). Therefore there is value in identifying and critiquing the beliefs and concerns that shape the social constructions of these groups, but to which they are blind (Meghani and Kuzma 2011). This paper explores food governance actors’ approaches to constructing both policy issues, and the governance environment in which they work.

Study Aims

The aims of this study are to report and critically analyse the responses of some Australian and New Zealander food governance actors to a particular set of consumer moral concerns relating to food labelling. By so doing, it also aims to describe how these actors construct both these moral concerns and the governance environment in which they work. A description of the present study methods is followed by a combined results and discussion section that concurrently critically analyses the responses of participants directly, and within the context of the overall food policy environment. As such, this paper presents an analysis of both the agentic and structural factors
inherent in the food governance system contributing to the ability of governance actors to respond to consumers’ moral concerns. The concluding sections outline the main findings and implications for research and policy.

**METHODS**

**Theoretical Approach**

This study applies Colebatch’s (2009) social constructionist perspective on policy, while also recognising there are a multiplicity of approaches to understanding the processes and outcomes of governance. From this perspective it is assumed that policy ‘problems’, the expertise seen as relevant in assessing these problems, and the responses seen as appropriate to address them are not natural phenomena, but are socially constructed by the participants and institutions responsible for them (Colebatch, 2009). This perspective also holds that these privileged constructions are maintained reciprocally through interaction between agents and their structural environments (Colebatch 2009). As such, a critical lens was applied to the participants’ comments regarding their constructions of both the consumer concerns they were presented with, and how these consumer concerns fit with the policy environment (or structure) in which they (as agents) are situated.

**Data Collection**

As part of a larger research program, we conducted an earlier consumer study to explore how food labelling influences consumer trust in the food system and its actors in Australia (hereafter the ‘consumer-labelling-trust study’) (Tonkin et al. 2016). The findings from this study (Table 1) present a number of issues of relevance to governance actors, but here we focus on the issues Brom (2000) describes as moral concerns. In the consumer study, participants spoke about labelling they perceived as intentionally misleading, as well as their perception of Government’s reluctance to take action to prevent it, representing to them immoral conduct, and described the loss of trust in the food system that resulted from this. That is, consumers described labelling as violating their ideas of
the way a good society should conduct itself (a form of Brom’s public concerns), resulting in trust in the system being undermined.

The interview schedule for the present study was structured around each of the four key findings from the consumer-labelling-trust study, cross-referenced with three questions developed from Colebatch’s approach to policy analysis:

1. How do food governance actors problematize (Crotty, 1998) the consumer-labelling-trust study findings?
2. What causes and solutions do they identify as central to the findings?, and
3. How do they construct the implications of the findings for the food governance system?

The interview schedule (Table 2) was piloted with a member of a relevant organisation prior to data collection commencement. Questions were adapted to suit each organisational setting (food policy development, regulatory or enforcement), and minor alterations were made and questions added in response to the emergence of new ideas as interviews progressed to ensure investigator responsiveness and therefore research rigour (Layder 1998; Nicholls 2009).

In-depth, semi-structured interviews were conducted by the primary author either face-to-face, via telephone or via Skype between May and September 2015, and were approximately one hour in length. Participants were asked to view a 10 minute online presentation of the consumer-labelling-trust study findings and interview schedule before the interview, to give them the opportunity to consider their responses. The findings presentation can be found online at URL: http://tinyurl.com/consumer-labelling-trust. Ethics approval was granted by the Flinders University Social and Behavioural Research Ethics Committee (SBREC6429).
Participants and Sampling

Fifteen food labelling governance actors in Australia and New Zealand were interviewed. This represents a considerable proportion of those responsible for labelling governance in Australia and New Zealand. Purposive sampling was employed to gather participants with relevant experience and knowledge. The Food Standards Code which sets down the standards for food labelling is a binational instrument. Therefore actors from New Zealand who maintain the Food Standards Code have knowledge of, and influence, the Australian food policy environment in a manner that enables them to have insights relevant to this discussion. All organisations involved with food labelling policy, regulation or enforcement were identified, including two levels of government (federal and state), associated non-government organisations and multiple levels of seniority within each organisation. Recruitment of participants followed different pathways depending on the organisation. First, if members of the research team had contacts within the organisation an initial email was sent requesting assistance with recruitment and/or participation. If contact through this method was successful, a snowball approach was then used to further recruit within organisations. When the research team had no existing contacts within an organisation, the media department of the organisation was contacted, with media staff then identifying and approaching organisational staff for willingness to participate. Permissions from organisational heads for contacting staff were obtained where relevant. No reimbursement or motivation to participate was provided to participants. Given the small size of the potential participant population, and the sensitive nature of the interview content, ensuring and reassuring participants of the anonymity of their responses was paramount, and thus pseudonyms are used in reporting the findings. Care has been taken to remove additional information that could potentially be identifying.

