

**MINUTES OF THE 37<sup>TH</sup> PLENARY MEETING OF THE  
SCIENTIFIC PANEL ON DIETETIC PRODUCTS, NUTRITION AND ALLERGIES  
HELD FROM 26 TO 28 JANUARY 2011**

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**PARTICIPANTS**

**Panel members:**

- Carlo Agostoni
- Jean-Louis Bresson
- Albert Flynn
- Ines Golly
- Hannu Korhonen
- Pagona Lagiou
- Martinus Løvik
- Rosangela Marchelli
- Ambroise Martin
- Bevan Moseley
- Monika Neuhäuser-Berthold
- Hildegard Przyrembel
- Seppo Salminen
- Yolanda Sanz
- Sean Strain
- Stephan Strobel
- Daniel Tomé
- Hendrik van Loveren
- Hans Verhagen

**EFSA staff:**

- Juliane Kleiner
- Reinhard Ackerl
- Kinga Wanda Adamaszwili
- Maria Astridou
- Anja Bronstrup
- Agnès De Sesmaisons-Lecarre
- Céline Dumas
- Wolfgang Gelbmann
- Leng Heng
- Saadia Noorani
- Danai Papanastasiou
- Ariane Titz
- Emanuela Turla
- Silvia Valtueña Martínez

**European Commission:**

- Sabine Osaer<sup>1</sup>
- Noel Griffin<sup>1</sup>

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<sup>1</sup> DG Health and Consumers

## **1. WELCOME, APOLOGIES FOR ABSENCE**

The Chair welcomed all participants to the plenary meeting. The Chair also welcomed Saadia Noorani and Kinga Wanda Adamaszwili who recently joined the NDA secretariat.

Apologies for absence were received from Inge Tetens and Susan Fairweather Tait.

## **2. ADOPTION OF THE AGENDA AND THE MINUTES OF LAST PLENARY**

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

The minutes of the 36<sup>th</sup> Plenary meeting were adopted.

## **3. DECLARATIONS OF INTEREST**

EFSA secretariat screened the Annual Declaration of interest (ADoI) and Specific Declaration of interest (SDoI) filled in by the scientific experts invited to this meeting in accordance with EFSA's Policy on Declarations of Interests.

For the agenda item related to *B. animalis* ssp. *lactis* BB-12, Seppo Salminen declared an interest and refrained from discussion for this agenda item.

With regard to the other items on the agenda for this meeting, no conflicts of interests have been identified during the screening process or at the beginning of this meeting.

## **4. FEEDBACK FROM EFSA SCIENTIFIC COMMITTEE AND OTHER EFSA PANELS, GENERAL INFORMATION FROM EFSA**

The Panel was informed that the Scientific Committee has released for public consultation a draft guidance document on "risk assessment concerning potential risks arising from applications of nanoscience and nanotechnologies to food and feed". Consultation is opened until 25 February 2011 (<http://www.efsa.europa.eu/en/consultations/call/scaf110114.htm>).

## **5. FEEDBACK FROM THE COMMISSION ON MATTERS RELATING TO THE PANEL**

The Commission provided feedback on the status of the Commission Decision related to the opinions concerning Art 14 and 13(5) claims that were adopted by the Panel. All the adopted Commission decisions are available on the Commission website: [http://ec.europa.eu/food/food/labellingnutrition/claims/comments\\_efsa\\_en.htm](http://ec.europa.eu/food/food/labellingnutrition/claims/comments_efsa_en.htm).

## **6. NEW REQUESTS**

A new request was received from the European Commission asking EFSA to carry out an additional safety assessment related to "Lactoferrin" (as food ingredient) submitted in accordance with the Novel Foods Regulation 258/97/EC.

## **7. GENERAL ISSUES ON HEALTH CLAIM EVALUATION**

### **7.1 Feedback from the Scientific meeting on requirements for health claims related to gut and immune function and revised draft guidance document (EFSA-Q-2010-01139)**

Following the online-public consultation of the above-mentioned draft guidance document and its discussion at the scientific meeting with experts in the field, which was held on 2 December 2010 in Amsterdam, a revised draft guidance document taking into consideration relevant comments received was thoroughly discussed and adopted by the Panel subject to the incorporation of editorial changes.

