

**MINUTES OF THE 25TH PLENARY MEETING OF THE
SCIENTIFIC PANEL ON DIETETIC PRODUCTS, NUTRITION AND ALLERGIES
HELD FROM 11TH TO 13TH MARCH 2009**

PARTICIPANTS

Panel members:

- Jean-Louis Bresson
- Albert Flynn
- Marina Heinonen
- Karin Hulshof
- Hannu Korhonen
- Pagona Lagiou
- Martinus Løvik
- Rosangela Marchelli
- Bevan Moseley
- Hildegard Przyrembel
- Seppo Salminen
- Stephan Strobel
- Inge Tetens
- Hendrik van Loveren

EFSA staff:

- Juliane Kleiner
- Reinhard Ackerl
- Maria Astridou
- Ulla Bertelsen
- Janusz Ciok
- Ellie Daguet
- Wolfgang Gelbmann
- Leng Heng
- Danai Papanastasiou
- Ariane Titz
- Emanuela Turla
- Silvia Valtueña Martínez

European Commission:

- Lars Korsholm¹
- Sabine Osaer¹

¹ DG Health and Consumer Protection

1. WELCOME, APOLOGIES FOR ABSENCE

The Chair welcomed all participants to the plenary meeting. Apologies for absence were received from Ambroise Martin, Andreu Palou, Sean Strain, Henk van den Berg and Hans Verhagen.

2. ADOPTION OF THE AGENDA AND ADOPTION OF THE MINUTES OF LAST MEETING

The agenda was adopted with changes in the order of items discussed.

The minutes of the 24th NDA Plenary meeting were also adopted.

3. DECLARATIONS OF INTEREST

EFSA secretariat screened the ADoI and SDoI filled in by the scientific experts invited at this meeting in accordance with EFSA's Policy on Declarations of Interests. With regard to the specific items on the agenda for this meeting interests were declared and actions were taken as follows:

Agenda item 11.1 in relation to the draft opinion on "*Lactobacillus plantarum* 299v and improves iron absorption" - Inge Tetens declared an interest and refrained from discussion for this Agenda item.

Agenda items 11.2a to 11.3c in relation to the draft opinions on DHA/ARA and visual and brain development - Seppo Salminen declared an interest and refrained from discussion for these Agenda items.

Agenda item 13.4 in relation to the draft opinion on "ALA and brain development" - Albert Flynn declared an interest and withdrew from the chair and refrained from discussion for this Agenda item.

4. FEEDBACK FROM EFSA SCIENTIFIC COMMITTEE AND OTHER EFSA PANELS

The Scientific Committee adopted an opinion on the potential risks arising from nanoscience and nanotechnologies on food and feed safety. The published opinion is available on: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902362054.htm

With respect to the request received from the Federal Institute for Risk Assessment of Germany (BfR) for a scientific opinion on the safety of isolated isoflavones from soy or red clover in food supplements, the Panel was informed that this request will be initially addressed by an EFSA ESCO Working Group.

5. GENERAL INFORMATION BY EFSA ON MATTERS RELATING TO THE PANEL

The Secretariat informed the Panel about the status of the renewal process of the Scientific Committee and Panels. The EFSA Management Board will meet in late March 2009 to approve the list of new Scientific Committee and Panel members. The final list is expected to be available and published by beginning of May 2009.

In relation to the review process to assess the quality of EFSA's scientific work, an open call for external scientific reviewers will be launched. A number of EFSA adopted opinions, or other scientific documents will be reviewed by independent reviewers.

6. FEEDBACK FROM THE COMMISSION ON MATTERS RELATING TO THE PANEL

The European Commission's representative gave a status report about the commission decision phase concerning EFSA's adopted opinions pursuant to Article 14 and 13(5) claims.

7. NEW REQUESTS FOR SCIENTIFIC OPINIONS

A new request was received from the European Commission asking EFSA to review the existing scientific information on the possible link between the ingestion of beta-carotene and cancer enhancement in heavy smokers and to provide with an upper safe level for beta-carotene for this category of the population.

