

Labeling

Scandals

Our Food

Food Safety and Control System

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Labeling scandals

- Misleading advertising and false labelling can cause serious health implications:
 - Labeling scandal of the German Humana company - Three babies died, severe thiamine deficiency in 17 babies in Israel in 2003. Humana had believed that soybeans included in the formula contained sufficient quantities of the vitamin .
- Unsufficient control of changes in the composition of the formula related to labelling statements.
- Heavy marketing, advertising, designing and labelling activities .
- Infant formulas marketing .

Baby Foods and Marketing

Baby foods, a successful story:

1867 - Henri Nestlé: first artificial infant food.

1998 - Annual sales of baby milk : US\$ 8 billion.

Arising opposition:

- 1939 - Cecily Williams: Talk in Singapore.
- 1968 - Dr. Jelliffe: Industry marketing practices on infant health.
- 1977 - INFACT (Infant Formula Action Coalition): Boycott against Nestlé
- 1981 - WHA (World Health Assembly): International Code of Marketing of Breast-milk Substitutes.
- 1982 - the Nestlé Infant Formula Audit Commission (NIFAC): Monitoring of Nestlé's marketing practices using Nestlé's guidelines rather than the Code. Nestlé agrees to implement the International Code in developing countries. Nestlé boycott suspended.
- The Association of Infant Food Manufacturers (IFM) formed.

Baby Foods and Marketing

Convention on the Rights of the Child

- 1990 - The UN Convention on the Rights of the Child: Adopted in 1990 by all governments except Somalia and the US.
Bears and other humanized images from product labels. In Europe there is still much to do.



International code of marketing breast-milk substitutes

International Code:

- Bans promotion of bottle feeding .
- Establishes requirements for labelling and information on infant feeding.
- It is against any activity which undermines breast-feeding.
- All breast-milk substitutes are covered, including:

Infant formula

Teas and juices

Follow-on formula

Bottles

Baby foods

Teats

Cruels

Nipples and related equipment



International code of marketing breast-milk substitutes

International Code forbids:

- Promotion of products in hospitals or shops.
- Free samples to mothers.
- Gifts to health workers or mothers.
- No contact between sales personnel and mothers.
- Labels must be in a language understood by the mother and must include a clear health warning.
- Baby pictures may not be shown on baby milk labels.

- International Code of Marketing of Breast-milk Substitutes is *a minimum requirement*.

During the first four to six months of life: *no food or liquid other than breast-milk, not even water, is required to meet the normal infant's nutritional requirements.*

From the age of about six months a variety of locally available and safely prepared foods rich in energy, in addition to breast-milk.

Consumers International

- 1960 - Consumers International was founded.

Consumer rights

- The right to satisfaction of basic needs
- The right to be informed
- The right to safety
- The right to choose
- The right to be heard
- The right to redress
- The right to consumer education
- The right to a healthy environment

Health: Consumer health and safety are priority concerns.

Ethical behaviour: Promotion of the ethical behaviour of transnational companies.

Consumer Charter for Global Business: Ethics, competition, product standards, marketing, disclosure of information and labelling.

Food: Ensuring safe food for all. This includes baby food, biotechnology, pesticide use and food irradiation

Council of Canadians

Standard for Voluntary Labelling of Food Obtained through Genetic Modification

Voluntary standards for labeling food free of GM

Canada is going to publish voluntary standards for labeling food free of genetically modified ingredients.

- The guidelines are voluntary. No one has to declare that genetically engineered ingredients are present.
- GM- free labelling is allowed with up to 5 percent of the product genetically altered.
- The Standard for Voluntary Labelling of Food Obtained through Genetic Modification apply only to canola, soy and corn, and some varieties of potato.
- The Canadian Council of Grocery Distributors representing major supermarket chains, has developed the Canadian standards.

GM Labelling

Labeling Standards: The chance to chose between products.

- Industry and retailers watch very carefully sales figures.
- The power of the consumer resides in refusing the products he does not want.
- Labels increase the quality of foods because negative label on foods are not good for sales.
- In 1996, genetically modified (GM) foods were relatively unknown.
- Worldwide, there weren't controversies on how to deal with GM foods. In just a short time, things have changed dramatically.
- GM foods requires food producers to incur costs, including setting up buffer zones, specialized equipment, cleaning and storage of equipment, and mistakes in handling of deliveries.

