

Final report on the scientific screening of health claims on food

BfR Opinion No. 023/2008, 15 January 2008

Food manufacturers are increasingly placing health claims on their products like “important for eyesight” or “calcium is good for bones”. These health claims generally serve advertising purposes. They state or suggest that the food is beneficial for health. Up to now however, there has been no preventive control about whether the health claims are, in fact, accurate. In order to protect consumers from erroneous claims and misleading information and to prevent unfair competition, uniform provisions have been introduced within the EU for health claims. The legal foundation is Regulation (EC) No. 1924/2006 on nutrition and health claims made on food. According to this Regulation, food manufacturers may only use health claims in future when they are contained in an EU positive list. The precondition for this is that the claim is based on generally recognised scientific evidence and is correctly understood by consumers.

One of the preconditions for the inclusion of health claims in the positive list is compliance with so-called nutrient profiles. They stipulate what amounts of the individual nutrients like proteins, carbohydrates, fat, dietary fibre, sodium, vitamins and minerals may be contained in a food without there being any expected disadvantageous effects on health. The aim is to protect consumers against foods being advertised with health claims although a specific nutrient content has been exceeded or undercut. The Member States have already prepared proposals for the drawing up of nutrient profiles and passed them on to the European Food Safety Authority (EFSA). The Federal Institute for Risk Assessment (BfR) has elaborated the German concept for the drawing up of nutrient profiles which was presented at a consumer forum (<http://www.bfr.bund.de/cd/8992>).

At the present time, health claims which are used for food, including food supplements, are being examined for inclusion in the EU positive list. The first step was for Member States to draw up national lists with proposals for scientifically validated health claims along with details of recommended intake and reference to the corresponding scientific literature. These lists will be taken over into the Community list.

For the elaboration of the German list food manufacturers were invited to submit their proposals for health claims to the Federal Office of Consumer Protection and Food Safety (BVL). Around 10,500 health claims were submitted to BVL. After examination from the angle of food law the claims were passed on for scientific examination to BfR and the Max Rubner Institute (MRI). BVL sent 2,374 health claims to BfR for screening. BfR assessed the documents submitted and classified them in the three categories “adequate”, “requires in-depth examination” and “inadequate”. For only 20% of the applications submitted, was the evidence sufficient as scientific substantiation for a health claim. BVL plans to post a report about the German list on the Internet.

This final report of BfR on the scientific screening of claims with a comprehensive description of the classification criteria and the national list of proposals for health claims drawn up by BVL were submitted to the Federal Ministry of Food, Agriculture and Consumer Protection (BMELV). The Federal Ministry passed on the German list together with the explanations on scientific screening to the European Commission which then commissioned EFSA to undertake a definitive assessment of the health claims made on food. The Community list is to be adopted at the latest on 31 January 2010 by the European Commission.

The full version of this BfR Opinion is available in German on
http://www.bfr.bund.de/cm/208/abschlussbericht_zum_wissenschaftlichen_screening_der_gesundheitsbezogenen_angaben_ueber_lebensmittel.pdf