



The Uses and Abuses of Negative Claims

EFFL Workshop

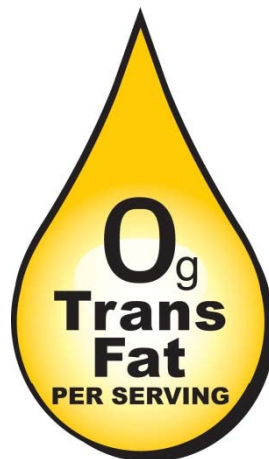
11 December

Christophe Didion

Some examples



Gluten free





Regulation (EU) No 1169/2011 on food information to consumers

Article 7 – Fair information practices

1. Food information shall not be misleading, particularly:

(a) as to the characteristics of the food and, in particular, as to its nature, identity, **properties**, **composition**, quantity, durability, country of origin or place of provenance, method of manufacture or production; ...





Regulation (EU) No1169/2011

...

- (b) by attributing to the food **effects or properties which it does not possess;**
- (c) by suggesting that the food possesses special characteristics **when in fact all similar foods possess such characteristics,** in particular by specifically emphasising the presence or **absence of certain ingredients and/or nutrients.**





Regulation (EU) No1924/2006 on nutrition and health claims

FAT-FREE: A claim that a food is fat-free, and any claim likely to have the same meaning for the consumer, may only be made where the product contains no more than 0,5 g of fat per 100 g or 100 ml. However, claims expressed as 'X % fat-free' shall be prohibited.

SATURATED FAT-FREE: A claim that a food does not contain saturated fat, and any claim likely to have the same meaning for the consumer, may only be made where the sum of saturated fat and trans-fatty acids does not exceed 0,1 g of saturated fat per 100 g or 100 ml.





Regulation (EC) No 1924/2006

SUGARS-FREE: A claim that a food is sugars-free, and any claim likely to have the same meaning for the consumer, may only be made where the product contains no more than 0,5g of sugars per 100g or 100ml.

WITH NO ADDED SUGARS: A claim stating that sugars have not been added to a food, and any claim likely to have the same meaning for the consumer, may only be made where the product does not contain any added mono- or disaccharides or any other food used for its sweetening properties. If sugars are naturally present in the food, the following indication should also appear on the label: 'CONTAINS NATURALLY OCCURRING SUGARS'.





Regulation (EC) No 1924/2006

SODIUM-FREE or SALT-FREE: A claim that a food is sodium-free or salt-free, and any claim likely to have the same meaning for the consumer, may only be made where the product contains no more than 0,005 g of sodium, or the equivalent value for salt, per 100 g

NO ADDED SODIUM/SALT: A claim stating that sodium/salt has not been added to a food and any claim likely to have the same meaning for the consumer may only be made where the product does not contain any added sodium/salt or any other ingredient containing added sodium/salt and the product contains no more than 0,12 g sodium, or the equivalent value for salt, per 100 g or 100 ml.





Regulation (EC) No 1924/2006

Article 2 – Definition

'nutrition claim' means any claim which states, suggests or implies that a food has **particular beneficial nutritional properties** due to:

- (a) the energy (calorific value) it
 - (i) provides;
 - (ii) provides at a reduced or increased rate; or
 - (iii) does not provide; and/or
- (b) the nutrients or other substances it
 - (i) contains;
 - (ii) contains in reduced or increased proportions; or
 - (iii) does not contain.





COMMISSION IMPLEMENTING REGULATION (EU) No 828/2014 on the requirements for the provision of information to consumers on the absence or reduced presence of gluten in food