Countries have different views about GM labeling:

GM Labelling

United States:

- 1992 - U.S. Department of Health and Human Services: GM food did not have to be labelled if it had the same characteristics as their non-GM counterparts.
- 2001 - FDA: “Guidance for Industry” for labelling GM products. Only foods that have different characteristics from the non-GM version have to be labelled.
- Firms need to notify the FDA a new GM food. The scientific description of the product is posted on the Internet.
- Labelling as “genetically **engineered**” or “made through biotechnology” is voluntary.
- “Genetically **modified**” should not be used because it might give the impression the product has different characteristics.

GM Labelling

Europe

- 1997 - The European Union: Mandatory labelling policy on GM foods with the Novel Foods Regulation. Any GM food must show that they do not harm human health and also required labelling if GM content could be detected.
- European Union moratorium on new GM foods since April 1998.
- 2000 – Labelling as “genetically modified”, if any ingredient in the food is at least 1 % GM.
-
- 2001 - the European Parliament voted for stricter regulations.
- The tracing of GM products through the complete food chain.

GM Labelling

Australia and New Zealand

2000 - Australia and New Zealand Food Authority standards:

- **Labelling:** If GM more than 1 %.
- **No labelling:**
For highly refined foods,
GM not more present in the final food,
Food served in restaurants.

Japan

2001: Labelling for twenty-eight products, including a number of soy products, a number of corn products, and unprocessed tomatoes and potatoes.

No labelling: If GM content less than 5%.

Label as “genetically modified,” “inseparable,” or “no GMOs present” .

Canada

- Labelling for GM foods, if those foods have health or safety issues.
Compromises in order to make trade easier.

GM Labelling

China

- China supported biotechnology until early 2001.
- In 2001, more reserved policy banning GM rice, wheat, maize, tomato, cotton, and soybeans .
- May 23, 2001: New vaguely worded regulation policy on biotechnology. Safety certification and labelling for all GM food.

U.S.A.

Food irradiation industry working to change the labelling of irradiated food to allow "cold pasteurization" or "electronic pasteurization" in place of "Treated with irradiation" or "Treated by irradiation".

- Consumers need a clear labelling to be able to make his choice.
The consumer who wants to avoid them, can do so.
The consumer who wants to buy them can also do so.

Health and Nutrition claims

- Plain listing of vitamins = nutritional claims —▶ label of “ Hans Freitag Oats cookies” .
- The product is of standard quality with no vitamins added.
- Enumeration of the natural vitamins of the ingredients , even partially in very low amount, suggest a high nutritional value:

Health and Nutrition Claims

Hans Freitag Biscuits with Oat Flakes Rich on Dietary Fibre

Dietary Fibre 4,8%		
Vitamins and Minerals in 100 g biscuits		% of the recommended Daily Allowance (RDA) In 100 g Biscuits
Vitamin B1	0,35 mg	25,00%
Vitamin B2	0,10 mg	6,25%
Vitamin B6	0,10 mg	5,00%
Vitamin E	0,40 mg	4,00%
Magnesium	32,5 mg	10,83%
Calcium	18,0mg	2,25%

Nutrition Information	In 100 g	RDA
NestléClusters		
Calcium	267 mg	30,00%
Vitamin C	51,0 mg	85,00%
Niacin	15,3 mg	85,00%
Iron	11,9 mg	85,00%
Pantothenic acid	5,1 mg	85,00%
Vitamine B ₆	1,7 mg	85,00%
Vitamine B ₂	1,4 mg	85,00%
Vitamine B ₁	1,2 mg	85,00%
Folic acid	170 _µ g	85,00%
Vitamine B ₁₂	0,85 _µ g	85,00%

There are no indications of basic nutrition information on energy, protein, carbohydrate.

Häfer
Gebäck

Häfer
Gebäck
Häferflocken
mit Feinmehl
und Butter

Ballaststoffe 4,8 g	
% der empfohlenen Tagesdosis (RDA) je 100g Gebäck	
Vitamine und Mineralstoffe je 100g Gebäck	25,00 %
Vitamin B1 0,35mg	6,25 %
Vitamin B2 0,10mg	5,00 %
Vitamin B6 0,10mg	4,00 %
Vitamin E 0,40mg	10,83 %
Magnesium 2,50mg	2,25 %
Calcium 18,00mg	



150g

Health and Nutrition Claims

- **Ingredients:** Sugar, oat flakes (23%), hydrogenated vegetable fat, wheat flour, whole egg powder, emulsifier: E471, salt, raising agent: ammonium bicarbonate.
- Comparing dietary fibre of the “Biscuits with Oat Flakes” with standard corn flakes the claim “ rich on dietary fibre “ and the impression of having many listed vitamins is reduced to a standard product with plenty of sugar and starch improved with 23% oat flakes.

