

Expert Group on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control

Summary report

Brussels, 25 September 2019

Chair: Ms Stephanie Bodenbach

1. Welcome

The Commission (COM) welcomed the experts by recalling the context of the meeting: Article 11 of Regulation (EU) No 609/2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control¹ requires the Commission to adopt delegated acts on the specific compositional and information requirements for the categories of food falling within the scope of the Regulation, including baby foods (BF) and processed cereal-based foods (PCBF). The COM explained that the main objective of the meeting was to have an exchange of views on the scientific opinion of EFSA on the appropriate age range for introduction of complementary feeding into an infant`s diet and on the indication on labels of the age from which BF and PCBF may be used.

2. Updates from the Commission

The COM informed the Expert Group of the following issues:

- For consistency and legal clarity, it is necessary to align the definition of “pesticide residues” included in the legal framework of foods for infants and young children²³ with the more precise definition provided for in the MRL Regulation (EC) 396/2005⁴. The work on this alignment will start in 2020.
- A number of dossiers on formulae manufactured from protein hydrolysates have been submitted by food business operators for assessment by EFSA with a view to request modifications to the conditions applicable to these products in Commission Delegated Regulation (EU) No 2016/127. EFSA has been asked to provide scientific advice to the COM on the applications.
- The Commission Delegated Regulation (EU) 2019/828 amending Delegated Regulation (EU) 2016/127 with regard to vitamin D requirements for infant formula and erucic acid requirements for infant formula and follow-on formula was published in the Official Journal of the European Union on 23 May 2019⁵.

¹ OJ L 181, 29.6.2013, p. 35

² Commission Delegated Regulation (EU) 2016/128 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for food for special medical purposes

³ Commission Delegated Regulation (EU) 2016/127 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding

⁴ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EE

⁵ OJ L 137, 23.5.2019,p.12

3. Presentation of the scientific opinion on the appropriate age for introduction of complementary foods

3.1 Exchange of views on the scientific opinion

EFSA presented in detail to the experts the methodology used in the scientific opinion and the scientific conclusions on the appropriate age for introduction of complementary feeding into an infant`s diet.

3.2 Exchange of views on the future risk management options

The COM presented the document sent to the Expert Group prior to the meeting to support the discussion under this agenda item.

Following the presentation, Member States were asked to share their preliminary views on the possible risk management options identified in the presented document. While many Member States were not in a position to comment on the proposed options, the majority of experts who took the floor were in favour of a labelling provision in the future delegated act on the introduction of BF and PCBF into the infants` diet from 6 months of age. It was argued that such a requirement would be better in line with the international recommendations, including inter alia the six-month exclusive breastfeeding recommendation of WHO, and with the rules on the use of follow-on formula. The indication on label that any exception to the six-month age requirement should only be made based on the health care professionals` advice was also widely supported. As explained, such statement would allow the use of BF and PCBF before 6 months of age in case it is justified based on the individual infant`s specific growth and development needs.

The COM invited Member States` experts to send their comments and official positions on the abovementioned points in writing following the meeting.

4. AOB

Upon request of a Member State, the COM clarified that milks for young children can not be classified as baby foods, as Article 2(f) of Regulation EU (No) 609/2013 excludes “milk-based drinks and similar products intended for young children” from the definition of baby foods. Upon request of the same Member State, the COM also explained that “vegetable oils and fats, destined for the production of BF and PCBF for infants and young children” can not be considered as BF and/or PCBF as such oils are not marketed for infants and young children but used only as ingredients for the industrial production of the final product.

Following the request of another Member State, the COM explained the procedure to be followed to permit the use of a new protein source in infant and follow-on formula.