Analysis
Interviews were transcribed and coded by the primary author using NVivo 10.0 (QSR International, Doncaster). Each interview was read multiple times, summarised, and coded. The first round of coding involved grouping responses under codes representing each question type in the interview schedule (for example ‘causes’ or ‘relevance’). Second round coding involved grouping the different ways participants constructed the findings and their responses (for example ‘problematic’ or ‘safety first’). These two code lists were then merged such that each construction approach is represented as a main theme under the three original questions developed using Colebatch’s (2009) approach to policy analysis (see Data Collection). At each stage the analysis was presented to the wider research team both visually and verbally. Additionally, the analysis was also presented to this group in written form enabling critique of process and outcome, ensuring robustness of data and analysis, and analyst triangulation (Fade, 2003).

Below, Results and Discussion are presented together to situate the findings in a context that allows the research to inform and be informed by extant research and practice.

RESULTS AND DISCUSSION

Four regulatory, seven policy and four further policy/enforcement actors were interviewed. The position levels of these actors were four policy/labelling officers, three assistant directors/section heads, five branch directors/general managers and three chief executive officers/service directors. No further detail can be provided about the participants in accordance with ethical obligations to ensure participant anonymity.

Participants approached the interviews in one of two ways, setting the tone for their responses. Some defensively critiqued the consumer-labelling-trust study, interrogating the robustness of the data before beginning the interview. Others were immediately able to apply the consumer-labelling-trust study findings to their work. Participants reframed and reconstructed the findings to assimilate them with their own experiences. They interpreted the findings in the context of their own knowledge and work, differentially emphasising particular aspects, resulting in varying
comments on how consistent the findings were with their experiences. The majority of participants reported the findings to be consistent with their experiences. A participant who closely worked with consumers expressed the findings in general clearly represented what they understood as the consumer perspective, but also mentioned that consumers would ordinarily struggle to articulate them in this way. For others it was a new way of thinking about the consumer-labelling interaction for them,

‘[The findings] didn’t surprise me. So it was kind of what was expected... obviously a lot of what my thinking in the past would have been more pitched around like education, communication elements rather than what that might then do to consumers’ trust’ (Arabella, policy).

Importantly, nearly half the participants articulated that their only experience with consumers is through consumer research. Therefore they were judging the validity of the findings on consistency with other research. A minority felt the results represented the perspectives of specific, small consumer groups, and thus not the ‘average’ consumer. While they could see the theoretical validity of the findings, these participants felt they were not consistent with their experiences of ‘average’ consumer behaviour,

‘I understand the theory that leads me to a point that says that consumers are losing trust in government because they feel deceived by the labels, but on the other hand they’re still looking to government to back whatever it is that’s on the food products. So it’s an interesting dichotomy really isn’t it’ (Gayle, policy).

This raises the importance of a sociological understanding of trust and distrust as not discrete phenomena, but instead opposite ends of a scale with a range of positions along that scale possible (Gambetta 1988). As such, participants’ understanding of how the foundational concepts such as trust work, and also their framing of the consumer (through experience or exposure to research) were integral in forming their responses to the consumer-labelling-trust study findings.
Problematization

Participants took three primary approaches to determining whether the consumer-labelling-trust study findings were a problem for food governance organisations. Some adhered to only one approach, while others offered multiple lines of thinking.

The first approach was discussed by a group of participants who appeared to be sympathetic to consumers’ framing of food labelling, ‘It [food labelling] might ultimately enable them to make a purchasing choice...but then it’s going down and it’s actually instilling views and opinions at a level deeper that we don’t realise’ (Arianne, policy). These participants typically found the consumer-labelling-trust study findings problematic for food governance. They also often extrapolated the implications further to what they saw as even more problematic outcomes,

‘I would be concerned if people were saying to me you know, “No we’re not even, we don’t trust that product at all, you know? I’d rather go to the farmers’ market and buy, yeah, the cellophane taped up package of something” yeah... I mean however, whatever standards that’s grown to... I’d be concerned if that’s starting to slip over into absolutely don’t trust anything that that label says. Especially the parts that they would perceive as being the safety elements of it’ (Mary, enforcement/policy).

However, the conclusion these participants often came to was similar to Julie who said ‘...but I can’t see that you can label it as a problem because then everything would be wrong...’ (Julie, enforcement/policy). This conclusion empirically demonstrates how the participants’ scope for choice in constructing the findings as a problem was limited by the overarching policies of the organisations in which they work. This represents the tension between choice (of governance actors) and structure (existing policy agendas) in their work (Colebatch 2009). Conversely, a number of participants appeared to minimise the consumers’ perspective on the role of food labelling in influencing their trust in the system, suggesting food safety is the only determinant of consumer trust,
‘... in general there’s an aspiration that there is confidence within the community...but it’s, it’s a broad trust and it’s around, you know, the food safety issue. And so labelling ultimately, yeah, it doesn’t necessarily play out as an area where trust necessarily becomes important’ (Arabella, policy).

