

## PFP input to the EC consultation on setting EU nutrient profiles

### Context

In October 2015, the European Commission published a roadmap on the evaluation of a) Regulation (EC) No 1924/2006 on nutrition and health claims made on food with regard to nutrient profiles and health claims made on plants and their preparations and of b) the general regulatory framework for their use in foods. One cornerstone of this roadmap is to address whether EU nutrient profiles – as initially prescribed for adoption under Regulation (EC) No 1924/2006 – are still relevant in today's regulatory environment. During a workshop held on June 2016, a study commissioned by the European Commission was launched. Subsequent surveys and discussions are currently held, to gather input from various stakeholders and Member States.

The present contribution aims at highlighting PFP input on nutrient profiles for this ongoing European Commission evaluation.

### Overall PFP views on nutrient profiles

PFP questions the merits, in terms of the benefit to consumers in assessing and balancing their diets, of a subjective system of nutrition profiling whereby individual foods might be perceived by consumers as 'good' or 'bad'.

In that case, PFP do not favour the setting of nutrient profiles.

Should they nevertheless be set, any set nutrient profile needs to:

- be based on scientific evidence
- be realistic
- be non-discriminatory neither across food categories nor within a category
- be non-discriminatory between nutrients as existing models generally focus on a sub-set of nutrients without sound reasoning
- allow distinctions between products with significantly different nutritional properties (e. g. through a calories criterion)
- encourage innovation
- only be used for the purpose of Regulation (EC) No 1924/2006/EC on health and nutrition claims (not for other purposes such as advertisement for example)
- consider overall reformulation and product improvement efforts of the private sector via self-regulation

## The Vital Link in the Food Chain

### Are EU nutrient profiles still needed?

EU nutrient profiles were supposed to be set under article 4 of Regulation (EC) No 1924/2006 by 19 January 2009. In practice, it is now nearly 7 years that EU nutrient profiles do not exist.

PFP trust that the setting of an EU nutrient profiles system is not required anymore for the following combined reasons:

*- The entire diet needs to be taken into account rather than product categories*

Rather than looking at the different food categories separately, the overall diet should be considered. This will also enable to address the varieties of diet across EU countries.

*- Regulation 1169/2011 filled the gap left by the non setting of nutrient profiles*

At the time when Regulation (EC) No 1924/2006/EC on health and nutrition claims was set, Regulation 1169/2011 on food information to consumers de facto did not exist. This new Regulation sets a new overarching frame, creating new rules on front and back of pack through mandatory particulars and nutrition declaration to be added on the food labelling. It filled the gap left by the non setting of EU nutrient profiles. For example, by December 2016, all food products will have to bear a nutrition table with the key nutrients (Energy, Fat, Saturated Fat, Carbohydrates, Sugars, Protein and Salt) as well as a voluntary declaration of the content in mono-unsaturated fat, polyunsaturated fat, polyols, starch and fibre. All such information further contribute in making consumers' informed choices.

*- Industry reformulation efforts can work in some cases.*

Numerous industry initiatives to reformulate food products and change their nutrition profile have been taken in the last years. Those efforts show clear results when they bring substantial and tangible nutritional benefits to the consumers.

*- There are already strict conditions of use for nutrition and health claims*

Indeed the use of nutrition and health claims is strictly defined through clear conditions of use that determine when a nutrient can be claimed to be absent, in low quantity, or in high quantity in the product. This, coupled with the obligation to provide the nutritional declaration (as foreseen by Regulation (EU) No 1169/2011 and as highlighted above), gives the consumers all the needed information to know the full composition of the products they buy. This demonstrates that, when food categories are needed to be specified, other ways than setting EU nutrient profiles have been sought.

*- The European Parliament has positioned itself against the setting of nutrient profiles*

In addition, on the impulsion of the European Parliament ENVI Committee itself, the European Parliament adopted on 16 April 2016 in plenary a motion for a resolution on the Regulatory Fitness and Performance Programme in which it calls the European Commission "to review the scientific basis of this regulation and how useful and realistic it is and, if appropriate, to eliminate the concept of nutrient profiles; considers that the aims of Regulation (EC) No 1924/2006, such as ensuring that information which is provided concerning foods is true and that specific indications are given concerning fat, sugar and salt content, have now been achieved by Regulation (EU) No 1169/2011 on the provision of food information to consumers".

**PFP therefore considers that EU nutrient profiles are not relevant anymore in today's regulatory framework.**

## The Vital Link in the Food Chain

The **Primary Food Processors of the EU (PFP)** is composed by:

- European Committee of Sugar Manufacturers (CEFS)**
- European Cocoa Association (ECA)**
- European Flour Milling Association (European Flour Millers)**
- European Vegetable Protein Federation (EUVEPRO)**
- European Oil and Proteinmeal Industry (FEDIOL)**
- European Starch Industry Association (Starch Europe)**

PFP members process approximately 220 Mio tons of raw materials (cereals, sugar beet, rapeseeds, soybeans, sunflower seeds, crude vegetable oil, cocoa products, starch potatoes...) employing over 120 000 people in the European Union.

