

## **Which foods may carry nutrition and health claims? EFSA provides scientific advice to assist policy makers**

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The Nutrition (NDA)[1] Panel of Europe's food safety watchdog delivered today scientific advice to assist the European Commission and Member States in defining nutrient profiles -- conditions concerning the nutrient content of foods -- for foods bearing nutrition and health claims. The Panel has defined scientific criteria that could be utilised by EU policy makers in assessing which foods may carry nutrition and health claims. The Panel concluded that the main scientific consideration in establishing nutrient profiles is the potential of a food to adversely affect overall dietary balance, as defined by nutrient intake recommendations. The dietary role of different food groups must also be taken into account and the nutrient profiles should be consistent with food-based dietary guidelines established in EU Member States.

EFSA is developing a new tool to test different nutrient profile scenarios - a tailor-made food composition database compiled in co-operation with Member States and industry. EFSA will continue to provide scientific advice on the use of this database by the European Commission and Member States in establishing a nutrient profile scheme by January 2009.

The Regulation on Nutrition and Health Claims on Foods[2] requires that foods bearing nutrition and health claims must meet certain nutritional requirements or so-called "nutrient profiles." These profiles will also help ensure that consumers who utilise claims to guide healthy diet choices, and who may perceive foods bearing claims as having a nutritional or health advantage, are not misled as to their overall nutritional value.

### ***Critical nutrients for public health***

The NDA Panel recommended that the choice of nutrients to be included in nutrient profiles should be driven by their public health importance for EU populations. These nutrients include saturated fat, sodium, dietary fibre and unsaturated fat, intakes of which generally do not comply with nutrient intake recommendations in many Member States. Unsaturated fat might not be needed if saturated fat is included. The use of dietary fibre might be limited to certain food groups, e.g. cereal products. *Trans* fatty acids might be included but are of decreasing public health importance as intakes in EU have declined considerably. The public health importance of sugars relates in particular to patterns of consumption of certain food products, and total sugar content might be included for particular food groups (e.g. beverages and products such as confectionery that might be consumed with a high frequency). Depending on the scheme adopted, energy density or total fat, as well as other nutrients of public health importance, might also be considered.

The Panel also underlined however that the total number of nutrients included would have to be limited to avoid overly complex nutrient profiles.

### ***Possible exemptions for key foods in the diets of EU consumers***

Among the different options evaluated, the NDA Panel considers that a nutrient profiling scheme could be applied across all foods with a limited number of exemptions for specific food groups that play an important role in the diets of population groups in Member States. These exemptions, if necessary, could take the form of specific profiles to ensure that some food products in these groups are eligible to bear claims. These food groups are recognised in food-based dietary guidelines established in Member States and include: vegetable oils; spreadable fats; dairy products; cereals and cereal products; fruits and vegetables and fruit/vegetable products; meat and meat products; fish and fish products; and non-alcoholic beverages. (For example, vegetable oils, which could be excluded from making claims as they are 100% fat also provide mono and polyunsaturated fatty acids that are important for a balanced diet). The NDA Panel underlined that consideration should be given to differences in the dietary role and importance of food groups across Member States owing to the variability of dietary habits and traditions.

### ***Expert judgment will be required***

The NDA Panel emphasizes in its Opinion the scientific limitations inherent in the use of nutrient profiles to classify foods as eligible to bear claims and the need for expert judgment to be applied. The basis for expert judgments needed to address such limitations should be transparent in order to avoid variable outcomes.

### ***Setting the profiles: work in progress***

The setting of nutrient profiles is the responsibility of EU risk managers and ultimately, not all foods will be eligible to carry nutrition and health claims. EFSA is currently setting up in co-operation with the Member States and the food industry, a specific food composition database that will be utilised by risk managers to evaluate various nutrient profiling schemes and ultimately to set the profiles which will determine which foods are eligible to bear nutrition and/or health claims. EFSA will continue to provide scientific advice on the use of this database by the European Commission and Member States to test different options in establishing a nutrient profile scheme by January 2009.

The NDA Panel's opinion providing scientific advice on the setting of nutrient profiles for foods bearing nutrition and/or health claims can be found on the EFSA website at: *(add link)*

Further information on the Regulation on nutrition and health claims can be found on the website of the European Commission Directorate General for Health and Consumer Protection (DG SANCO) at:

[http://ec.europa.eu/food/food/labellingnutrition/claims/index\\_en.htm](http://ec.europa.eu/food/food/labellingnutrition/claims/index_en.htm)

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### **Notes to editors:**

The NDA Panel was also asked by the European Commission to provide recommendations as to the reference quantity of food, threshold and/or scoring systems and the approach to testing to be utilized in setting nutrient profiles.

- Nutrient profiles are related to a “**reference**” **quantity of food**, expressed per portion, by weight/volume (e.g. per 100g or 100ml), or on an energy basis (e.g. per 100 kcal or 100kJ). The NDA Panel has outlined the advantages and disadvantages of the different approaches and recommends that the selection of a suitable reference quantity should be based on pragmatic considerations related to the needs of the particular nutrient profile scheme. (For example, expressing nutrient content per 100g or 100 ml might make it difficult to compare products with different water contents; for instance, fat in milk as compared to that contained in cheese or fibre in a cooked cereal as compared to a dry cereal. This is more of an issue for nutrient profile schemes applied to food in general, that is where the same profile is applied to all foods, than for category-based schemes).
- **Testing** the suitability of a nutrient profile scheme to classify foods appropriately as being eligible to bear nutrition and/or health claims requires a database of energy and nutrient contents of a range of foods (as purchased) on the EU market. The EFSA database includes over 500 different foods selected from over 20.000 foods described in food composition databases from 6 EU countries along with additional data provided by the food industry. It provides nutrient content information for 35 macro- and micronutrients. The database will be interrogated to identify foods that are (i) eligible to bear health claims (comply in full with the nutrient profile), (ii) eligible to bear nutrition claims (comply with the nutrient profile except for one nutrient) or (iii) ineligible to bear a nutrition or health claim.

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