This privileging of a static view of labelling as nothing more than a unidirectional information exchange, and the problems with it, have been discussed in other research (Eden 2011; Tonkin et al. 2015). In this sense the way participants framed the role of food labelling in influencing trust for consumers was a fundamental element in whether they constructed the consumer-labelling-trust study findings as a problem.

A second approach to determining problematization was shown by participants who thought the consumer expectations and concerns presented in the findings were ‘misguided’, ‘utopian’ or ‘inflated’. These participants reported that the findings were not problematic because they were simply based on consumers’ misunderstanding or idealistic view of the food system,

‘...I think that trust is very important, and goodwill is very important, but consumers need to adopt a certain amount of cynicism as well and just accept that the companies that they’re dealing with are in the business of making money. That’s why they exist’ (Mark, enforcement).

This problematization reframes the focus of the consumer concerns to a simpler question. In the earlier study consumers are questioning the moral limits of what is considered acceptable conduct in the pursuit of profit, not whether it is appropriate for industry to make money from food as the quote suggests. This group of participants presented this moral dilemma as though it is simply a fact of life, rather than a contested social construct up for public debate. This minimisation of the consumer concerns presents a problem for governance organisations as ‘Considering a partner in the agri-food sector trustworthy requires not only some kind of reflection and explication of one’s norms and values, but also the deliberative attitude to explain and engage in critical discussion on these principles and their impact: ie responsiveness’ (Meijboom, Visak and Brom 2006, 440).
Additionally, this construction approach included a reframing of the consumer concerns as simply a brand image issue, not a broader trust issue. Participants cited that ‘The market will take care of it. Not immediately but it does take care of it’ (Peter, regulatory). This implies that the issue can be solved by consumers simply purchasing a different product. The evidence provided to support this idea was consumer’s continuing engagement with the conventional food system,

‘I don’t think we are at a place where there is a really awful level of distrust and I guess the reason I say that is I don’t see people in the supermarket getting angry and frustrated about, you know, they don’t look at the products and go “oh I don’t believe any of this” sort of thing, they just take them and put them in the basket or trolley and buy them. So I think by and large there is still quite a high level of trust’ (Gayle, policy).

Similarly, consumers’ purchase decisions were often used by this group as evidence that no real issue with trust exists, ‘They know what is being said is probably not true but they’re still going to purchase it’ (Greg, enforcement). This argument brings to focus the choice of outcome measures when problematizing consumer concerns. Purchase decision cannot be relied upon in every circumstance to be an indicator of trust, especially so in the case of food. As Hansen et al. (2003, 119) state ‘… systemic trust is hard to measure through purchasing behaviour: consumers must eat, and although they can switch between food products, market withdrawal is normally not an option.’ Because food is unique in this, it demands critical thinking and flexibility from governance actors regarding the outcomes used in policy evaluation. What may constitute a relevant evaluative measure in other areas of the free market can be entirely misleading in the case of food. How governance actors construct and therefore choose the measures seen as relevant in problematizing an issue therefore has implications for the resulting policy outcomes (Colebatch 2009).

Many participants taking this approach also reasoned that distrust can be positive for markets,

‘…it’s a good thing. I actually think if there is [sic] more consumers who have a level of distrust in labelling and what’s being said to them, I think more and more people will
question and that will put the emphasis back on to producers and marketers to actually address the consumers’ concerns so that their products move’ (Greg, enforcement).

Firstly, this demonstrates the importance of participants’ understanding of trust. Social theory recognises the functional differences between trust, mistrust and distrust (Barbalet 2009). Sociologically, the practical role of trust is to reduce complexity and manage uncertainty in conditions of risk (Heimer 2001; Luhmann 1979) and consumer vulnerability (Meijboom, Visak and Brom 2006). To mis- or distrust is uncomfortable, burdensome, and promotes feelings of anxiety. Distrust is therefore a relatively harder path to complexity reduction (Luhmann 1979). Empowered, discretionary consumers that manipulate markets to function for their own interests are essentially different to anxious, confused and mistrusting consumers that are powerless to actively disengage from these markets due to dependence on food (Hansen et al. 2003; Meijboom, Visak and Brom 2006). Secondly, these participants reconstruct where consumer trust is being placed. The consumer-labelling-trust study findings discuss mistrust in the food system as a whole; consumers mistrust the food system as an institution. Conversely, these participants reframe this to be mistrust in something less; consumers mistrust industry or even particular brands. Loss of faith in a brand has a simple solution, choose a different brand; loss of faith in the food system as a whole presents a far more complex problem. This issue of trust in the food system cannot be minimised in the preceding ways if it is to be properly understood and addressed.