The final text of the guidance document will be published together with a Summary Report of the comments received during the online-consultation phase as soon as finalised.

### **7.2 Finalisation of Article 13 list claims**

An overview of remaining Article 13(1) claims that need to be evaluated and subsequently adopted by the Panel by June 2011 was presented. The prioritisation and clustering of claims were discussed.

So far, opinions have been adopted covering 1867 ID-claims. EFSA has published opinions covering 1745 ID-claims.

The next series of publication of adopted Article 13 opinions is foreseen for beginning of April covering opinions adopted at the November 2010 Plenary meeting, this Plenary meeting and by written procedure

### **7.3 Update on Article 13(5) and 14 applications**

The secretariat informed the Panel about the status of claims applications since the last Plenary meeting.

*Article 14 claims:* Since the last meeting, no new Article 14 disease risk reduction claim has been received and 26 applications related to children's claims have been withdrawn. By 25 January 2011, EFSA had received 268 Article 14 applications (218 referring to children's health and development and 50 referring to reduction of disease risk claims); 15 applications were under evaluation and 73 applications were withdrawn.

*Article 13(5) claims (claims based on newly developed science and/or which include a request for the protection of proprietary data):* Since the last meeting EFSA had received 3 new application (Polyphenolic brown seaweeds extract and helps improve insulin sensitivity; polyphenolic brown seaweeds extract and helps maintain normal activity of postprandial glycemic regulation mechanisms; hypocaloric snacks and contribute to reduce apodocyte size) and two were withdrawn ("Active ingredient mix of soy isoflavones, fish oil, lycopene, vitamin C and vitamin E" & reduces wrinkles and lines in skin; *Saccharomyces cerevisiae* & reduction of digestive discomfort). By 25 January 2011, EFSA had received 46 applications under Article 13(5): 6 are under evaluation, 26 were adopted and 11 were withdrawn.

Rapporteurs have been appointed for the new applications received.

### **7.4 Draft guidance requirements for health claims related to related to bone, joints, connective tissue and oral health (EFSA-Q-2010-01184)**

A draft guidance document was discussed. Adoption was postponed to the next Plenary meeting.

## 7.5 Remaining issues from adopted art. 13 opinions at last Panel

Remaining issues related to previous adopted Art. 13 claims opinions were discussed and proposed changes to the opinions were agreed by the Panel.

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

### 8.1 Thiamin and maintenance of normal neurological function (Art. 14: 0243\_DE, EFSA-Q-2009-00455)

The draft opinion was discussed and adopted by the Panel subject to the incorporation of editorial changes. The text of the full opinions appears on the EFSA web site, available at: <http://www.efsa.europa.eu/en/efsajournal/pub/1980.htm>.

### 8.2 “vitamin D” and “risk of falling” (Art. 14: 0291-UK, EFSA-Q-2010-01233)

The Panel identified a number of issues for which additional information is needed from the applicant before the Opinion can be concluded. The stop the clock procedure will be applied.

### 8.3 “semi-hard Edam-type Südamejuust (Heart cheese) of Harmony™ comprising *Lactobacillus plantarum* TENSIA™” and “reduction of blood pressure” (Art.13(5): 0283-EE, EFSA-Q-2010-00950)

The draft opinion was discussed and adopted by the Panel subject to the incorporation of editorial changes. The text of the full opinions appears on the EFSA web site, available at: <http://www.efsa.europa.eu/en/efsajournal/pub/1981.htm>.

### 8.4 “Water” and “reduces risk of dehydration” (Art. 14: 0287\_DE, EFSA-Q-2008-05014)

The draft opinion was discussed and adopted by the Panel subject to the incorporation of editorial changes. The text of the full opinions appears on the EFSA web site, available at: <http://www.efsa.europa.eu/en/efsajournal/pub/1982.htm>.