Nutrition Information	In 100 g	RDA	In 100 g	RDA
	Nestlé	Clusters	Korn Mühle	Honey Wheat
Energy	1653 kJ		1605 kJ	
Protein	10,8 g		6,7 g	
Carbohydrate	64,3 g		84	
Fat	10,2 g		1,7 g	
Dietary Fibre	9,0 g			
Sodium	0,5 g			
Calcium	267 mg	30,00%		
Vitamin C	51,0 mg	85,00%		
Niacin	15,3 mg	85,00%	15,3 mg	85,00%
Iron	11,9 mg	85,00%		
Pantothenic acid	5,1 mg	85,00%	5,1 mg	85,00%
Vitamine B ₆	1,7 mg	85,00%	1,7 mg	85,00%
Vitamine B ₂	1,4 mg	85,00%	1,4 mg	85,00%
Vitamine B ₁	1,2 mg	85,00%	1,2 mg	85,00%
Folic acid	170 _μ g	85,00%	170 _μ g	85,00%
Vitamine B ₁₂	0,85 _μ g	85,00%	0,85 _μ g	85,00%

Normal Breakfast Cereals

Nestlé Korn Mühle



Health and Nutrition Claims

Commercials

- Commercial campaign promoting fruit nectar on TV. Oranges and tropical fruits falling from top of the background, and children quenching their thirst with the healthy drink suggesting 100% fruit juice.
- Ingredients: High caloric content and low fruit juice - Tap water would be better to rehydrate the body in the summer avoiding lean calories.
- List of ingredients for fruit nectar:

Ingredients: Water, fruit juice (25%), sugar, glucose-fructose syrup.

Advertising and labelling should have ethics in mind and use self-regulating instances to avoid misleading informations.



Fruit juices and nectars		Fruit juice content	Ingredients	Nutrition information in 100 ml						Claims
				Energy kJ/kcal	Protein Gram	Carbohydrate Gram	Sugar Gram	Fat Gram	Vitamin C/RDI mg/%	
Punica	Multi fruit juice drink	35%	Water, fruit juices, pectine, colouring agents, artificial sweeteners	68/16	<0,1	3,4	3,3	<0,1	20/33%	Plus vitamin C Without added sugar, low calories
la bamba	Four fruit nectar	50%	Joy of life which you can feel. sugar	When aside health also joy of life matters to you						
vitafit black currant	nectar	25%	Water, black currant juice, sugar, glucose-fructose-syrup							
albi Sour cherry	nectar	45%	Water, sour cherry sugar, glucose syrup	231/55	0,2	12,8		0,003		Without added preservatives or colouring agents
Elderberry juice	fruit juice	100%		135/32	<0,4	6,0	6,0	<0,1		Without added sugar Without added preservatives or
Frucht Oase Multivitamin	Multivitamin multifruit juice	100%	Fruit juice, vitamin C, niacin, vitamin E, pantothenic acid, provitamin A vitamin B6, B12, B1, B12 folic acid, biotin.	198/47	0,4	10,7	10,5	<0,5	30/50%	Without added sugar
Natreen Grapefruit	Fruit juice drink	50%	Grapefruit juice, water, lemon juice, vitamin C, artificial sweetener, aroma.	77/18	0,3	3,3	3,3	<0,1	50/83%	50% reduced calories Suitable for low calorie nutrition. Plus vitamin C
Wesergarten Multivitamin	12 Fruitnectar	50%	Water, Fruit juice, vitamins	103/24	0,2	5,3	5,2	<0,1	15/25%	light 50% reduced calories

Health and Nutrition Claims

1973 - Joint FAO/WHO Expert Committee declared that the ingestion of citric acid frequently or in large doses may cause erosion of the teeth and local irritation, apparently because of the low pH: the effects also occur with lemon juice which contains about 7% of citric acid and has a pH of less than three.

2003 - The World Health Organization (WHO)

Reports a possible connection between drinking of soft- drinks and fruit juices and the erosion of dental enamel and considers frequent intake of sugar linked to caries as convincing.



- **bravo red orange
rich in vitamin C**

Red Orange Juice drink with vitamin C.
Juice content minimum: 30% from red orange concentrate.