The final approach to problematizing the results was presented by many of the participants, including those who considered the findings to broadly present a problem. This approach involved comparing the issues presented in the consumer-labelling-trust study findings with the Australian food policy agenda to determine if they are problematic. Participants hesitated to label consumers’ loss of trust a problem for food governance organisations due to food governance objectives emphasising primarily food safety and health, ‘We [food regulatory organisation] would ask the question ‘well so what?’ So what is the impact of that on people’s health... you know, so what?’ (Judy, regulatory). First, this presents a different framing of the role of trust. Rather than a
fundamental social requirement for a cooperative and functioning food system (Jamrozik 2009; Meijboom, Visak and Brom 2006; Misztal 1996), trust is seen here to be an individual consumer characteristic. Second, as might have been expected from individuals working in the food policy environment, participants supplanted their initial, and potentially more personal, views on the matter (those described above) with the authority provided by ministerial directives (Jensen et al. 2005). What the data from these interviews cannot elucidate, and a potential area for future research, is whether this was seen as a burden or blessing by participants; as Colebatch puts it ‘In this way, policy is seen to set limits on the behaviour of officials; at the same time, it frees them from the need to make choices’ (Colebatch 2009, 8). Another interpretation may be that the participants who initially discussed the findings as ‘misguided’ work within the policy environment precisely because it reflects their own personal views.

This position also demonstrates, consistent with other research, that experts typically do not identify policy decisions to be the value-judgements that they are (Jensen et al. 2005). The policy objective to protect public health is inherently normative (Meghani and Kuzma 2011), with the World Health Organization (1948, 100) definition of ‘health’ explicitly stating it as ‘a complete state of physical, mental and social well-being, and not merely the absence of disease or infirmity’. These participants appeared to align with the version of ‘health’ present in the food policy agenda, which is far narrower than the WHO definition, as uncontested. As such, they were typically much more comfortable discussing where the consumer concerns fell within this narrow scope of policy action, rather than whether the policy scope reflected societal values given the consumer concerns. One participant suggested that anything beyond food safety is a luxury; therefore loss of trust due to perceptions of being misled suggested consumers have ‘got lost’ regarding what is important. This is consistent with the neoliberal philosophy underpinning Australian food policy with its emphasis on techno-scientific risk framings (FSANZ 2013). As such, in problematizing the consumer-labelling-trust study findings, many participants used the scope of the food policy agenda to discount the importance of the findings for their organisations, despite many demonstrating different initial
reactions. This was done without either critical reflection regarding the contested nature of the value-judgements inherent in food policy agendas (Jensen et al. 2005) or how their application of this limited scope of action recreates and maintains its legitimacy (Giddens 1984).

Causes and Solutions

Participants saw the causes for the consumer perceptions presented in the consumer-labelling-trust study as having consumer, regulatory, industry and system origins (Table 3). As such, the solutions suggested were also targeted at these areas (Table 3). In addition, all participants articulated that more research would be useful in furthering understanding. For clarity the causes are presented in separate sections in Table 3, but many participants discussed their interconnected nature, as Rebecca demonstrates with the pattern of her thinking in the following quote;

‘I think the main areas [causing consumers’ concerns and mis-/distrust] come down to the misleading nature of labelling. We need to…but then and that leads into self-regulation, is self-regulation working? How can that be better monitored and enforced? And then how does that relate to consumer value issues, because are the consumer value issues actually what makes the misinterpretation? Like are industry actually doing what they’re supposed to do but the interpretation actually leads to the misleading [sic]? I think it’s sort of a circle’ (Rebecca, policy).

When participants discussed solutions however, their previous acknowledgement of the complexity and reciprocally supporting causes of the consumers’ mis-/distrust was generally lost. In considering solutions, almost all participants specifically focussed on the perceived ‘distrusting nature of consumers’ cause (Table 3), suggesting consumer education as foremost for addressing the issues presented. This reframes what the original consumer concerns present as a problem of the food system’s trustworthiness to an issue of consumer ‘trustingness’. This reframe, and the consequential
suggestion of consumer education as the solution, is rife within academic literature on the topic, and among regulatory authorities and the food industry (Hansen et al. 2003; Meijboom, Visak and Brom 2006). Again, ‘in one way, trust cannot be effectively created and maintained through information campaigns. Instead, the food sector must aim to improve its trustworthiness by being more socially responsive’ (Hansen et al. 2003, 119). Trust cannot be effectively fostered by simply providing information through consumer education and reducing health risk levels (Meijboom, Visak and Brom 2006). Thus again, despite many participants being able to identify non-consumer origins for the consumer concerns and mis-/distrust, less were able to set aside the emphasis on individualism found in Australian food policy environments to situate consumer education focused solutions within wider system responses.

We will now turn to focus on some of the solutions suggested with specific implications for food system governance.

