Traditional Foods and the EU Regulation on Nutrition and Health Claims

Dirk Jacobs
Director Consumer Information, Diet and Health

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Figures of the European Industry

The EU food and drink industry in 2010

**Turnover**
- €956.2 billion
  - Largest manufacturing sector in the EU (16.0%)

**Employment**
- 4.1 million people
  - Leading employer in the EU manufacturing sector (14.6%)

**SMEs**
- 48.7% of food and drink turnover
- 63.0% of food and drink employment

**External trade**
- Exports €65.3 billion (+21.5% compared to 2009)
- Imports €55.5 billion (+9.3% compared to 2009)
- Trade balance €9.8 billion
  - Net exporter of food and drink products

**Number of companies**
- 274,000
  - Fragmented industry

**Value added**
- 2% (of EU GDP)
  - Slight increase

**Consumption**
- 13% (of household expenditure)
  - Stable

**EU market share in global exports**
- 17.8% (20.4% in 2000)
  - Shrinking share in global markets

**R&D**
- 0.38% (of food and drink output)
  - Stable

Note: (1) 2009 data
(2) 2007 data
FoodDrinkEurope Membership

National federations (26, including 3 observers)
- E.g.: FDF (UK), ANIA (FR), BLL (DE), FNLI (NL), Federalimentare (IT), PFFI (PL), FIAB (ES), FEVIA (BE) etc.
- Observers: Croatia (TUP), Norway (NHO), Turkey (TGDF)

EU level sector associations (25)
- E.g.: Processed meat (CLITRAVI), Breakfast cereals (CEEREAL), Dairy products (EDA), Chocolate, Biscuits and Confectionary (CAOBISCO), Spirit drinks (CEPS), Snacks (ESA), Soft drinks (UNESDA),…

Large companies (18)
- E.g.: Barilla, Coca Cola, Cargill, Danone, Ferrero, Heineken, Kraft, Mars, PepsiCo, Unilever, Heineken, Nestlé
Europe is known for its diversity and quality of its foods and drinks, which derives from its natural environment, farming methods and a fine cookery developed over centuries.

Europe’s traditional foods and drinks are not only of crucial economic importance, but it also plays a major role in the cultural identity of Europe's people and regions.
Definition of Traditional Foods

Complex notion:

• Legislative definition (Regulation 509/2006):
  "Traditional’ means proven usage on the Community Market for a time period showing transmission between generations. This time period should be the one generally ascribed to one human generation, at least 25 years."

• Consumer driven definition of traditional food (TrueFood Integrated project, 2007):
  "A traditional food product is a product frequently consumed or associated to specific celebrations"
Legislative Instruments aimed at Protecting and Promoting Traditional Foods

**EU ‘quality logos’**

**PDO logo** when a product has proven characteristics which can result solely from the terrain and abilities of producers in the region of production with which it is associated.

**PGI logo** when a product has a specific characteristic or reputation associating it with a given area, and at least one stage in the production process is carried out in that area.

**The Traditional Speciality Guaranteed (TSG) logo** is used for products with distinctive features and which either have traditional ingredients or are made using traditional methods.
Indication of the country of origin/place of provenance of a food is mandatory:

- When this is required by vertical legislation (e.g., beef, honey, olive oil, fresh fruit and vegetables etc)
- For swine, sheep, goat meat (fresh, chilled or frozen)
- Where failure to indicate this might mislead the consumer as to the true origin of the food

Source: Regulation (EU) 1169/2011 on the provision of food information to consumers

• The European Commission will analyze the feasibility of extending this obligation to other foods by means of impact assessment reports (milk, dairy products, single ingredient products etc.)
• The European Commission will set rules on voluntary origin labelling
• In 2012, over 1,000 agricultural and foodstuffs names (wines and spirits excluded) are registered as PDO or PGI in the EU register.

• 24 EU Member States have names registered (only Malta, Estonia and Latvia do not have registered names) and 3 third countries (China, Columbia and India)

• In 2007, PDO and PGI (excluding wines and spirits, but including beer) had an estimated wholesale...
Role of Traditional Foods in the EU-5

Source: European Commission, DG AGRI
Role of Traditional Foods in the EU Economy

Source: European Commission, DG AGRI
Regulation (EU) No. 1924/2006 on nutrition and health claims made on foods is often not considered as a tool aimed at protecting and promoting traditional foods. However, might nutrition and health claims play a role as well in promoting traditional foods?
Regulation (EC) 1924/2006 on Nutrition and Health Claims

- Regulation (EC) No 1924/2006 lays down the requirements that must be complied with when making nutrition and/or health claims on foods
- The Regulation entered into force on the 1st July 2007
- It applies to nutrition and health claims made in all commercial communications - labelling, presentation or advertising - of foods to be delivered to the final consumer
Nutrition claims mean any claim which states, suggests or implies that a food has particular beneficial nutritional properties due to:

- **the energy (calorific value) it**
  - (i) provides;
  - (ii) provides at a reduced or increased rate;
  - (iii) does not provide; and/or
  - (iv) contains;

- **the nutrients or other substances it**
  - (i) contains in reduced or increased proportions;
  - (ii) does not contain.

