



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Deputy Director General for food sustainability

Brussels  
SANTE/E1/AVS/ko (2020)8242215

Dear Dr Url,

**Subject: Request for a scientific advice on the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods**

Please find attached the background and terms of reference for a scientific advice on the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods.

The subject is politically sensitive as it will feed into the Commission's proposals for a harmonised mandatory front-of-pack nutrition labelling scheme and for the setting of nutrient profiles limiting the use of claims made on foods.

The Farm to Fork Action Plan mentions Q4 2022 as dates for both proposals.

The Commission would like to ask EFSA to deliver its scientific advice by March 2022 (14 months upon the acceptance of the mandate).

For further information on this matter, you can contact Ms [REDACTED], responsible in Unit E1 for this dossier, and Mr [REDACTED] in Unit D1. Their contact details are given below.

Yours sincerely,

Claire Bury

Encl.: Mandate and ToR

Contact details:

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c.c.: Ms [REDACTED], Ms [REDACTED], Ms [REDACTED], Ms [REDACTED],  
Ms [REDACTED], Mr [REDACTED] – DG SANTE

EUROPEAN COMMISSION REQUEST TO THE EUROPEAN FOOD SAFETY AUTHORITY  
FOR A SCIENTIFIC OPINION ON:

**DEVELOPMENT OF HARMONISED MANDATORY FRONT-OF-PACK NUTRITION  
LABELLING AND THE SETTING OF NUTRIENT PROFILES FOR RESTRICTING  
NUTRITION AND HEALTH CLAIMS ON FOODS**

**Background**

The Commission adopted on 20 May 2020 the [Farm to Fork Strategy](#) for a fair, healthy and environmentally-friendly food system (COM(2020) 381 final), as part of the European Green Deal. The strategy announces that to promote sustainable food consumption and facilitate the shift to healthy and sustainable diets, the Commission will adopt measures to empower consumers to make informed, healthy and sustainable food choices. In particular, the strategy announces that the Commission will propose harmonised mandatory front-of-pack nutrition labelling. The strategy further announces that to stimulate sustainable food processing and reformulation but also to facilitate the shift to healthier diets, the Commission will set nutrient profiles to restrict the promotion (via nutrition and health claims) of foods high in fat, sugars and salt.

The Farm to Fork Action Plan indicates that a **proposal for harmonised mandatory front-of-pack nutrition labelling** and for the **setting of nutrient profiles** to restrict the promotion of food high in salt, sugars and/or fat will be submitted in Q4 2022.

On 20 May 2020, the Commission also published its **Staff Working Document of the Evaluation of the Nutrition and Health Claims Regulation** (SWD(2020) 95 final)<sup>1</sup>, accompanying the Farm to Fork Strategy. The evaluation assessed the impact of the non-setting of nutrient profiles and whether nutrient profiles are still fit for their purpose to ensure the objectives of the Claims Regulation. Overall, the evaluation findings show that the specific objective pursued by the setting of nutrient profiles is still pertinent and necessary to meet the objective of the Claims Regulation, which is a high level of consumer protection, and that therefore, the setting of nutrient profiles needs to be further considered.

Article 4 of Regulation 1924/2006 on Nutrition and Health Claims on Foods foresees that the European Commission shall establish (by 19 January 2009) specific nutrient profiles that foods or certain groups of foods must respect in order to bear nutrition and health claims. Following the Commission's request of 19 February 2007, EFSA adopted on 31 January 2008 the Scientific Opinion of the Panel on Dietetic Products, Nutrition and Allergies on the setting of nutrient profiles for foods bearing nutrition and health claims. Despite the initial progress, nutrient profiles have not yet been established at EU level given the high controversy of the topic and strong opposition by some Member States in 2009, when the Commission tried to establish them.

On 20 May 2020, the Commission also adopted its **report on front-of-pack nutrition labelling**<sup>2</sup> (COM (2020) 207 final), accompanying the Farm to Fork Strategy. The Report presents the main front-of-pack nutrition labelling schemes currently implemented or being

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<sup>1</sup> [Commission Staff Working Document of the Evaluation of the Nutrition and Health Claims Regulation; List of Appendices to the Commission Staff Working Document; Executive Summary of the evaluation of the Nutrition and Health Claims Regulation](#)

<sup>2</sup> [Report on front-of-pack nutrition labelling](#)

developed at EU level, as well as some of the schemes implemented at international level. The report looks into consumer understanding and impacts of the schemes, including on purchasing behaviour, food reformulation and the internal market. It also addresses the positions of Member States and stakeholders and the question of possible EU harmonisation. The report builds upon literature reviews and data gathered and analysed by the Joint Research Centre<sup>3</sup>. The report concludes that front-of-pack schemes have the potential to help consumers make health-conscious food choices and that evaluative schemes that use colour-coding, with or without a graded indicator, appear most promising for improving the healthfulness of consumers' shopping baskets.

Nutrient profiling has various applications, including for health and nutrition claims and for front-of-pack nutrition labelling schemes. There are three main approaches for applying nutrient (profiling) criteria for front-of-pack labelling and the specific approach depends on the front-of-pack nutrition labelling system used<sup>4</sup>.

The first typical approach to applying nutrient criteria is to enumerate the nutrient contribution that a food makes to recommended nutrient intakes (e.g. Reference Intakes); information on individual nutrients is kept separate. This approach is used in non-interpretive nutrient-specific front-of-pack schemes<sup>5</sup>.

The second typical approach to applying nutrient profiling criteria<sup>6</sup> is to set threshold amounts (i.e. cut-off points) for individual nutrients, which divide nutrient contributions into categories that are either graded (e.g. high, medium and low in the case of the traffic lights label) or binary (e.g. meet the standard and do not meet the standard in the case of endorsement logos). Information on individual nutrients is kept separate. For endorsement logos, products only display the logo when all relevant cut-off points for individual nutrients are met<sup>7</sup>.