**Implications for the Food Governance System**

Contradictory to how participants typically problematized the consumer concerns, there was a general agreement that consumer distrust has some relevance for all organisations involved with food, including third party organisations and consumer advocacy groups,

‘I think we all have to work hard all the time on trust, you know? Whether you’re the, you know, you’re an enforcement agency and people trust that you’re onto the bad things in the marketplace, whether you’re in industry and you’ve got to be careful not to go that step too far with your claims, or whether you’re policy people …tasked to develop that health star rating system in a way that was not onerous on industry but was truthful to consumers and made the public health lobby happy…But the commonality that we all have is that we need to be credible to the consumer I think otherwise it doesn’t work’ (Gayle, policy).

This was often followed with less clear statements of action; ‘they’re certainly interesting issues you raise and something to keep in mind…I mean we’re certainly interested in this type of, you know,
what you’re saying…’ (Judy, regulatory). However, a smaller number of participants saw areas for direct action from food governance actors. ‘Cracking down’ on misleading and deceptive conduct, and taking action on ‘consumer values issues’ were proposed (Table 3).

Additionally, working with industry in a pre-emptive way was identified as important by two participants,

‘And I think too the more we can work with industry on these sorts of things the better… I think what you’re saying is right in that consumers believe—and it’s true—that industry are out there to make a profit, and they are. And I think if we as government people can acknowledge that too and say “yes we acknowledge that you’re out there to make a profit, but let’s find the pathway that fits”’ (Mary, enforcement/policy).

This position is progressive, and among these participants almost unique, in that rather than positioning the consumer perspective of industry as naive, and therefore irrelevant, it accepts it as a reality that must be acknowledged if consumer trust is to be fostered. This perspective reflects calls in previous literature for food governance actors to engage with the divergent values held by consumers, governance actors and the food industry, rather than bracketing this issue out (Brom 2000; Meijboom, Visak and Brom 2006). These authors acknowledge that, because of the moral pluralism in most Western societies, simply discussing these values and the distribution and interpretation of responsibilities will not necessarily lead to trust, but providing some clarity around what consumers can reasonably expect, and critical engagement with consumer concerns, is certainly necessary if any trustworthiness is to be demonstrated (Meijboom, Visak and Brom 2006). However, this position was only held by a small minority of the participants interviewed, suggesting there is still work to be done in communicating the importance of this message between academics and governance actors.

**Impediments to Change**
In discussing the potential areas for change as reported in the section above, participants also outlined ways in which the governance environment impeded possible change. In an alternative view, these same aspects of the governance environment were seen as reasons that there were no implications for food governance organisations. It was clear that participants least adherent to neoliberal philosophy typically presented the former view, while those most adherent presented the latter.

**The Scope of Food Policy Agendas**

As mentioned previously in the ‘Problematization’ section, participants saw the prioritising of food safety above all other food matters in a resource limited environment as either a reason that the findings were unlikely to be applied, or justification for why they should not be.

‘We do everything based on risk... something that’s just straight up misleading and it’s not actually causing any harm may well be very low down on our list to deal with because of our resources’ (Arianne, policy).

Again, as has been found in other areas of so called ‘policy uncertainty’ this position was stated by participants as though it is foundationally objective, neutral and rational, with little recognition of its position as a value-based, or normative, judgement (Duckett et al. 2015; Jensen et al. 2005; Meghani 2009). When policy agendas are presented as value-free, emphasising their authority rather than the underpinning values that may be shared by consumers, communication is distorted and is inevitably unsuccessful in convincing publics of their validity (Jensen et al., 2005). Some have argued that the privileging of expertly-defined frameworks and the exclusion of citizen input into the normative concerns informing policy agendas fundamentally undermines the principles of democracy (Meghani 2009). However as is found here, these agencies typically do not view these decisions as normative (Meghani 2009).

When considering the consumer concerns in the context of the food policy agenda participants typically reconstructed trust from a crucial social phenomenon, to a personal, individual concern, as demonstrated in the following quote from Arabella,
‘I suppose what I’m saying is the degree to which the outcomes of your research influence what should be government’s role or what should be the policy perspective I think perhaps are of, you know, it’s important to be aware of that but whether it actually changes or impacts given that as long as the key criteria are generally around ensuring people stay well and safe and they’re not misled type stuff, trust is then obviously a personal…it’s that emotional factor...’ (Arabella, policy).

Here there is little recognition of the fundamental role of trust in ensuring social stability, cooperation and cohesion (Brom 2000; Misztal 1996), and in legitimising institutional activities (Houghton et al. 2008; Wynne 2002). Also demonstrated in the preceding quote is the uncompromising focus on food safety in food policy agendas. This, and system competence regarding food safety, is often presented as the only way to maintain public trust in food systems (Papadopoulos et al. 2012; Sapp et al. 2009). However this overlooks research indicating that shared values are three to five times more important than competence for the development of trust in food systems (Arnot 2011; Sapp et al. 2009). As such, many participants’ constructions of the food policy agenda as objective and uncontested contributed to their perception that the consumer concerns did not have implications for the food governance system.

