

**EPA COMMENTS TO COMMISSION DISCUSSION PAPER ON NUTRITION AND
FUNCTIONAL CLAIMS (SANCO/1341/2001)**

EPA represents the manufacturers of polyols (Xylitol, Mannitol, Maltitol, Isomalt, Lactitol and Sorbitol) in the EU. EPA is a member association of ELC (Federation of European Food Additives and Food Enzymes Industries).

We would like to thank the Commission for the opportunity to comment on the Discussion Paper on nutrition and functional claims (SANCO/1341/2001). Please find below EPA's comments concerning the Annex and in particular the claim "Sugar(s)-free/without sugar(s)" and the conditions.

Apart from their applications as set out in Directive 95/2 on food additives other than colours and sweeteners, Polyols are classified as sweeteners in Directive 94/35 on sweeteners for use in food. Many products currently on sale in the EU containing polyols make a claim such as 'sugar-free' or 'without sugar'. It is therefore important to make sure that the information in the Annex to the Discussion paper is correct. In this respect:

1. The reference to Codex is wrong. **The level in Codex is 0.5g** (and not 0.2g) per 100g or 100ml.
2. The '**Conditions in use in some Member States**' as set out in the Annex (the product contains no sugars or the product does not contain any kind of sugar) **should be clarified.**

Firstly, in most Member States Codex is used as a guideline for the claims sugar-free or without sugar.

Secondly, from a technical point of view, it is unavoidable that small residual amounts of sugar stay in the final product. Most of the polyols are made from starch or sugar. Therefore, often small residual amounts of mono-di-and/or oligosaccharides are not hydrogenated. This is covered by the specifications of the polyols (0.3% max. reducing sugars for most of the polyols).

Thirdly, other ingredients (such as milk, flavours, butter) in the final product are sources for small amounts of residual sugars.

Conclusion:

From a technical point of view, too low limits for residual sugars or no limits at all are not manageable and lay an unreasonable burden on suppliers of polyols and other sweeteners and on manufacturers of sugar free products. They would seem to result in the ban of the claim 'sugar free', which is currently used on many products on the EU market. Surely this is not the intention of the Commission.

Please contact Mrs Dionne Heijnen at the EPA Secretariat (epa@ecco-eu.com) for more information.