Ingredients: Water, red orange juice, sugar, acidifier: citric acid, vitamin C, aroma, **color: carmoisine.**

Energy: 194,8 kJ 45,8 kcal

Carbohydrates: 10,86 g

Vitamin C : 30 mg/50% RDA

The German Federal Risk Assessment Institute recommends a label warning for juices and confectioneries with high citric acid and sugar: **“Excessive consumption can cause dental decay. For infants not recommended”**

Advertising Standards

Excesses of the advertising companies —▶ regulation instances.

Self regulating standards of industry —▶ avoid the spread of government regulations to other fields.

EASA (European Advertising Standards Alliance)

The Alliance is a non-profit organisation based in Brussels.

Represents self-regulatory organisations and organisations of the advertising industry in Europe.

- Promotes high ethical standards in commercial communications .

The Alliance (EASA) was created in 1992 in response to a direct challenge from the then EU Competition Commissioner, Sir Leon Brittan —▶ co-operation rather than detailed legislation.

Advertising Standards

- The Self-Regulatory Organisations SROs of Canada, New Zealand, South Africa and USA have joined the European Advertising Standards Alliance.

German Advertising Board —▶ decency and good taste

German Central Office for Fight Against Unfair Competition —▶ counteracts misleading advertising and unfair competition.

- Advertising and labelling should have ethics in mind and use self-regulating instances to avoid misleading informations.

Codex and Nutrition Claims

Codex Alimentarius

1991 - Guidelines on Claims

1997 - Guidelines Nutrition Claims

1997 - Health Claims

Prohibited Claims

- Claims stating that any given food will provide an adequate source of all essential nutrients.
- Ordinary foods cannot supply adequate amounts of all nutrients
- Prevention or cure of a disease.
- Doubt about the safety of similar food or exploit fear in the consumer.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Potentially Misleading Claims

Meaningless claims, incomplete comparatives and superlatives.

Claims as to good hygienic practice, such as "wholesome", "healthful", "sound".

Conditional Claims

Must be in accordance to the Codex for the Addition of Essential Nutrients to Foods.

Nutrient Function Claims

A nutrition function claim describes the physiological role of the nutrient in growth, development and normal functions of the body.

Codex General Guidelines on Claims

Alinorm CAC/GL 1-1979 (Rev 1-1991)

- Claims which highlight the absence or non-addition of particular substances to food may be used provided that the substance:
 - is normally expected to be found in the food;
 - has not been substituted by another;
 - the addition is permitted in the food.
- Absence or non-addition of nutrients → nutrition claims → Codex Guidelines on Nutrition Labelling.
- Terms such as "natural", "pure", "fresh", "home made", "organically grown" and "biologically grown" when they are used, should be in accordance with the national practices.
- Religious or Ritual Preparation (e.g. Halal, Kosher) of a food may be claimed provided that the food conforms to the requirements.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Claim	Needed Declaration
Nutrition	Energy value, protein, Carbohydrate and fat
Sugar, fibre, sodium Saturated fat	Sugar, fibre, sodium Saturated fat
Carbohydrates	Total sugars
Dietary fibre	Amount of dietary fibre
Fatty acids	Saturated fatty acids Polyunsaturated fatty acids
Vitamins and minerals	Only those with recommended Recommended intakes
Nutrients	Only significant amounts Permitted.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Draft Amendment to the Guidelines for the Use of Health and Nutrition Claims Alinorm 01/22

At international level Codex Alimentarius has adopted General Guidelines on Claims in 1991 and Guidelines for the Use of Nutrition Claims in 1997. An amendment to the latter will soon be adopted by the Codex Commission. That amendment concerns the inclusion of Health Claims in the 1997 Guidelines.

Examples of nutrition function claims:

“Calcium aids in the development of strong bones and teeth”;

“Protein helps build and repair body tissues”;

“Iron is a factor in red blood cell formation”;

“Vitamin E protects the fat in body tissues from oxidation”.

“Contains folic acid: folic acid contributes to the normal growth of the fetus”

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Reduction of disease risk claims

- The claim must consist of two parts:
 - 1) Information on an accepted diet-health relationship;
followed by
 - 2) Information on the composition of the product relevant to
the relationship.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Examples of reduction of disease risk

- “Iron can help reduce the risk of anaemia. Food A is a high source of iron.”
- “A diet low in saturated fat may reduce the risk of heart disease. Food B is low in saturated fat.”
- “Folate may reduce a woman’s risk of having a child with neural tube defects. Food C is high in folate.”
- “Sufficient calcium intake may reduce the risk of osteoporosis in later life. Food D is high in calcium.”