Analytic Used in Policy Processes

For participants who did see implications for food governance, the analytics used in policy processes were presented as barriers to their implementation. Most participants referred to well documented issues around the ease of quantifying costs but the difficulty, and in the case of the consumer concerns presented many suggested the impossibility, of quantifying benefit in cost-benefit analyses and regulatory impact statements,

‘So you can’t put a value on trust and emotions and what that means, and distrust, and if you can change it what benefit do you get? You can’t. And that’s why unfortunately a lot of the softer stuff that you’re doing that is not black and white either gets lost or never happens, or
happens really ineffectively because nobody can, you can’t... Justify it or do anything with it because it doesn’t fit in a box’ (Julie, enforcement/policy).

Few expressed reflexivity regarding the privileged position of these economic tools in decision making however, with only a small minority (comprised solely of actors with extensive experience in their field) expressing that they consider this a serious issue,

‘I think there should be much more consideration of public value then there is currently about regulatory impact statements, which in my view are entirely nonsense, nonsensical. Packed full of assumptions, pages and pages of assumptions, things that are not counted, not included, not incorporated. And then they give you an answer with four decimal places indicating some sort of degree of exactitude. It’s...they’re silly...’ (Paul, policy)

This finding is consistent with findings in other areas of policy uncertainty, where policy actors were found to hold ‘paradoxical positions’ where they both privilege the authority of risk-based policy approaches, while concurrently acknowledging quantitative risk analysis as having a constrained role (Duckett et al. 2015; Mouter, Annema and van Wee 2015). The issues with cost-benefit analyses described by these participants are similar to those identified by Mouter, Annema and van Wee (2015) as ‘intangible effects’. Intangible effects are effects for which it is difficult to determine: causality between a course of action and an effect, whether the effect will occur and/or whether the effect is beneficial or harmful for national welfare (Mouter, Annema and van Wee 2015, 280). Good public policy must recognise the limited capacity for economic instruments to determine policy priorities in complex, competitive, multi-stakeholder areas, and not succumb to the temptation to simply bracket-out the inherent uncertainty through exclusive use of apparently ‘rational’ risk-based approaches (Duckett et al. 2015) which themselves are value-laden (Meghani and Kuzma 2011).

A similar issue raised by some participants was the emphasis on evidence-based decision making and the type of evidence required to demonstrate benefit, ‘Very difficult to come up with the evidence to say that labelling would lead to those outcomes’ (Colin, regulatory). It is interesting to note that this participant did not necessarily consider the consumer-labelling-trust study as
'evidence'. When pushed on how the consumer-labelling-trust study findings could be used as evidence, a number of participants suggested expert elicitation\(^1\) as one method. However, others saw issues with this too, ‘I think the challenge for us is bringing that expert elicitation to the table and having a convincing story from that, or a convincing narrative perhaps, that will actually satisfy our requirements around regulation impact statements’ (Peter, regulatory). Again, this acknowledgement from governance actors of the issue of the relatively weaker position of non-quantifiable effects, which are typically social in nature, is echoed in previous literature (Mouter, Annema and van Wee 2015). The central issue here therefore is the types of evidence that are privileged in regulatory decision making, which are again not natural phenomena but instead reflect the dominant mainstream ideas of what constitutes ‘evidence’ (Colebatch 2009). The majority of participants emphasised that every regulatory decision must be justified with evidence, particularly with regulatory impact statements incorporating cost-benefit analyses, while at the same time explaining why social impacts are near-impossible to demonstrate in these same analyses, without any apparent awareness of this contradiction. Many participants expressed a powerlessness to challenge these constructions of evidence due to their position within their organisations. Most felt that it was those ‘higher up’ that had ultimate control over the analytics used in policy processes. While this is an understandable view given the strength of the evidence-based discourse in the Australian policy environment, there is historical evidence of a different view. Hall (1993) showed that during the time of radical change to the instruments of macroeconomic policy in Britain between 1970-1990, policy officials (in a similar position to many of the governance actors interviewed here), rather than politicians (those ‘higher up’), were instrumental in initiating both the changes and the corresponding social learning. However contemporary Australian food governance is structured to prevent even this type of change, with an overt aim of the reorganisation of food policy processes in the early 2000s to separate policy development (responsibility to food ministers)  

---

1. Expert elicitation involves the use of expert judgement going beyond established knowledge to inform policy making, when such knowledge does not exist.
and food regulatory implementation (responsibility to FSANZ). Compounding the structural basis for this expressed powerlessness may also be participants’ limited awareness of both these forms of evidence as contested constructions, and their role as agents in maintaining the structures to which they object (Colebatch 2009; Giddens 1984).