8. ARTICLE 13 HEALTH CLAIM'S LIST

The European Commission's representative informed the Panel about the status relating to Article 13 claims which were sent back by EFSA for further clarification or information before EFSA can start its evaluation.

9. STATUS OF APPLICATIONS UNDER ARTICLE 14/13(5) HEALTH CLAIMS

Article 14 claims: By 9 March 2009, EFSA has received 243 Article 14 applications (212 referring to children's health and development and 31 referring to reduction of disease risk claims); 10 applications are under evaluation and 13 were withdrawn. EFSA adopted 43 opinions (covering 50 applications). For many of the applications, additional information is still awaited from the applicants. For some of the applications, EFSA went back to the respective National Competent Authority and the Commission seeking clarification on whether the application would fall in the scope of EC 1924/2006 Health Claims Regulation.

Article 18/13(5) claims: By 9 March 2009 EFSA has received 18 applications under Article 13(5) (claims based on newly developed science and/or which include a request for the protection of proprietary data): 9 are under evaluation, 6 were adopted and 3 were withdrawn.

Technical meeting: The Panel was informed that a technical meeting is planned with applicants to provide additional guidance to assist applicants in preparing applications for claims under Article 13.5 and 14 of the health claims regulation. To this end a frequently asked question (FAQ) document is currently being prepared, and a draft will be presented to the next plenary meeting for discussion. The draft FAQ will be then released on the website before the technical meeting.

10. NOVEL FOODS

10.1. Draft opinion on 'Chia seed (*Salvia hispanica*) and ground whole Chia as a novel food ingredient'.

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902431817.htm.

10.2. Draft opinion on ‘Alfalfa protein concentrate’

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902431684.htm

10.3. Draft opinion on Noni fruit puree and concentrate as a food ingredient

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902431657.htm

11. APPLICATIONS PURSUANT TO ARTICLES 14/13(5) OF REGULATION (EC) NO 1924/2006

11.1. “Lactobacillus plantarum 299v and improves iron absorption”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902434649.htm

11.2.a. “DHA/ARA and brain development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902399151.htm

11.2.b. “LIPIL® (DHA / ARA) and brain development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902399236.htm

11.2.c. “Enfamil® Premium (DHA / ARA) and brain development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902399188.htm

11.3.b. “LIPIL® (DHA / ARA) and visual development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902399257.htm .

11.3.c. “Enfamil® Premium (DHA / ARA) and visual development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902399200.htm .

11.4. “ALA and brain development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902431278.htm .

11.5.a. “DHA and visual development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902443188.htm .

11.5.b. “DHA and cognitive development”

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902443172.htm .

12. DRAFT ART. 13 OPINIONS

Draft opinions on Article 13 claims related to “probiotics”, “immune and gastro-intestinal function”, “cardiovascular function” and “mental performance” were presented and discussed.

It was agreed to revise the draft opinions according to the discussion and re-discuss them at a future meeting.

13. DIETARY REFERENCE VALUES

13.1. Draft opinion on Carbohydrates

The draft opinion was discussed and endorsed for release for public consultation subject to the incorporation of modifications agreed upon by the Panel. The text of the draft opinion will be published on the EFSA web site as soon as finalised.

13.2. Draft opinion on Fats

The draft opinion was discussed and a revised version taking into account the comments made at the meeting will be circulated to the Panel for endorsement by written procedure prior to its release for public consultation.

14. LABELLING REFERENCE VALUES FOR SELECTED NUTRITIONAL ELEMENTS

The draft opinion was discussed and adopted subject to the incorporation of modifications agreed upon by the Panel. The text of the full opinion appears on the EFSA web site, available at: http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753812_1211902511922.htm

15. ANY OTHER BUSINESS

These minutes were adopted on 6 May 2009.