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From: Bryan Hanley [mailto: BHanley@LFRA.co.uk]

Sent: mardi 10 juillet 2001 16:44

To: SANCO MAILBOX

Subject: SANCO/1341/2001

I tried to send this to sanco.foodclaims@cec.eu.int but it was rejected.

I hope you can redirect it to the appropriate person.

Discussion paper on Nutrition Claims and Functional Claims

There are a number of points related to the above document which bear consideration.

Para 8 'A claim that is not understood is completely useless' This is not necessarily absolutely true. An incompletely understood claim can still be valuable. For example, a consumer may not understand why folic acid can protect against neural tube defects and it is not necessary that they do.

What is more important is that a claim should be unambiguous.

Paras 24 and 25 This is a source of considerable confusion and is not easily explained. Perhaps it would be simpler to only make claims when ingestion of the dietary constituent has a measureable physiological effect. This brings in the whole question of biomarkers of exposure and effect.

Paras 37-39 It is difficult to make clear distinctions between the beneficial effects of a nutrient on certain normal bodily functions and protective effects. It could easily be argued that lipid oxidation is a normal bodily function and that antioxidants are therefore preventing a normal bodily function. This may seem tendentious but can we say for sure that prevention of lipid oxidation is beneficial?

Paras 46,47 The question of scientific evidence is fraught with difficulty.

It is only really sensible to compose claims in the context of one criteria

- how strong the the link between the specific dietary component and an eventual health endpoint? (This was part of the conclusions of an EU Concerted Action on biomarkers the conclusions of which will be published in a special issue of the British Journal of Nutrition next month). The next question which leads from that is how to prove that

link. Clearly predictive (pre-clinical) biomarkers are necessary and, in order for these to be effective, there must be an understanding of the mechanistic basis of the health issue. In this context the two step, Swedish system would appear to make some sense. I hope these comments are of some use

Dr Bryan Hanley