**Philosophical Approach Underlying Governance**

Finally, in their construction of the implications of the findings for the food governance system, all participants centralised the philosophical approach underlying Australian food policy, ‘Yes that [finding 4, see table 1] clearly does have huge issues for policy. Policy is a very fraught space actually about this, around this whole area. It’s the most political area I work in, by a long way. And there are, and there have been for a number of years, different camps or views’ (Paul, policy).

There were indeed two very clear discourses around the philosophical underpinnings of policy, the first being a justification for there being no implications of the consumer concerns for the food governance system,

‘... you know the old theory that governments can solve all the problems you know has got to be dismantled because governments don’t have the resources to do that, and arguably that’s not the most effective form of government, or form of intervention to deliver the outcomes those groups want’ (Colin, regulatory).

Conversely, the second way the food policy environment was spoken about was as an impediment to a more complete framing of food matters,

‘...to demonstrate a benefit in an environment of where the Australian government is pushing for deregulation all of the time is very, very hard...Yes so it’s, the current framework is...doesn’t... my personal view, not the *organisation* view, but my personal view is that the *organisational policy guidelines* and the whole framework doesn’t really enable the sorts of issues you’re talking about to be considered properly really’ (Judy, regulatory).
This filtered into a construction of which stakeholders are being affected, and the relative importance of, and evidence for, their claims,

‘...in government we are always really aware that there is a lot of money at stake...if we were going to put something, an additional requirement, a mandatory requirement on labelling we now have to do a regulatory impact statement and a cost benefit analysis and all the rest of it. So we’re always very, very conscious that whatever we require, if it’s additional, is costing industry money and if it’s costing industry money then it could be costing jobs. So it’s all connected...the food industry is a very big industry in Australia and the export, agricultural exports is all connected. It’s a very big industry in Australia and you can’t afford to, you know, increase burden on them on a whim I guess. You have to be very careful. And it has to be fully justified’ (Gayle, policy, emphasis added).

Again, there was little recognition that these are claims based on the privileging of some values (the fostering of a competitive food industry) and not others (the morality emphasised by consumers in the consumer-labelling-trust study findings). For example, Gayle’s point about ‘additional’ suggests it is not core and, arguably, not important. Most acknowledged the different perspectives on classical questions relating to the role of government and the best philosophical and economic approach to governing. However, regardless of what the best approach to governing is determined to be, free-markets are predicated on consumer trust; consumer trust is essential to the overall function of free-market economies (Jamrozik 2009). As such, all participants should be concerned by a situation of consumer trust being undermined.

CONCLUSIONS

This research found that food governance actors typically did not see their response to a particular set of consumer concerns as one construction in many possible legitimate constructions, but rather as the obvious view of the findings from their institutional position. For the actors interviewed the consumer concerns were simply problematic or not problematic, realistic or
utopian, actionable or impossible to apply. Agentic factors made it possible for participants to construct the implications of the findings for food system governance as either irrelevant or unworkable. These factors included participants’ reconstruction of the role of labelling, the function(ing) of trust, and the outcome measures for trust in the system. Additionally, the organisation of the food governance environment to separate policy development and implementation, the philosophical approach underpinning, and the analytics used within, food governance structure the food policy environment to further prevent consumer concerns from being adequately addressed. Through this reconstruction of the key issues the moral concerns expressed by consumers were perpetuated rather than addressed. Literature emphasises the importance of acknowledging and taking these moral concerns seriously. However, agentic and structural factors made it possible for actors to sideline both consumer perspectives on the role of food labelling, and the importance of the divergent and contradictory values held by consumers, governance actors and industry. Inadequate critical engagement with this is potentially a core driver of the inertia demonstrated in the Australian government’s approach to addressing consumer concerns regarding food matters. The food governance system must pay close attention to both identifying and opening dialogue with the public regarding the values which underpin Australian food policy if it is to maintain public trust. A critical first step toward this is acknowledging the normative, and therefore contested, nature of the food policy agenda and its underpinning principles.

REFERENCES


FSANZ. 2013. *Risk Analysis in Food Regulation*. Canberra: Food Standards Australia New Zealand,


**TABLE 1**

*Key Findings from the Consumer-Labelling-Trust Study.*

Full discussion of this study can be found in (Tonkin et al. 2016a) and (Tonkin et al. 2016b).

1. Consumers make sense of labelling differently to regulators. For example, while ‘99% fat free’ technically means ‘this product contains no more than 1% fat’, consumers intuitively interpret its meaning as ‘this product is healthy’. Therefore labelling can be compliant with all regulation, and yet still be perceived as misleading by consumers.

2. Because consumers rarely have contact with the people who make up the food system, labelling is used as a way of understanding how the system works. As such, consumers use labelling to judge the trustworthiness of both the food system and the organisations it is made up of.

