



Input into the Road Map for evaluating Regulation (EC) No 1924/2006 on nutrition and health claims made on foods

Nutrient profiles are essential to protect consumers from misleading health claims

- The main objective of Regulation (EC) No 1924/2006 (Claims Regulation) is to ensure a high level of consumer protection (Article 1).
- Nutrient profiles are essential for the Claims Regulation to achieve this aim. Without nutrient profiles health claims can be made on products high in saturated fat, sugar and salt – the main constituents of unhealthy diets – thereby misleading consumers regarding the overall health status of a product. As recital 11 of the Claims Regulation explains:

“The application of nutrient profiles as a criterion would aim to avoid a situation where nutrition or health claims mask the overall nutritional status of a food product, which could mislead consumers when trying to make healthy choices in the context of a balanced diet.”

- There is no evidence that nutritional information, mandatory on all foods from December 2016, would counterbalance the effect of front-off pack claims and accompanying marketing.

Nutrient profiles should be established, not questioned

- The European Commission has failed in its duty to establish nutrient profiles, which should have already been adopted in 2009 (Article 4).
- Nutrient profiling is not a new concept. Nutrient profiles are widely used in various countries throughout Europe and the world, by the WHO and by food manufacturers, including at European scale through the EU Pledge. There is no justification for why any complexities should have prevented the European Commission from fulfilling its legal obligation.
- It should be stressed that the Claims Regulation does not oblige food manufacturers to make a nutrition or health claim, this is a voluntary choice. Therefore no risk of economic harm exists.
- EPHA questions the rightfulness of this fitness check. The Road Map does not present evidence or convincing reasons for why nutrient profiles should stand for review.

Nutrient profiles should be finally adopted, rather than questioned.