The third typical approach is to apply algorithms to derive a consolidated score representing products' overall nutritional profile. Information on individual nutrients is combined. The approach is used for summary graded indicator schemes.

The second and third approaches differ from the first by interpreting the level of nutrient contribution that a food makes to dietary recommendations, going beyond the provision of numeric information.

Applying nutrient profiling approaches for the purpose of front-of-pack nutrition labelling and for the purpose of restricting nutrition and health claims on foods is an exercise that should take into account dietary recommendations, public health considerations, generally acceptable scientific evidence on the relationship between diet, nutrition and health as well as other considerations of an industrial/commercial, cultural and dietary/culinary nature. Applying nutrient profiling approaches for front-of-pack labelling and for restricting claims should also stimulate product reformulation and should take into account the variability of dietary habits and traditions.

## **Terms of Reference**

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<sup>3</sup> [Front-of-pack nutrition labelling schemes: a comprehensive review \(https://ec.europa.eu/jrc/en/publication/eur-scientific-and-technical-research-reports/front-pack-nutrition-labelling-schemes-comprehensive-review\)](https://ec.europa.eu/jrc/en/publication/eur-scientific-and-technical-research-reports/front-pack-nutrition-labelling-schemes-comprehensive-review)

<sup>4</sup> WHO guiding principles and framework manual for front-of-pack labelling for promoting healthy diet (2019)

<sup>5</sup> While such nutrient-specific schemes do provide some assessment of the contribution that a serving of food makes to nutrient intakes, such systems do not provide an evaluative judgement about how numerical values should be interpreted and, consequently, are referred to as a non-interpretive ([WHO Health Evidence Network Synthesis Report 61](#))

<sup>6</sup> For the second and third approach, the terminology 'nutrient profiling' criteria is used; nutrient profiling is the science of classifying or ranking foods according to their nutritional composition for reasons related to preventing disease and promoting health (<https://www.who.int/nutrition/topics/profiling/en/>)

<sup>7</sup> Endorsement logos are therefore also considered as 'summary labels'.

In accordance with Article 29(1)(a) of Regulation (EC) No 178/2002, the European Commission requests the European Food Safety Authority to provide scientific advice for the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods. In particular, the Authority is requested to provide scientific advice on the following:

- **Nutrients** of public health importance for European populations, **including non-nutrient components** of food (e.g. energy, dietary fibre)
- **Food groups** which have important roles in diets of European populations and subgroups thereof
- **Choice of nutrients and other non-nutrient components of food for nutrient profiling**

*In providing scientific advice, the Authority is requested to consider the following:*

**Nutrients of public health importance for European populations, including non-nutrient components of food (e.g. energy, dietary fibre)**

The consideration regarding nutrients as well as non-nutrient food components should be based on evidence of a dietary imbalance in European populations that might influence the development of overweight and obesity or diet-related diseases such as cardiovascular disease, or other disorders; they can include nutrients and non-nutrient food components that might be consumed to excess, as well as those for which intakes might be inadequate.

**Food groups which have important roles in diets of European populations and subgroups thereof**

Consideration should be given to the food groups/food categories which have important roles in diets of European populations and subgroups

- due to the quantities of energy, certain macro- and micronutrients, other substances of physiological importance as well as for other non-nutrient food components contained in the food group/food category,
- due to the role and importance of the food group/food category in the diet for the population in general or, as appropriate, of certain risk groups including children,
- due to the overall nutritional composition of the food group/food category,
- due to the presence or absence of nutritional elements that have been scientifically recognised as having an effect on health and
- due to effects on health of consuming the food group/food category.

**Choice of nutrients and other non-nutrient components of food for nutrient profiling**

The nutritional criteria and food components for nutrient profiling should aim to inform choice and enable interpretation of food products against risks for diet-related non-communicable diseases (NCDs) and for promoting healthy diets.

The choice of nutrients of public health importance (e.g. sodium), including non-nutrient components of food (e.g. energy, other substances of physiological importance such as fibre) should be based on scientific evidence that underpins - directly or indirectly - the association of food components/food groups/food categories and related public health outcomes.



EXECUTIVE DIRECTOR

Ref. BU/GdS/VC/gp - OC-2021-24304231

Ms Sandra Gallina  
Director General  
Directorate General for Health and Food Safety  
European Commission  
200, rue de la Loi  
B-1049 Brussels  
Belgium

**By email only**

**Subject: Request to the European Food Safety Authority for scientific advice on the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods (M-2021-0007; EFSA-Q-2021-00026<sup>1</sup>) – Acceptance letter**

**Ref.: Ares(2020)7577968 - 14/12/2020**

Dear Ms Gallina,

I hereby acknowledge receipt of the Commission's letter dated 14 December 2020 (Ares(2020)7577968) concerning the request for scientific advice on the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods.

EFSA accepts this mandate and has assigned it to the Panel on Nutrition, Novel Foods and Food Allergens (NDA). It has been registered under the number M-2021-0007 (EFSA-Q-2021-00026).

EFSA also accepts the proposed deadline and expects to deliver this scientific advice by 31 March 2022. Within this deadline, EFSA will run a public consultation on the draft scientific opinion.

Yours sincerely,

Bernhard Url  
(Signed on 27/01/2021)

cc: European Commission, Unit E1 of Directorate General Health and Food Safety (SANTE)  
Nutrition Unit (EFSA)

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<sup>1</sup> Please be aware that EFSA's Register of Questions is unavailable from 21 January until mid-February. The temporary suspension of the tool is necessary to allow us to implement the launch of our new OpenEFSA portal. We apologise for the inconvenience. Further information is available [here](#).