3. Consumers base judgements about trustworthiness on: a) perceived competence and b) ‘goodwill’. For example, seeing ‘use by’ dates on packages reinforces the competence of food system actors, maintaining trust. Conversely, when consumers perceive a label to be misleading, they feel this demonstrates the labeller is trying to manipulate them, therefore not showing ‘goodwill’, and undermining trust.

4. In general, labelling leads consumers to perceive that food system actors are competent, but are more likely to put their own (in the case of industry) or industry (in the case of government) interests ahead of consumer interests. This means that in part, labelling undermines trust in the food system.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TABLE 2</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Broad Interview Schedule</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>How do these findings compare with your experiences with consumers/consumer demands?</td>
</tr>
<tr>
<td></td>
<td><strong>Thinking about finding 1...</strong></td>
</tr>
<tr>
<td>2</td>
<td>To what extent do you think this has implications for your organisation?</td>
</tr>
<tr>
<td>3</td>
<td>What about for other organisations?</td>
</tr>
<tr>
<td>4</td>
<td>What are some of the barriers you perceive in addressing the issues presented by this finding?</td>
</tr>
<tr>
<td></td>
<td><strong>Now thinking about finding 2...</strong></td>
</tr>
<tr>
<td>5</td>
<td>Given this finding, can we discuss the utility of different approaches to food regulation?</td>
</tr>
<tr>
<td>6</td>
<td>To what extent does this finding have relevance for your organisation?</td>
</tr>
<tr>
<td></td>
<td><strong>Moving on to findings 3 and 4...</strong></td>
</tr>
<tr>
<td>7</td>
<td>What would you say are the underlying issues driving the perceptions these consumers have presented?</td>
</tr>
<tr>
<td>8</td>
<td>What would you consider to be the implications of these findings for your organisation?</td>
</tr>
<tr>
<td>9</td>
<td>How is the regulatory climate changing around these issues?</td>
</tr>
<tr>
<td></td>
<td><strong>Now thinking about the findings in general...</strong></td>
</tr>
<tr>
<td>10</td>
<td>What would you consider to be priority areas for addressing the issues raised by these findings?</td>
</tr>
<tr>
<td>11</td>
<td>To what extent is there room for these considerations in decision making?</td>
</tr>
</tbody>
</table>
**TABLE 3**

The Summarised Causes and Solutions for the Consumer Concerns and Mis-/Distrust, as Presented by Participants in the Present Study

<table>
<thead>
<tr>
<th>Causes</th>
<th>Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Consumer origins</strong></td>
<td><strong>Consumer level</strong></td>
</tr>
<tr>
<td>• Unreasonable/utopian consumer expectations</td>
<td>• Reducing consumer dependence on government</td>
</tr>
<tr>
<td>• Consumer disengagement from the food system resulting in loss of knowledge</td>
<td>• Educating consumers in general regarding the food system and food labelling</td>
</tr>
<tr>
<td>• Distrusting nature of consumers (± natural reaction to a capitalist market)</td>
<td>• Educating consumers about government’s role (that is, educating about the food policy agenda)</td>
</tr>
<tr>
<td>• Consumers judging without critically thinking about the system</td>
<td></td>
</tr>
<tr>
<td><strong>Regulatory and enforcement origins</strong></td>
<td><strong>Regulatory and enforcement level</strong></td>
</tr>
<tr>
<td>• Policy complexity around federal and state party interests, and standard setting and interpretation</td>
<td>• Increased regulator control and presence with industry</td>
</tr>
<tr>
<td>• Balancing competing stakeholder needs</td>
<td>• Enhanced enforcement action on misleading and deceptive conduct and ‘consumer values issues’</td>
</tr>
<tr>
<td>• Social benefits being hard to justify in regulatory impact statements</td>
<td>• Transparency about decision making processes</td>
</tr>
<tr>
<td>• Too many assumptions made in the regulatory process</td>
<td>• Increased consumer engagement in food policy decision making</td>
</tr>
<tr>
<td>• Multiple competing demands on resource poor agencies</td>
<td>• More holistic thinking in regulatory decision making and standards setting</td>
</tr>
<tr>
<td><strong>Industry origins</strong></td>
<td><strong>Industry level</strong></td>
</tr>
<tr>
<td>• Misleading and deceptive conduct from industry</td>
<td>• Increased honesty from industry in labelling</td>
</tr>
<tr>
<td>• Divergent values and goals of industry compared with consumers</td>
<td>• Industry fully understanding and taking responsibility for resolving problems</td>
</tr>
<tr>
<td><strong>Market system origins</strong></td>
<td></td>
</tr>
<tr>
<td>• Imbalance of power and knowledge between consumers and industry</td>
<td></td>
</tr>
</tbody>
</table>