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Nutrition Claims

- Only those relating to energy, protein, carbohydrate, and fat and components thereof, fibre, sodium and vitamins and minerals are permitted.

Nutrition Content Claims

- When a nutrient content claim that is listed in the Table to these Guidelines or a synonymous claim is made, the conditions specified in the Table for that claim should apply.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Comparative Claims

- The comparison should be based on a relative difference of at least 25% in the energy value or nutrient content, except for micronutrients where a 10% difference
- The use of the word "light" should follow the same criteria as for "reduced" and include an indication of the characteristics which make the food "light".

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Health Claims

Only those nutrients for which a Nutrient Reference Value (NRV) has been established in the Codex should be the subject of a nutrient function claim.



Fit : can be associated with “to be in good form”

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Information of the food bearing health claims:

- A statement of the quantity of the nutrient being claimed.
- Information on the target group.
- Information on how to use the food .
- If appropriate who need to avoid the food.
- Maximum safe intake of the food.
- Full nutrition labelling.

Codex General Guidelines on Claims

CAC/GL 1-1979 (Rev 1-1991)

Claims related to Dietary Guidelines or Healthy Diets

- Claims related to a "healthy diet" should be consistent with the guidelines.
- Foods should not be described as "healthy".
- Foods may be described as part of a "healthy diet".

Component		Conditions	
		Not more than	
		Codex Alimentarius Guideline	EU Guideline
Energy	Low	40 kcal (170 kJ) per 100 g (solids) or 20 kcal (80 kJ) per 100 ml (liquids)	40 kcal (170)/100g 20kcal(80)
	Free	4 kcal (17 kJ) per 100 ml (liquids)	4 kcal (17 kJ)/100 ml
	Reduced	Not regulated	Reduced at least by 30%
Fat	Low	3g per 100 g (solids) 1.5 g per 100 ml (liquids)	3g per 100 g (solids) 1.5 g/100 ml (liquids)
	Free	0.5 g /100 g (solids) or 100 ml (liquids)	0.5 g /100 g /100ml
Saturated Fat	Low	1.5 g per 100 g (solids) 0.75 g per 100 ml (liquids) and 10% of energy	1.5 g/100 g (solids) 0.75g/100 ml (liquids) and 10% of energy
	Free	0.1 g per 100 g (solids) 0.1 g per 100 ml (liquids)	0.1 g /100 g (solids) 0.1 g/100 ml (liquids)
Cholesterol	Low	0.02 g per 100 g (solids)	Not regulated
		0.01 g per 100 ml (liquids)	Not regulated
	Free	0.005 g per 100 g (solids)	Not regulated
		0.005 g per 100 ml (liquids)	Not regulated
		and, for both claims, less than:	Not regulated
		1.5 g saturated fat per 100 g (solids)	Not regulated
		0.75 g saturated fat per 100 ml (liquids)	Not regulated
and 10% of energy of saturated fat	Not regulated		

Component		Claim	Conditions	
			Not more than	
			Codex Alimentarius Guideline	EU Guideline
Sugars	Free		0.5 g per 100 g or 100 ml	0,50g per 100 g
	low		Not regulated	5 g per 100 g /ml
Sodium	Low		0.12 g per 100 g	0.12 g per 100 g
	Very Low		0.04 g per 100 g	0.04 g per 100 g
	Free		0.005 g per 100 g	0.005 g per 100 g
Fibre	Source		Not regulated	≥ 3 g fibre per 100 g or
			Not regulated	≥ 1,5 g per 100 k cal
	High		Not regulated	≥ 6 g fibre per 100 g or
			Not regulated	≥ 3 g per 100 k cal
Protein	Source		Not regulated	≥12 %
	High		Not regulated	≥20%
Vitamin	Natural Source		Not regulated	≥15 % of RDA

European Regulation on Labelling

General labelling provisions

The Directive 2000/13/EC generally prohibits the use of information that would mislead the purchaser or attribute medicinal properties to food, as amended by Commission Directive 2001/101/EC.

Directive 2000/13/EC generally prohibits the use of information that would mislead the purchaser or attribute medicinal properties to food.

