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Beneficial health substances from berries and minor crops –

- How to increase their concentration in cultivated species, eliminate losses in processing and enhance dietary use

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Introduction to the current EU regulation on health claims, with special reference to berries.

Sarkkinen Essi, Ph.D., Oy Foodfiles Ltd (CRO in nutrition), Neulaniementie 2 L 6, 70210 Kuopio, Finland, tel. +358 17 2881270, fax +358 17 2881269, essi.sarkkinen at foodfiles.com

New EU regulation (1924/2006) on nutrition and health claims made on foods has entered into force on January 2007 and it shall apply from first July 2007. Key objectives of the regulation are to protect consumer from misleading marketing information and to ensure functioning of the internal market and to protect innovations.

In the regulation claims are divided into two main categories: nutrition and health claims. Furthermore health claims are of two levels: A) claims referring to growth, development and the functions of the body, to psychological and behavioural functions or to reduction in the sense of hunger/an increase in the sense of satiety B) reduction of disease risk claims and claims referring to children's development and health.

In the future only claims that are positively pre-evaluated by EFSA are allowed to be used in commercial communication (all means). The Commission will have a register of approved and allowed health claims. Health claims could end up to the Register by two principal route: 1) generally accepted claims collected by Members States and submitted for evaluation by EFSA through Commission or 2) by application submitted by stake holder to the competent authority of one Member State and forwarded for evaluation by EFSA. First process has started in many EU countries.

Criteria and list of approved nutrition claims are given in the appendix of regulation and the principles for their use as well. However EFSA could be consulted to update this list if needed.

There are three main aspects that are critical also concerning intended health claims in berry products.
Regulation applies to all food delivered as such to final consumer including dietary supplements i.e tablets, capsules and pills containing berry ingredients.

Presence of clinical trials will be emphasized while documentation behind the health claims are evaluated. The stronger the product specific claim the stronger should the product specific documentation be.
Claims are only allowed in food product that meet settled nutrient profile. Profiles are still open and will be settled by EFSA within one year. Settled profile will include criteria for fat, saturated fatty acids and trans fatty acids, salt/sodium and sugars.

In addition, there are number of claims that are restricted as such in the regulation like referring to rate or amount of weight loss, use of health claims in alcohol products and use of recommendation or suggestions of individual health professionals in the marketing. Finally, the consumer aspect is taken into account in the regulation by many ways: health effect are assumed to appear with amounts of foods ordinary used in the diet, claims should be clear and expected to be understood by average consumer.

Altogether, regulation will uniform the use of health claims also in berry products in EU and will hopefully increase the awareness on established health benefits of berries.

References:
Corrigendum to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods. Oj L12/3-17.

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