

Health claims & communication

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De Consumentenbond

- Dutch consumers' association with 500.000 members
- Since 1953
- Mission: to defend consumers' rights and help them make informed choices
 - Tests and comparative information
 - Advocacy, campaigning and lobbying
(founding member of BEUC and Consumers International)
 - Advice
- Media: Consumentengids, Gezondgids, Reisgids, Geldgids, Digitaalgids, Consumentengids Online

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BEUC Study on Labelling

(3000 people: Germany-Denmark-Spain-Hungary-Poland, 2005)

Claim is a very effective marketing tool

- Claims can be easily located, but provide only a partial and often misleading description of the product (*80% find claims easy to locate*)
- The majority of consumers trust the claims on the package (*65% trust the claim because of trust for the brand*)
- >50% of consumers admitted that nutritional claims lead them to buy a product
- 1/3 stated that nutritional claims lead them to consume more of the product
- Majority of consumers rely on claims when making food choices

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The need for a regulation on claims

Situation in The Netherlands before 2006

- Voluntary evaluation of substantiation of health claims by independent experts:
 - 9 claims approved;
 - ? claims rejected;
 - ? claims not assessed at all;
 - no check on wording
 - e.g. some evidence on barrier function of intestines -> 'good for resistance'.
- Voluntary evaluation by self regulatory organisation KOAG KAG:
 - only assessment of wording: no medicinal claims;
 - suggestion that scientific substantiation is also evaluated which is not the case.
- Dutch advertising code (member of EASA):
 - Not proactive
 - Scientific evidence usually checked by independent experts
 - Only warnings

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The need for a regulation

Claims regulation big improvement

- Mandatory evaluation of substantiation of health claims by independent experts:
 - Result: many claims rejected by EFSA;
- Claims only permitted on products that fulfill certain nutritional criteria;
- Easier to enforce

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EFSA communication

Consumer organisations:

- Can use EFSA database with claims to check whether claims are valid;
- Can publish EFSA opinions in their magazines & on websites
- Can use EFSA opinions when filing complaints to authorities
- Problem: the list of general function claims is still not published in a regulation

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EFSA evaluation and adoption by committee

Consumer organisations:

- Support for EFSA's procedures on evaluation of evidence
- Support for EFSA to publish batches
- Real innovation will be rewarded
- Objective: regaining consumers' trust in food products

- Worries about:
 - Wording: understandable and not too flexible;
 - All remarks by EFSA to be taken into account by Standing Committee and to be included in the Community register;
 - Relevance of approved claims

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Criticism on the EFSA evaluation

EXCLUSIVE INTERVIEW

DSM CEO: "food ingredients are not pharmaceuticals"

By Shane Starling, 25-Jun-2010

Danone: EFSA is damaging reputation of scientific peer review process

By Shane Starling, 19-Mar-2010

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Flexible wording & suggestions: Immune system?

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Relevance

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Relevance of claims

- Claims that might be scientifically sound, but meaningless (and not harmless!):
 - “Sodium aids the absorption of nutrients during digestion (such as the active transport of nutrients and water from the gut)”
 - “proteins provide energy to the body”

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The need for strict nutritional profiles



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The need for strict nutritional profiles



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Conclusions and suggestions

- EFSA approach claims evaluation welcomed by consumer organisations
- Dialogue is OK but criticism that is not substantiated is harmful to the process and could harm consumer confidence
- EFSA to consider clear advice on the usefulness of claims
- EFSA advice on nutrient profiles could have gone further
- Interpretation issues to be resolved:
 - Wording and suggestion should reflect the scientific evidence;
 - Target populations should be adequately mentioned on the label

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