European Health Claims Proposal

COM 2003/424

- **Nutrition claim** is any claim that a food has particular nutritional properties due to:
 - the energy value it provides at a reduced or increased rate
 - the nutrients or other substances it contains in reduced or increased proportions
- **Health claim** is any claim that a relationship exists between food and health.

European Health Claims Proposal

COM 2003/424

Regulation on claims should:

- Ban psychological and behavioural claims.
- Ban general claims for non-specific benefits.
- Ban endorsements by the medical profession.
- Ban claims, except 'low energy' or 'low alcohol', on alcoholic drinks.
- Ban on 'prevention, treatment and cure of diseases'.
- Permit 'reduction of disease risk factor'.
- Require all claims to be scientifically verifiable.
- Be scientifically accepted as having a beneficial nutritional effect

European Health Claims Proposal

COM 2003/424

- For health claims, the ‘Big Eight’ will be required – energy, protein, fat (of which saturates), carbohydrates (of which sugars), fibre and sodium.
- The new regulation will also apply to ‘other substances with a nutritional or physiological effect’ such as antioxidants, lactic bacteria etc.

Health Claims Specific Conditions

- Health claims will also trigger additional label statements indicating:
 - The importance of a balanced diet and a healthy lifestyle
 - The quantity of the food and pattern of consumption required to obtain the claimed beneficial effect
 - If appropriate, persons who should avoid using the food

European Health Claims Proposal

COM 2003/424

Health Claims referring to any of the following will be banned

Slimming or weight control, the rate or amount of weight loss, reduction in the sense of hunger or increase in the sense of satiety, reduction of available energy.

Role of Nutrients

Claims describing the role of a nutrient or other substance in growth, development and the normal functions of the body will be permitted, if they are on a new authorized Community list.

European Health Claims Proposal

COM 2003/424

- Claims are voluntarily put on products by producers as a marketing tool. Therefore, if positive claims cannot be established, the EC claims the regulation will not oblige anyone to make negative claims.
- **Psychological and behavioural claims:** There are many factors, other than dietary ones, that can influence psychological and behavioural functions.
It is difficult to convey a comprehensive, truthful and meaningful message in a short claim to be used in the labelling and advertising of foods. Therefore, it is appropriate to prohibit the use of psychological and behavioural claims.

European Health Claims Proposal

COM 2003/424

- Boom of industrial production of specific ingredients.
- Labelling and advertising must be in accordance to guidelines and be ethically sound.

European Health Claims Proposal

COM 2003/424



Orange or Aloe Vera Yoghurt Drink

- Boom of industrial production of specific ingredients.
- Labelling and advertising must be in accordance to guidelines and be ethically sound.
- Magnesium-enriched fermented milk drink, omega-3 enriched fresh milk carrying a health claim for blood pressure-lowering effect

Prof.Dr. Maria.-E.Herrmann from Osnabrück is concerned about single secondary plant metabolites enrichment of food. This should only be done under medical control.

European Health Claims Proposal

COM 2003/424

- The demands for low-carbohydrate products and Atkins-style diets are rising.
- Evidence that suggests that oats holds health benefits on cholesterol levels causes oat fibre to be added in breads, pastries and snack food products. This demonstrates the power of claims.

Enriched or Fortified in Vitamins and/or Minerals: The product contains the vitamins and/or minerals in at least a significant amount as defined in the Annex of Directive 90/496/EEC.

High Vitamins and/or Minerals: The product contains at least twice the value of “*source of vitamins and minerals*”.

Contains (Name of the Nutrient or Other Substance): The product complies with all the applicable provisions of this Regulation.

European Health Claims Proposal

COM 2003/424

Increased (Name of the Macronutrient): The increase in content is at least 30% compared to a similar product.

Reduced (Name of the Nutrient): The reduction in content is at least 30% compared to a similar product, except for micronutrients where a 10% difference in the reference values as set in Council Directive 90/496/EEC shall be acceptable

Light/Lite: Must present the same conditions as those set for the term “reduced”; the claim shall also be accompanied by an indication of the characteristic(s) which make the food “light” or “lite”.

European Health Claims Proposal

COM 2003/424

- The UK-based consumer Association (Which?) has strongly criticized food manufacturers concerning claims that packaging labelling often carries unwarranted health claims.
- The ‘little bottle’ or ‘daily dose’ format in the probiotics: The 100ml bottle size was pioneered by Japan’s Yakult.
- Danone and Nestlé and smaller European dairy firms entered the market.
- Citing a host of other food manufacturers and food products, “Which?” highlights Danone's Activia Cereal Yoghurt which *"although it contains probiotics, and there is evidence probiotics can help people with disorders such as diarrhoea, there is no evidence that consumers with healthy systems will benefit"*.

