



The Consumer Voice in Europe

Botanicals and nutrient profiles

Letter sent to Commissioner Vytenis Andriukaitis on May 27, 2015

Contact: **Ilaria Passarani – food@beuc.eu**

Ref.: BEUC-X-2015-051 - 27/05/2015

Mr. Vytenis Andriukaitis
Commissioner
European Commission
Rue de la Loi 200

B – 1049 Brussels

Ref.: BEUC-L-2015-189/MGO/sc

27 May 2015

Re: botanicals and nutrient profiles

Dear Commissioner Andriukaitis,

I write on behalf of the European Consumer Organisation (BEUC) to share with you our views on botanicals and nutrient profiles following your message to the EU Agriculture Ministers on 13 May with regard to your intention to "*consider whether adjustments might be needed to the current rules governing the use of health claims, in particular as regards nutrient profiles and the use of health claims on the so-called botanicals*".

The Regulation on nutrition and health claims adopted in 2006 plays a key role in guaranteeing consumers are not exposed to misleading claims. It also ensures that companies which make scientifically substantiated claims can benefit from their investments.

BEUC has always been a firm supporter of the work undertaken by the European Commission and the European Food Safety Authority (EFSA) to remove unsubstantiated claims from the market and we welcome the adoption of the list of authorized claims in 2012. However BEUC's support to the Regulation is essentially linked to the notion of **nutrient profiles**. Indeed consumer organisations support the use of health and nutrition claims as long as they are only used on products with a minimum healthy profile. Without nutrient profiles health and nutrition claims can appear on confectionary, snacks, sugary beverages etc. which are high in sugar, fat or salt and can contribute to excess energy intake and drive the global obesity epidemic, especially among children.

We encourage the European Commission to uphold and reinforce the existing legislation by developing a nutrient profiling system as required by the Regulation. The ambitious and high quality set of nutrient profiles¹ to restrict the marketing of unhealthy food to kids recently published by the World Health Organization (WHO Europe) shows how different countries can work together and classify foods according to their nutritional composition for reasons related to preventing disease and promoting health.

¹http://www.euro.who.int/_data/assets/pdf_file/0005/270716/Nutrient-Profile-Model.pdf?ua=1

We also encourage the Commission to give the green light to the European Food Safety Authority (EFSA) to continue with its assessment of claims relating to **botanicals** and apply the principle "**no data, no claims**". We would be very concerned if the Commission were to make a special case for these products and allow them to bear claims based on 'traditional use' rather than providing the sound scientific evidence to justify their claims (as has been the case for all other claims). Such a move would result in consumers continuing to be misled about the purported benefits of these products and also risks opening the door to challenges from other companies whose claims have already been rejected by EFSA.

We trust the adjustments you are considering will ensure that consumers aren't misled by foods making spurious health claims and confirm the European Commission commitment towards **better regulation** and **evidence based policy making**.

We remain at your disposal for further discussion.

Yours sincerely,

Monique Goyens
Director General