

Calorie Control Council

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Memorandum

TO: Sanco.foodclaims@cec.eu.int

RE: Discussion Paper on
Nutrition Claims and Functional Claims
Prepared by Directorate General Health and Consumer Protection
(SANCO D4)
European Commission
http://europa.eu.int/comm/dgs/health_sonsumer/index_en.htm

FROM: Lyn O'Brien Nabors
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DATE: July 16, 2001 (sent via email)

The Calorie Control Council (the "Council") is an international association of manufacturers of low-calorie, "light," diet and sugar-free foods and beverages, including manufacturers of a variety of sweeteners as well as other reduced and low-calorie ingredients used in those foods. The Council is, therefore, interested in the Discussion Paper on Nutrition Claims and Functional Claims, prepared by Directorate General Health and Consumer Protection. Please consider the following comments on the discussion paper.

The paper's "Annex," "Claims and conditions warranting the claims for different nutrients (and other substances)," states that under Codex the standard for "sugar(s)-free/without sugar(s)" is "no more than 0.2g per 100g or 100ml." This information is not correct. In fact, the Codex regulation for sugar-free is actually "not more than 0.5g/100g or 100ml for residual sugars (Codex Alimentarius Commission, Food Labelling – Complete Texts, Revised 1999; Guidelines for the use of nutrition claims, page 43, Joint FAO/WHO Food Standards Programme, Rome, 1999). It is our understanding that in most EU member states the Codex standard is used as a guideline and we are uncertain what is meant by the "Conditions of use in some Member States: The product contains no sugars, similar products may contain sugars; The product does not contain any kind of sugar."

Reducing the limit below 0.5 percent sugars does not change the physiological properties of a product. The consumer gets what he/she expects from a nutritional point of view and is not misled if small residues (e.g., 0.5%) are detectable from an analytical point of view. From a technical point of view it is unavoidable that small residual amounts of sugars stay in the final product. In most products labeled sugar-free, polyols are used as the main ingredient to replace sugar. Polyols are made from starch or sugar. Small residual amounts of mono-, di- and/or oligosaccharides that are not hydrogenated are unavoidable. This is covered by polyol specifications for identity and purity (max. 0.3% sugars for most polyols).

In addition, other ingredients (e.g., milk, flavors, butter, etc.) are sources of small amounts of residual sugars. From a technical/application point of view, extremely low limits for residual sugars are not manageable and place an unreasonable burden on suppliers of flavors and sweeteners as well as on manufacturers of sugar-free products without adding value to the final product.

From both a harmonization and a practical standpoint, we urge the European Commission to adopt the Codex Alimentarius 0.5g/100g and 0.5g/100 ml standard for sugar-free.