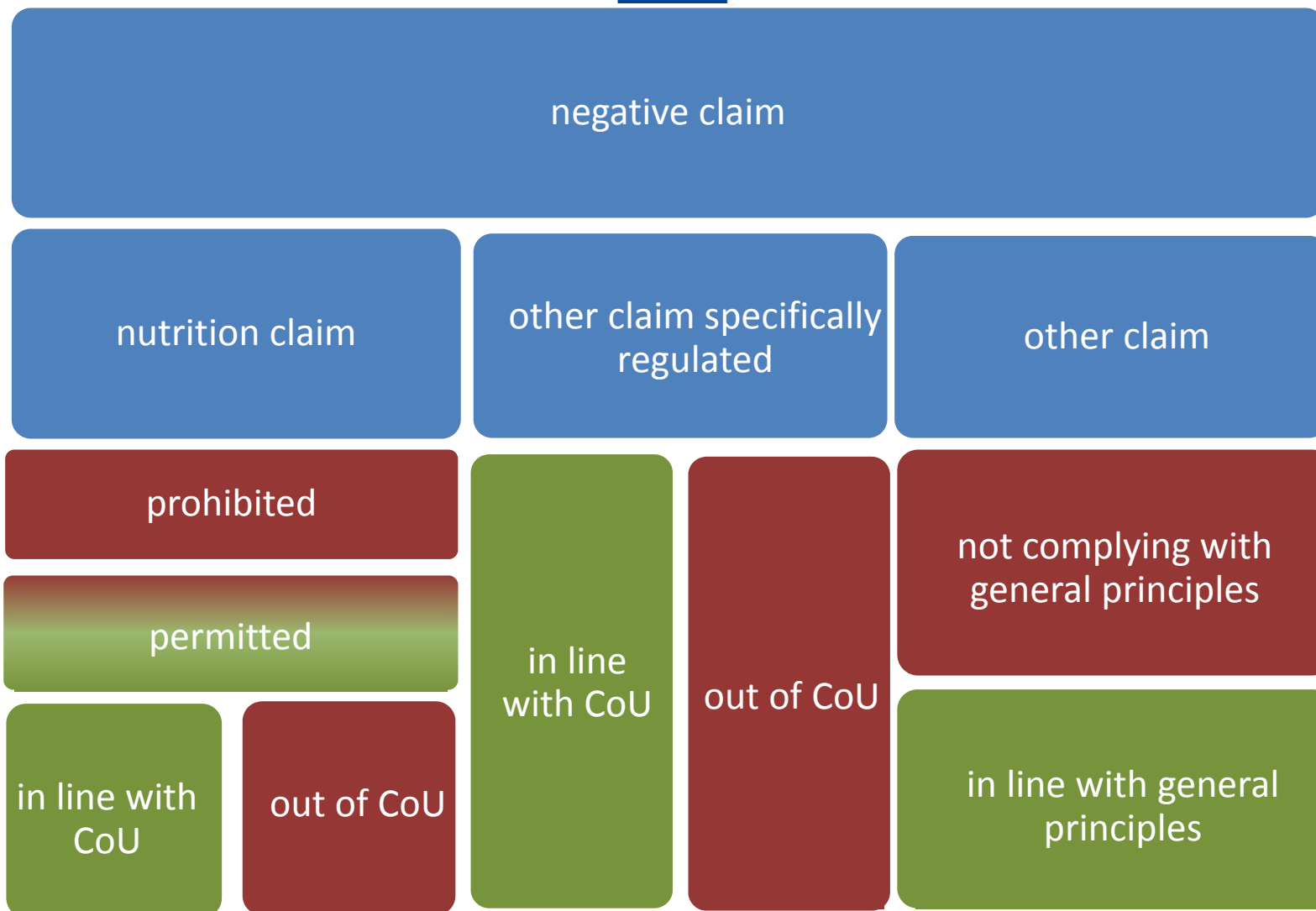
GLUTEN-FREE : The statement 'gluten-free' may only be made where the food as sold to the final consumer contains no more than 20 mg/kg of gluten.

