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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 16 APRIL 2018
(Section *General Food Law*)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/4df80c63-e4fd-449e-bc44-da5e7dabdde8>

A.01 Exchange of views and consultation of the Committee on five health claims related to "L-carnitine and contribution to lipid metabolism" (Question EFSA No Q-2017-00564), to "Black tea and endothelium-dependent vasodilation" (Question EFSA No Q-2017-00419), to "NWT-02 and loss of vision" (Question EFSA No Q-2017-00539), to "Glycaemic carbohydrates and improvement of physical performance" (Question EFSA No Q-2017-00621) and to "Xanthohumol in XERME® and protection of DNA from oxidative damage" (Question EFSA No Q-2017-00606) pursuant to Regulation (EC) No 1924/2006 (Art. 13(5) of Regulation (EC) No 1924/2006).

As provided for in Article 18(1) of Regulation (EC) No 1924/2006, Member States were consulted on five health claims provided for in Article 13(5) of that Regulation, for which the European Food Safety Authority (EFSA) published its opinions in December 2017/January 2018.

More specifically, the applications subject to this working document relate to the effects of:

- L-carnitine and contribution to lipid metabolism
- Black tea and endothelium-dependent vasodilation
- NWT-02 and loss of vision
- Carbohydrate solutions and improvement of physical performance during high-intensity and long-lasting exercise
- Xanthohumol in XERME® and protection of DNA from oxidative damage

The Commission presented the working document and the health claims therein. Some comments were raised by certain delegations on the health claim on L-Carnitine in relation to the conclusions in the EFSA opinion and on the possible authorisation of the health claim on carbohydrate solutions in the context of Regulation (EC) No 1924/2006 which specifically targets sports people, and the conditions of use to be set.

The Commission reminded that in the context of Regulation (EU) No 609/2013 with regard to food intended to meet the expenditure of intense muscular effort, especially for sportspeople, it was decided that specific provisions should not be developed at that stage and meanwhile on the basis of requests submitted by food business

operators, relevant claims should be considered for authorisation in accordance with Regulation (EC) No 1924/2006.

All matters will be referred for further discussion at experts' level.

A.02 Labelling of alcoholic beverages: self-regulatory approach submitted by the alcoholic beverages sector.

The Commission recalled the conclusions of its report of 2017 on labelling of alcoholic beverages. Furthermore, the Commission informed the delegations that, on 12 March 2018, the alcoholic beverages industry submitted a self-regulatory proposal to the Commission. The Member States were also briefed about its main outlines and invited to exchange their views on the industry proposal.

Ten delegations took the floor to give their first feedback and raised some questions on the content of the industry proposal and timeline for the next steps in the process. Six Member States expressed their strong reservations on the level of the commitments announced by the sector. In particular, Member States stressed that the list of ingredients and nutrition information are key information for the consumers to make informed and healthier food choices and therefore this information should always be present on the label and not off the label. Some delegations have expressed their disappointment that the proposal is not uniform for all sectors concerned and noted that, consequently, legal provisions are needed. Questions were also raised regarding the starting date of the application of the self-regulatory proposal and the level of adherence of the individual operators. Finally, one delegation asked whether the scope of the industry proposal also covers the alcopops.

The Commission took note of all comments and informed that the self-regulatory approach is currently assessed by the Commission. The ongoing evaluation will consider all aspects of the proposal and look into, in particular, what is the level of adherence of the sector concerned and whether the commitments meet the objectives pursued by the food information to consumers Regulation and the Commission's report on the matter. It has also been explained that the assessment will involve different services of the Commission and the matter would be discussed at College level.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food.

The Commission recalled that the draft was presented to the Committee on 20 March 2018 where no vote was taken given that several Member States had asked for more time to finalise their positions. Furthermore, the delegations were informed that the Commission took into account the concern of some Member States related to the transitional period and the new draft proposed to extend it accordingly.

The Commission also committed that shortly after the adoption of the Implementing Act, work will start in the context of the relevant working group for the update of the existing Q&A document on Regulation (EU) No 1169/2011 in order to facilitate uniform application of the new rules. This exercise should be finalised at the latest six months before the entry into application of the Implementing Act.

Member States welcomed the extended transitional period as well as the Commission's commitment to work on the interpretation document. One Member State proposed a modification of Article 1 of the draft Regulation which was agreed by all delegations and therefore, included by the Commission to the draft as submitted for vote.

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health.

This draft Commission Regulation was submitted to the Standing Committee in accordance with Article 18(5) of Regulation (EC) No 1924/2006. It aims at refusing to authorise the use of seven health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health, pursuant to Article 13(5) of Regulation (EC) No 1924/2006.

More specifically, the applications subject to this draft measure relate to the effects of:

- Stablor®, a drink preparation with defined macro- and micronutrient composition and specific proportion of amino acids (tryptophan to neutral amino acids ratio) and the contribution to decrease visceral fat while preserving lean mass in overweight or obese subjects with abdominal fat and cardiometabolic risk factors.
- Curcumin contributes to the normal functioning of joints.
- A carbohydrate:protein (CHO:P) ratio ≤ 1.8 on an energy basis in the context of an energy-restricted diet and body weight helps to achieve a reduction in body weight and body fat when consumed as part of an energy restricted diet ($< 8,368$ kJ/2,000 kcal/day) for a minimum of 12 weeks.
- Vibigaba (germinated brown rice) in the context of an energy-restricted diet contributes to weight loss.
- Vibigaba (germinated brown rice) contributes to the maintenance of normal blood glucose levels.
- Vibigaba (germinated brown rice) contributes to the maintenance of normal blood pressure.
- Vibigaba (germinated brown rice) contributes to the maintenance of normal blood cholesterol levels.

The European Food Safety Authority (EFSA) gave an unfavourable opinion to these health claims and accordingly they should not be authorised. The Commission presented the draft and the health claims therein.

There were no comments or observations by the delegations in the substance of the draft measure.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Regulation refusing to authorise certain health claims made on foods and referring to the reduction of disease risk.

This draft Commission Regulation was submitted to the Standing Committee in accordance with Article 17(3) of Regulation (EC) No 1924/2006. It aims at refusing to authorise the use of three health claims made on foods and referring to the reduction of disease risk, pursuant to Article 14(1) of Regulation (EC) No 1924/2006.

More specifically, the applications subject to this draft measure relate to the effects of:

- Condensyl® Max decreases sperm DNA damage.
- Sugar-free hard confectionery with at least 90% erythritol reduces dental plaque.
- *Lactobacillus fermentum* CECT 5716 decreases the Staphylococcus load in breast milk.

The European Food Safety Authority (EFSA) gave an unfavourable opinion to these health claims and accordingly they should not be authorised. The Commission presented the draft and the health claims therein.

There were no comments or observations by the delegations in the substance of the draft measure.

Vote taken: Favourable opinion.

C.01 Exchange of views of the Committee on a draft Commission Regulation refusing to authorise a health claim made on foods and referring to children's development and health.

This draft Commission Regulation was presented to the Standing Committee in accordance with Article 17(1) of Regulation (EC) No 1924/2006. It aims at refusing to authorise the use of a health claim made on foods and referring to children's development and health, pursuant to Article 14(1) of Regulation (EC) No 1924/2006.

More specifically, the application subject to this draft measure relates to the effects of Nutrimune® and supports the immune defence in the gastrointestinal and upper respiratory tract of young children.

There were no comments or observations by the delegations in the substance of the draft measure. The measure will be submitted for possible opinion in a further Committee.