Check the authorised nutrition claims and their conditions of use in Annex I of Regulation 1924/2006.
‘Health claim’ means any claim that states, suggests or implies that a relationship exists between a food category, a food or one of its constituents and health.
**Article 13.1 health claims (‘General function claims’)***

Health claims describing or referring to:

(a) the role of a nutrient or other substance in growth, development and the functions of the body; or

(b) psychological and behavioural functions; or

(c) slimming or weight-control or a reduction in the sense of hunger or an increase in the sense of satiety or to the reduction of the available energy from the diet

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Traditional Food International (TFI 2012)

- ‘Calcium contributes to normal blood clotting’
- ‘Reducing consumption of sodium contributes to the maintenance of normal blood pressure’

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Traditional Food International (TFI 2012)
Article 13(5) health claims

Claims based on newly developed scientific evidence and/or which include a request for the protection of proprietary data.
**Article 14 health claims**

**a. Reduction of disease risk claims**

*Plant sterols and plant stanol esters have been shown to lower/reduce blood cholesterol.*

*High cholesterol is a risk factor in the development of coronary heart disease.*

**b. Claims referring to children's development and health**

*‘Calcium and vitamin D are needed for normal growth and development of bone in children’*
Art. 13.1 Health Claims

- Generic claims
- Time of the process is **determined**
- **No direct contact** between applicant and EFSA
- **One list** of authorised Art. 13.1 health claims
Art. 13.5 and Art. 14 Health Claims

- Application-specific claims:
  - ‘New scientific evidence’ claims (Art. 13.5)
  - ‘Disease risk reduction’ claims or ‘children-related’ claims (Art. 14)
- Time of the process is non-determined (application possible \textit{at any moment})
- Direct contact between applicant and EFSA
- Multiple Decisions on the authorisation of Art. 13.5/14 health claims
In 2005, before guidance was forthcoming from EFSA and the Commission, FoodDrinkEurope took the initiative and developed a coordinated industry list with ERNA, EHPM and EBF of Article 13.1 health claims;

Final Industry list including 776 health claims was then sent, via the Member
An unexpected amount of +44,000 health claims were submitted (many duplications)

Delays in the process – EFSA publishes in batches, European Commission takes out ‘botanicals’, some claims under ‘further assessment’
16 May 2012: the list of 222 Article 13.1 ‘general function’ claims was adopted following approval by the EU institutions (European Commission, Council and the European Parliament)\(^1\)

\(^1\) Commission Regulation (EU) 432/2012 (date of application: 14 December 2012)

However, for some claims a decision has not been taken yet:

‘On hold’: e.g. claims on caffeine, fructose, EPA/DHA
Nutrition claims: some history

- Only the nutrition claims listed in the Annex to Regulation 1924/2006 are permitted.

- The Annex was amended on February 2010: 5 nutrition claims were added to the list.

- On February 2011 a proposal for amending the Annex was rejected by the EP (mainly against the claim “now contains X% less”), but a
Why are health and nutrition (health/nutrition) properties of a food:

- They encourage balanced diets and healthier lifestyles;
- They boost innovation and foods reformulation, encouraging the industry to further invest in R&D and technology;
- They allow food business operators to communicate to consumers the improvements they have made to a recipe.
‘Health and nutrition claims can barely be made on traditional foods. They are mainly intended for highly processed and innovative foods’

...is this really true???
EU accounts for 73% of the olive oil world production

Spain, Italy and Greece account for about 97% of EU olive oil production

96 Italian, Greek and Spanish olive oils with PDO

‘Olive oil polyphenols contribute to the protection of blood lipids from oxidative stress’

Spain, Italy and Greece account for around 80% of EU consumption

Some examples of health claims on traditional foods:

- 8% of the cheese produced in the EU (i.e. 3 to 4% of world production) is protected.
- Cheese accounts for 37% of total turnover for PDO/PGI agricultural products.
- Many cheeses (Grana padano, Feta, Queso manchego...) fulfil the conditions for bearing claims on calcium (more than 120 mg/100g, corresponding to 15% of the RDA).

Following EFSA’s opinion, 8 health claims on calcium have been authorised, e.g.:

Source: DG AGRI, Newsletter 2010, ‘PDO and PGI Agricultural Products: A 14.2 billion euro turnover’
Some examples of health claims:

- Scottish farmed salmon and cornish sardines are amongst the fish products having obtained a IGP.

  ‘ALA contributes to the maintenance of normal blood cholesterol levels’

- Those foods are naturally rich in ALA, substances for which claims have been authorised by the Commission, following EFSA’s opinion.
Several traditional foods may be eligible for bearing the authorised nutrition claims, as listed in the Annex to Regulation (EC) 1924/2006

**Some examples:**

- The “Arancia rossa di Sicilia”, an Italian product with IPG, notably rich in Vitamin C and then eligible for the nutrition claim “source of vitamin C” or “high in Vitamin C”

- The Italian “Lenticchia di Castelluccio di Norcia”, the Spanish “Lenteja de La Armuña” or the French “Lentilles verts du Berry”, three other products with PGI, which
Innovation in traditional foods is key:

- for ensuring the safety of those products
  Consumers demand products which are absolutely safe, while keeping their sensory and quality characteristics.

- Consumer communication about the beneficial properties and reformulation/innovations is key
  There may be a consumer demand for foods which, while preserving their taste and traditional composition, have beneficial effects on diet and health.
Conclusions

Health and nutrition claims made on traditional foods:

- Allow food business operators to communicate about the health ‘value added’ of a number of traditional foods
- Allow consumers to enjoy benefits deriving from innovations and reformulation of traditional foods aimed at answering to consumers expectations
- Help in maintaining the local and regional tradition,
Thanks for your attention!

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