apply from 20 July 2016





Legal status at EU level

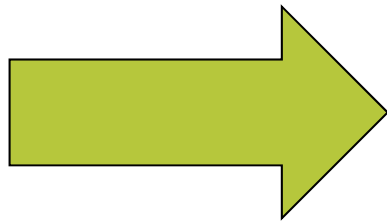


Examples

No trans fat

Trans fatty acid = nutrient

Not in the list of permitted nutrition claims

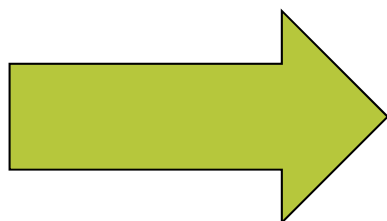


not permitted

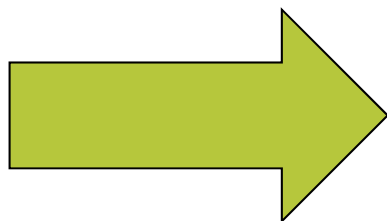
Examples

No additive

Additive = ingredient



not prohibited at EU level



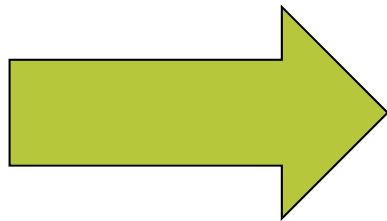
check national legislation



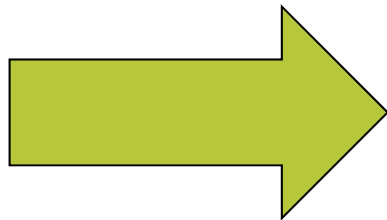
Examples

No palm oil

Palm oil = ingredient



not prohibited at EU level



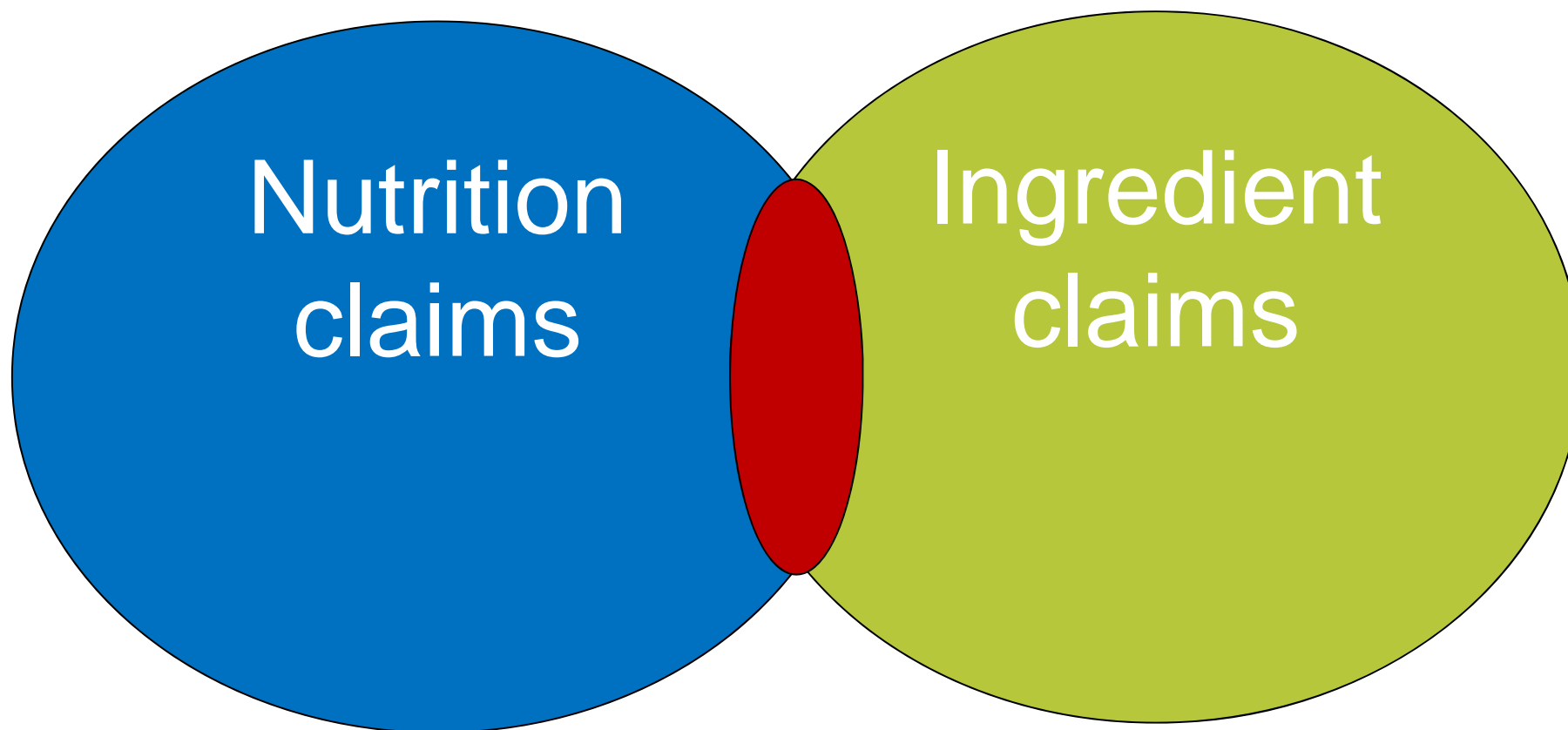
check national legislation



Context of presentation



Context of presentation





The Uses and Abuses of Negative Claims

EFFL Workshop
11 December

Christophe Didion