

# SAFEGUARDS

## CONSUMER GOODS AND RETAIL

FOOD

NO. 210/14 DECEMBER 2014

## EU UPDATES AUTHORISED HEALTH CLAIMS FOR FOOD AND NUTRITIONAL PRODUCTS

In November 2014, the European Union has announced 3 Commission Regulations amending Article 14(1) and 13(3) to Regulation (EC) No.1924/2006 of the European Parliament and of the Council as regards authorising and refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health.

The three published regulations are:

1. Commission Regulation (EU) No.1226/2014<sup>1</sup> amending Article 14(1) to Regulation (EC) No.1924/2006 of the European Parliament and of the Council as authorisation of a health claim made on foods and referring to the reduction of disease risk.
2. Commission Regulation (EU) No.1228/2014<sup>2</sup> concerning authorising and refusing to authorise certain health claims made on foods and referring to the reduction of disease risk.
3. Commission Regulation (EU) No.1229/2014<sup>3</sup> related with refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health.

The details of changes and amendments in the Commission Regulations (EU) No. 1924/2006<sup>4</sup> are shown in table 1 and 2.



<sup>1</sup> [\(EU\) No.1226/2014](#)

<sup>2</sup> [\(EU\) No.1228/2014](#)

<sup>3</sup> [\(EU\) No.1229/2014](#)

<sup>4</sup> [\(EU\) No.1924/2006](#)

TABLE 1. PERMITTED HEALTH CLAIMS

APPLICATION-RELEVANT PROVISIONS OF REGULATION (EC) NO 1924/2006	APPLICANT - ADDRESS	NUTRIENT, SUBSTANCE, FOOD OR FOOD CATEGORY	CLAIM AND CONDITION	EFSA OPINION REFERENCE
Article 14(1)(a) health claim referring to reduction of a disease risk	Lactalis B&C, ZA Les Placis, 35230 Bourgbarré, France	Monounsaturated and/or polyunsaturated fatty acids	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.331.01.0003.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.331.01.0003.01.ENG</a>	Q-2009-00458
	Abtei Pharma Vertriebs GmbH, Abtei 1, 37696, Marienmünster, Germany.	Calcium	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.331.01.0008.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.331.01.0008.01.ENG</a>	Q-2008-721 Q- 2009-00940
		Calcium and vitamin		Q-2008-721
	DSM Nutritional Products Europe AG, P.O. Box 2676, 4002 Basel, Switzerland.	Vitamin D		Q-2010-01233

TABLE 2. REJECTED HEALTH CLAIMS

APPLICATION — RELEVANT PROVISIONS OF REGULATION (EC) NO 1924/2006	NUTRIENT, SUBSTANCE, FOOD OR FOOD CATEGORY	CLAIM	EFSA OPINION REFERENCE
Article 14(1)(a) health claim referring to a reduction of a disease risk	Glucosamine hydrochloride	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.31.01.0008.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.31.01.0008.01.ENG</a>	Q-2009-00412
	Isolated soy protein		Q-2011-00784
	Plant sterols in combination with Cholesternorm@mix		Q-2009-00237
	Eicosapentanoic acid (EPA)		Q-2012-00573
	Plant stanols (as plant stanol esters)		Q-2012-00915
Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data	A combination of Tuscan black cabbage, 'tri-coloured' Swiss chard, 'bi-coloured' spinach and 'blu savoy' cabbage	<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.31.01.0014.01.ENG">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=uriserv:OJ.L_.2014.31.01.0014.01.ENG</a>	Q-2013-00574 Q-2013-00576
	A combination of red spinach, green spinach, red chicory, green chicory, green leaf chard, red leaf chard, red Swiss chard, golden Swiss chard and white Swiss chard		Q-2013-00575 Q-2013-00579
	A combination of diosmin, troxerutin and hesperidin		Q-2013-00353
	Barley soup 'Orzotto'		Q-2013-00578

The following topics are addressed in the amending regulations:

- The health claims listed in table 1 to this Regulation may be made on foods placed on the Union market in compliance with the conditions laid down in that table1.
- The health claims referred to in table 1 shall be included in the Union list of permitted claims as provided for in Article 14(1) of Regulation (EC) No. 1924/2006.
- The health claims listed in table 2 to this Regulation shall not be included in the Union list of permitted claims as provided for in Article 14(1) and 13(5) of Regulation (EC) No.1924/2006.
- The changes in this Commission Regulation (EU) shall apply from 8 December 2014.

SGS is committed to keeping you informed of regulation news and developments. Leveraging our global network of laboratories and food experts, SGS provides a comprehensive range of food safety and quality solution including analytical tests,

audits, certifications, inspections, technical support. We continually invest in our capable work testing and state-of-the-art technology to help you reduce risk, improve food safety, and quality. For further more information, please visit our website

[www.foodsafety.sgs.com](http://www.foodsafety.sgs.com).



#### FOR ENQUIRIES:

Global Competence Support Centre:  
[gcsc@sgs.com](mailto:gcsc@sgs.com)

TH-Supaporn Surawattanaboon,  
Tel: +66 2 683 0541 or  
[Supaporn.Surawattanaboon@sgs.com](mailto:Supaporn.Surawattanaboon@sgs.com)

Asia – Hong Kong,  
Tel: +852 2334 4481,  
[mktg.hk@sgs.com](mailto:mktg.hk@sgs.com)

Australasia – Perth.  
Tel: +61 (0) 3 9790 3418  
[au.cts@sgs.com](mailto:au.cts@sgs.com)

Europe – London – UK.  
Tel: +44(0) 203 008 7860  
[gb.cts.sales@sgs.com](mailto:gb.cts.sales@sgs.com)

Africa & Middle East – Turkey.  
Tel: +90 212 368 40 00  
[sgs.turkey@sgs.com](mailto:sgs.turkey@sgs.com)

Americas – USA.  
Tel: +1 973 575 5252  
[uscts.inquiries@sgs.com](mailto:uscts.inquiries@sgs.com)

[www.sgs.com/cgnr](http://www.sgs.com/cgnr)

© SGS Group Management SA – 2014– All rights reserved  
- SGS is a registered trademark of SGS Group Management SA. This is a publication of SGS, except for 3<sup>rd</sup> parties' contents submitted or licensed for use by SGS. SGS neither endorses nor disapproves said 3<sup>rd</sup> parties contents. This publication is intended to provide technical information and shall not be considered an exhaustive treatment of any subject treated. It is strictly educational and does not replace any legal requirements or applicable regulations. It is not intended to constitute consulting or professional advice. The information contained herein is provided "as is" and SGS does not warrant that it will be error-free or will meet any particular criteria of performance or quality. Do not quote or refer any information herein without SGS's prior written consent.