

**ALTROCONSUMO'S POSITION  
ON DISCUSSION PAPER SANCO/1341/2001  
"Nutrition claims and functional claims"**

**Altroconsumo**<sup>1</sup> is the Italian member of the EBCU (the European Bureau of Consumers' Unions), which has already, on behalf of all the 32 consumer associations that it represents, expressed its views on the Commission's working document in a paper, EBCU/239/2001 of 17 July 2001, which reflects our own contribution and whose contents we can only endorse. However, we would like to pass on our views directly to the Commission.

On supermarket shelves and in shops generally, consumers are being offered more and more special food products. These include fortified foods that contain more vitamins, mineral salts or trace elements than their traditional counterparts, supplements of these vitamins, salts and elements, and other types of natural food supplements (such as "extracts") which are sold in various forms (pills, tablets, etc.) and which promise to produce or maintain good physical health and a sense of wellbeing.

The danger with all these products is that they make the consumer really believe they are a panacea against all our bad eating habits. There has also been a proliferation in the terms used to describe them, such as "fortifiers" or "nutraceuticals", which only make consumers even more confused and give a misleading impression as to the real nature of the products.

In the case of *fortified foods*, for example, our surveys<sup>2</sup> have shown that they are not only useless most of the time but are also more expensive than their "normal" counterparts.

*Food supplements* also pose problems concerning not only their presentation or advertising but also the safety of the doses of some vitamins and mineral salts, which may be harmful if a certain daily dose is exceeded.

The fact is, a proper diet normally provides all the nutrients that we need to be healthy, so these supplements simply increase our normal daily intake. The risk of ingesting excessive doses is even greater if fortified foods and food supplements are taken at the same time.

<sup>1</sup> At its board meeting on 14 June 2001, our association changed its name from "Comitato Consumatori Altroconsumo" to "Altroconsumo".

<sup>2</sup> We enclose the results of surveys published in Salutest No 1/95 and No 30/2001, and in Altroconsumo 102/98.

We therefore need proper information on the use of these products and their potential risks. That is why there should be uniform legislation throughout Europe. To do this, the Commission should take the initiative in drawing up common standards to ensure that these products are marketed in a proper and regulated way.

Generally speaking, given the numerous abuses in this area, we are not in favour of fortified foods. However, they might be used to compensate for nutrient deficiencies that have been clinically established in certain population groups. In this case, the legislator should draw up a list of basic foods that can be fortified to remedy these specific deficiencies, following well-defined procedures.

Promotional claims are often made stating that a standard or fortified foodstuff is able to make a sick person better, or reduces the risk of contracting a given disease such as a cardiovascular disorder. It is unacceptable that such claims are not specifically authorised in advance, as happens with dietetic products.

No advertising or presentation of food supplements, including packaging, labels or any other type of indication, should suggest in any way that the supplements can replace a healthy, balanced diet. It is even less acceptable to suggest (directly or indirectly) that they can prevent or cure a disease or speed up recovery from a disease.

As regards the definition of "claim" in relation to these products, Altroconsumo (like the EBCU) is therefore in favour of an even wider definition than that proposed by the Codex; it should include any reference or representation, irrespective of the form or means used, which implies or suggests that a food has particular characteristics relating to its nature, composition, nutritional value, production, processing, or any other quality (see points 13 and 14).

In any event, if we are to accept health claims relating to the characteristics of a fortified product, this has to be based on constantly-updated and monitored scientific evidence that must take account of general recommendations on diet and nutrition.

In addition, a claim concerning a fortified product cannot replace a proper education in nutrition because it refers to a specific product that forms only one part of a diet, whereas only the latter, taken as a whole, can be regarded as healthy or unhealthy (point 7 and 9 of the document).

To avoid the misuse of references to the health effects of vitamins, mineral salts and other components used in this kind of product, we believe that a positive list of acceptable claims should be established and that the public authorities should carry out preliminary checks and assessments on the honesty and accuracy of advertising campaigns. This will eliminate misleading claims which lead consumers to behave in certain ways and make choices that are based on erroneous beliefs (see points 6, 16 and 17).

As for nutritional information, it should be compulsory for this to be given in full so that consumers can make informed and conscious choices. However, if the intention is to make claims of a comparative nature, these should be permitted only when the product with which the comparison is being made really exists (for example, when it is claimed that a product contains no added sugar, there must be comparable products that do contain added sugar) (see points 27 to 30).

It would also be useful if the Community could produce a definition of “food supplement”, indicating what substances can be used for such products and the (minimum and maximum) doses that can be taken to ensure the product is both effective and safe.

Milan, 25 July 2001  
Altroconsumo (external relations department)