European Health Claims Proposal

COM 2003/424

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European Health Claims Proposal

COM 2003/424

- A fermented milk containing bioactive peptides, B vitamins and seaweed-derived calcium, and the first functional food claimed to reduce blood pressure, in a daily dose multipack is being launched in Finland.
- The European probiotic drinks market > €1 billion in 2003 growing 30-40% annually.
- In UK the “Positively Healthy Cocoa Drink”, a chilled milk drink is said to be high in natural cocoa antioxidants and sold in a four-pack of 85 ml bottles.

European Health Claims Proposal

Comments of the Industry

- According to the European Fruit Juice and Nectar Industry the Proposal does not address those claims, which are of particular interest both for the food industry and the consumer, i.e. “enhanced function” and “disease risk reduction” claims.

European Health Claims Proposal

Comments of the Industry

- It is in the interest of the consumer and the industry to communicate such health benefits appropriately.



FoodFact!
Lycopene of tomato
strenghtens immunity



European Health Claims Proposal

Comments of the Industry

European Health Products Manufacturers association (EHPM) Concern of the about the draft legislation

- The EHPM is fighting to change the prohibition on certain claims, such as behavioural/psychological, slimming and general well being.
- Waves of eating habits like the Atkins-style diet – low-carb, high-protein - slowly declines.

European Health Claims Proposal

Marketing of food to children

- Rising criticism concerning the marketing of food to children has moved British food trade bodies to discuss solutions to the problem of childhood obesity.
- The Food Standards Agency, announced that it was to debate the issue with a view to drawing up new guidelines.
- The Food and Drink Federation ensures that parents, rather than the government, have the final word on what is good or bad for their children.

Changing European Regulations

Chocolate

Vegetable speciality fats for the chocolate industry are expected to be largely used because the EU's rule allowing the use of 5 per cent of vegetable fats others than cocoa fat. This product can still be labelled as chocolate.

Health Claims and Definitions

- The whole grain industry are now trying to find a better definition to make it better understood by the consumer.
- The definition from AACCC (American Association of Cereal Chemists) issued in 1999 the following definition for cereal grains.
"Whole grains shall consist of the intact, ground, cracked or flaked caryopsis, whose principal anatomical components - the starchy endosperm, germ and bran - are present in the same relative proportions as they exist in the intact caryopsis."
- The new proposal of the definition from March 2004 is more consumer-friendly version and is supposed to help them to select whole grain foods:
"Whole cereal grains and foods made from them consist of the entire grain seed usually referred to as the kernel. The kernel is made of three components - the bran, the germ and the endosperm. If the kernel has been cracked, crushed or flaked, then in order to be called whole grain, it must retain nearly the same relative proportions of bran, germ and endosperm as the original grain."

European Health Claims Proposal

Salmon labelling

Canthaxanthin (E 161g) is added to fish feed intended for farmed salmon and trout and poultry to enhance the colour of egg yolks.

In 1999, the UK's Food Advisory Committee and Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment, has agreed that the use of canthaxanthin in feed is of no food safety concern.

At its December 2001 meeting, the European Commission's Standing Committee on Food considered whether ingredients used in animal feed to colour the final product should be indicated on food labels. Most Member States, including the UK, supported the view that this should be required.

European Health Claims Proposal

- Salmon are carnivorous and are fed with fishmeal. It takes about three or four pounds of fish to make one pound of fishmeal, using more to produce less. The wild salmon is firmer, it's tastier, it's less polluted according to fish experts, but the general public does not see the differences.
- The consumer have a better understanding of the differences between wild and farmed salmon. A clear labelling is necessary.

European Health Claims Proposal

- The *Science* study (January 9, 2004 issue) found much higher rates of contaminants such as PCBs in farmed salmon than in wild salmon.
- Some claim the diet of farmed fish must change, to reduce contaminants and cut down on overfishing of other species to feed salmon.
- Labelling that the salmon was fed with vegetarian feed would be a good marketing coup and would do a lot to reduce depleting of the ocean.
- Labelling with information about the production method (e.g. whether the fish has been caught at sea or in inland waters, or farmed) and the catch area of salmon are required since 2002.