Translating scientific advice into action

Senior Officer, Dr. Marjo Misikangas
Finnish Food Safety Authority Evira
Product Safety Unit
Reg. EC 432/2012

MS admissibility check

EFSA completeness check & Scientific assessment – 5 months

Article 13 Function claims
- Art 13.1 list
- 13.5 New evidence + proprietary data

Article 14 claims
- 14.1a disease risk
- 14.1b children’s claims

Favourable
- "fast track"
- Comitology procedure

Unfavourable

Favourable

Unfavourable

EU Register on health claims
Authorised, Non-Authorised

MS enforcement
Implementation

• Any food business operator can use authorised health claims if the conditions of use and any applicable restrictions are respected.
• Non-authorised health claims should not be used.
• National authorities control the use of claims.
• Health claims should only be made for the nutrient, substance, food or food category for which they have been authorised, and not for the food product that contains them.
Specific conditions

• Article 10(1) of the Regulation sets the principle that all health claims are prohibited unless they are:
  1) authorised by the Commission and
  2) their use complies with the provisions of the Regulation.

• Even authorised health claims may not be used unless their use fully complies with all the requirements of the Regulation.
Art 10(2) Mandatory information

a) a statement indicating the importance of a varied and balanced diet and a healthy lifestyle;

b) the quantity of the food and pattern of consumption required to obtain the claimed beneficial effect;

c) where appropriate, a statement addressed to persons who should avoid using the food; and

d) an appropriate warning for products that are likely to present a health risk if consumed to excess.
Flexibility of wording

• Some flexibility of wording of the claim is possible provided its aim is to help consumer understanding. Adapted wording must have the same meaning for the consumer as the authorised claim in the EU Register.

• In general, MS recommend that FBOs stick as closely as possible to the authorised wording of health claims. This should ensure that consumers are provided with appropriate information and it should help enforcement officers judge whether claims are being used in compliance with the law.