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**CEFS comments on the European Commission Roadmap on the Evaluation of a) Regulation (EC) No 1924/2006 on nutrition and health claims made on food with regard to nutrient profiles and health claims made on plants and their preparations and of b) the general regulatory framework for their use in foods**

CEFS, on behalf of the EU sugar producers, welcomes the European Commission's recently announced evaluation of Regulation (EC) No 1924/2006 on nutrition and health claims made on food with regard to nutrient profiles and health claims made on plants and their preparations.

CEFS previously shared concerns over the facts that nutrient profiling models are not based on scientific knowledge about diet and nutrition and that the nutrient profiling models that have been proliferating at different levels cannot protect consumers from deceptive claims.

An evaluation of the need for nutrient profiles from a policy point of view is timely given the new Regulation on the provision of food information to consumers, which requires clear information about food and drink products' contents of energy, fat, saturates, carbohydrate, total sugars, protein and salt.<sup>1</sup>

CEFS would encourage the European Commission to consider broadening the scope of the evaluation to include the case of discrepancies between risk assessment and risk management in the context of the health claims authorization decisions. Most specifically, CEFS has been surprised by the arbitrary setting of conditions of use for certain health claims, which amount to *de facto* nutrient profiles. This is for instance the case for the article 13(1) health claim "carbohydrates contribute to the maintenance of normal brain function", which was allowed only in foods that comply with the nutrition claim "low sugars" or "with no added sugars" even though EFSA, in its 2011 opinion<sup>2</sup>, did not draw any distinction between glycaemic carbohydrates. In addition, article 13(5) health claims related to glucose and energy-yielding metabolism were rejected although positively assessed by EFSA, on the ground that "*the use of such a health claim would convey a conflicting and confusing message to consumers, because it would encourage consumption of sugars*"<sup>3</sup>. The use of such *de facto* nutrient profiles in the context of health claims' conditions of use should be part of the European Commission's evaluation.

CEFS is looking forward to communicating in more details about the aforementioned points and therefore respectfully requests to be included in the stakeholders' consultation that will start in mid-2016.

*For more information, please contact [REDACTED] at CEFS Secretariat*

<sup>1</sup> Regulation (EU) No 1169/2011.

<sup>2</sup> EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA); Scientific Opinion on the substantiation of health claims related to glycaemic carbohydrates and maintenance of normal brain function (ID 603, 653) pursuant to Article 13(1) of Regulation (EC) No 1924/2006. EFSA Journal 2011;9(6):2226. [13 pp.]. doi:10.2903/j.efsa.2011.2226. Available online: [www.efsa.europa.eu/efsajournal](http://www.efsa.europa.eu/efsajournal).

<sup>3</sup> See Commission Regulation (EU) No 2015/8.