



FAO: Heidi Moens & Jan Wollgast
European Commission
DG Health and Food Safety
Unit D1 Science, stakeholders, enforcement
B232 02/102
B-1049 Brussels/Belgium

2 October 2018

Dear Heidi Moens & Jan Wollgast,

Regarding FOP nutrition labelling schemes

I would like to share with you the opinion of *EFAD's European Specialist Dietetic Network on Public Health (ESDN PH)* regarding **POTENTIAL ELEMENTS TO CONSIDER FOR THE DEVELOPMENT AND IMPLEMENTATION OF FRONT OF PACKAGE NUTRITION LABELLING IN THE FRAMEWORK OF THE REGULATION (EU) 1169/2011**, an issue that has been addressed, although not in detail, in the last two Joint meetings in Brussels.

FOP nutrition labelling, criteria & FIC Regulation

- ***(a) they are based on scientifically valid consumer research and do not mislead the consumer (Art 7 Fair information practices)***
 1. 100g/ml should be the reference for any colour-coding FOP scheme. Using portion size could result in reducing the presence of "red" and "amber", especially in ultra-processed products which are likely to be rich in salt, saturated fats and / or sugars, making healthy choices difficult for EU consumers.
 2. The use of nutrition claims regulated by (EU) 1924/2006 are based on 100g/ml, and we believe that there is no reason to change the criteria for the colour coding schemes, in fact the obligatory nutrition information labelling is based on the same value.
 3. EU Consumers need to be protected from the misuse of nutrient and health claims in labelling. We believe that adopting a nutrient profiling scheme as the Regulation (EU) 1924/2006 proposes, is the only way to promote a reliable and accurate use of these claims.
 4. We believe that, while health depends on the overall diet throughout the life span, the aim to make the "healthy choice, the easy choice" cannot become a reality for the majority of European consumers due to the misbalance between the exposure to ultra-processed products rich in salt, saturated fats and / or sugars and healthy foods. Therefore, health and consumer organizations are compelled to ask for preventive actions that necessarily include classifying products into categories according to their nutrient profile.
 5. The portion sizes currently suggested in some categories of foods such as breakfast cereals, snacks, chocolates, sweets, etc., are smaller than the amount that is normally



consumed at any given time. Moreover, portion sizes used for marketing purposes generally don't match with those proposed in labelling, thus promoting larger portions than those suggested, leading consumers to misunderstand the information provided.

- ***(b) their development is the result of consultation with a wide range of stakeholder groups***
 1. Member States and Stakeholders have had many opportunities to discuss front-of-pack nutrition labelling, both in formal and informal ways and various settings.
 2. There is a great body of evidence regarding the use of symbols and FOP schemes whose results show that their use facilitates consumers to make an informed and healthier choice.
 3. A public consultation for consumers would be helpful, but in any case, its results should be interpreted in the scientific evidence context and public health policies should be focussed on improving the food environment in a way that promotes the healthy choice as the easiest one. Some information could be retrieved from the public consultation (consumer line) made regarding nutrient profiling and nutrition and health claims., carried out by the EC last year.

- ***(c) they aim to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet***
 1. Perhaps there is not a gold standard to provide a clear picture of nutritional importance of a given product in everyday diet and at the same time to inform about the need to limit some nutrients. However, there are several FOP nutrient labelling schemes that have been evaluated with results that show a clear association with a healthier choice. A bold decision from the EC is expected by health and consumer organizations to provide a consensual proposal regarding this matter.
 2. There are advantages and disadvantages in using food categories or across-the-board schemes for labelling, but in any case, the use of a nutrient profile scheme is key to facilitate the application of food policies not only for FOP nutrition labelling but for the correct use of nutrient and health claims, regulation of food marketing for children, etc.
 3. The use of a colour code or symbol can help consumers to quickly compare the nutrient content of a given nutrient or the nutritional value of any food in the same category.

- ***(d) they are supported by scientifically valid evidence of understanding of such forms by the average consumer***
 1. We must not overlook the importance of increasing food literacy rates in Europe. Our citizens need to be aware and able to read and understand nutritional information, to compare products within or between other food categories, and to make healthy and responsible choices.
 2. Some surveys carried out or currently being undertaken in EU or at multinational level, have assessed the consumer and market response to some of the FOP labelling schemes currently implemented.



3. As it is possible that the proposed scheme will not be a gold standard for FOP nutrition labelling in the future, it is necessary to establish an impact assessment strategy to collect data on appreciation, interpretation, impact on consumer's choice from different socioeconomic status and food or health literacy levels, etc., that could be used to improve the scheme and keep it aligned to the food system or consumers needs.
- ***(e) other forms of expression are based on harmonised Reference Intakes (RI) or on their absence in generally accepted scientific advice on intakes for energy or nutrients***
 1. The RIs currently used are for adults except for reference values for nutrition labelling for certain foods listed under the foods for specific group's legislation, such as processed cereal based foods and baby foods for infants and young children.
 2. The European Commission and Member States have the authority to adopt rules setting RIs for specific population groups, including children. Article 43. Regulation (EU) 1169/2011
 3. The Reference Values for total sugars currently used by some FOP nutrient schemes and registered in the annex XIII- B Regulation (EU) 1169/2011, should differentiate between free sugars and intrinsic sugars, since free sugars are those which are currently consumed in excess and have a great negative impact on health. There are simple formulas, such as that proposed by PAHO in its nutrient profiling scheme, that can facilitate this.
 - ***(f) they are objective and non-discriminatory***
 1. Nutrient value by portion is valuable information to be displayed in the labelling (FOP or nutrition information table) but would make it more difficult to compare food in the same category or between one category and another, meanwhile 100g/ml would facilitate it.
 2. Portion sizes differ from one country to another, and even between regions of a country, so the amount of food normally consumed depends not only on the culture and gastronomy, but also on the eating habits of its populations, especially regarding food categories, that do not have deep roots in their eating patterns. Thus, it should be the Member States that establish the portion sizes of the different food groups to be used in labelling, using validated methods and considering at least the range of food portions available in the market within every category, the quantity of food consumption measured in the national nutrition surveys, the nutritional equivalence between foods of the same category and the portions recommended by the Food Based Dietary Guidelines of a MS.
 3. It is inevitable to differentiate between "healthier" and "less healthier" food, but rather than being seen as a problem, this should be seen as an opportunity to improve current food environment that such a negative impact on European citizens health.



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Trusting that the opinion of dietitians will contribute to the ongoing debate.

Yours sincerely,

Judith Liddell, EFAD Executive Director

About The European Federation of the Associations of Dietitians (EFAD)

EFAD is the voice of 33.000 European dietitians - more than half the profession – and is the only organisation advocating for dietitians in Europe.

EFAD's mission is to support member associations in developing the role that dietitians have in reducing inequalities and improving nutritional health in Europe.

Membership of the Federation is open all National Associations of Dietitians from member states of Europe. EFAD currently has 32 member associations, (and 38 Higher Education Institute members) representing over 33,000 dietitians in 29 European countries.

The EFAD definition of a dietitian:

Dietitians in Europe are recognized healthcare professionals, educated to at least Bachelor level. Using evidence-based approaches, dietitians work autonomously to empower or support individuals, families, groups and populations to provide or select food which is nutritionally adequate, safe, tasty and sustainable. Dietitians assess specific nutritional requirements throughout the life span and translate this into advice and/or treatment. This will maintain, reduce risk to, or restore health, as well as alleviate discomfort in palliative care. Beyond healthcare, dietitians improve the nutritional environment for all through governments, industry, academia and research.

For further information please visit the web site: www.efad.org

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