### 8.5 “phenolic brown seaweeds extract” and “helps maintain normal activity of post-prandial glycaemic regulation mechanisms” and “helps improve insulin sensitivity” (Art.13(5) - 292-FR and 293-FR; EFSA-Q-2010-01256, EFSA-Q-2010-01257)

The Panel identified a number of issues for which additional information is needed from the applicant before the Opinion can be concluded. The stop the clock procedure will be applied.

### 8.6 “Calcium-containing fruit juices” and “reducing tooth demineralisation” (Art. 14. 0248\_NL, EFSA-Q-2009-00501)

The draft opinion was discussed and adopted by the Panel subject to the incorporation of editorial changes. The text of the full opinions appears on the EFSA web site, available at: <http://www.efsa.europa.eu/en/efsajournal/pub/1983.htm>.

## 9. DRAFT ARTICLE 13(1) OPINIONS

The Panel discussed and adopted Article 13 (1) claims related to the following IDs: 453, 454, 455, 456, 463, 464, 491, 492, 495, 499, 500, 509, 546, 547, 563, 573, 575, 576, 578, 579, 580, 581, 586, 591, 596, 601, 604, 608, 609, 610, 618, 620, 621, 624, 639, 640, 641, 647, 649, 650, 663, 664, 671, 672, 676, 735, 736, 737, 740, 762, 763, 764, 765, 796, 797, 863, 866, 884, 1099, 1100, 1101, 1102,

1106, 1108, 1110, 1117, 1118, 1119, 1120, 1121, 1153, 1154, 1155, 1156, 1157, 1158, 1170, 1182, 1187, 1190, 1203, 1207, 1208, 1209, 1225, 1226, 1227, 1228, 1230, 1231, 1273, 1274, 1275, 1294, 1310, 1326, 1328, 1329, 1331, 1374, 1408, 1443, 1479, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1501, 1502, 1503, 1554, 1566, 1591, 1612, 1623, 1626, 1628, 1647, 1671, 1712, 1713, 1769, 1770, 1773, 1775, 1778, 1793, 1800, 1817, 1820, 1829, 1844, 1845, 1846, 1915, 1936, 1938, 1939, 1962, 1982, 2003, 2031, 2063, 2064, 2065, 2075, 2103, 2155, 2375, 2485, 2486, 2505, 2640, 2657, 2660, 2661, 2662, 2812, 2813, 2814, 2859, 2862, 2906, 2907, 2910, 2921, 2927, 3065, 3086, 3090, 3139, 3152, 3182, 3186, 3280, 3521, 3635, 3774, 3896, 4296, 4300, 4301, 4325, 4326, 4332, 4333, 4452, 4453, 4454, 4669, 4671, 4680, 4681, 4682, 4683, 4696 and 4697.

*Post-meeting notes:* The following Article 13 (1) claims related IDs were discussed and subsequently were adopted by written procedure: 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 111, 112, 168, 173, 174, 179, 184, 201, 210, 217, 272, 323, 362, 372, 476, 477, 478, 479, 497, 501, 508, 510, 513, 514, 519, 521, 525, 529, 534, 536, 539, 540, 602, 651, 688, 717, 727, 1122, 1132, 1133, 1171, 1179, 1186, 1272, 1323, 1360, 1361, 1464, 1470, 1471, 1496, 1515, 1621, 1622, 1636, 1637, 1640, 1641, 1642, 1643, 1646, 1673, 1674, 1676, 1677, 1693, 1723, 1725, 1729, 1787, 1788, 1789, 1790, 1791, 1796, 1804, 1873, 1920, 1946, 2007, 2585, 2722, 2793, 2872, 2874, 2905, 3094, 3095, 3324, 3325, 4210, 4211, 4279, 4280, 4281, 4282, 4284, 4285, 4286, 4287, 4289, 4291, 4292, 4294, 4295, 4688, 4708 and 4719.

More details on the claims adopted at the meeting are available on the EFSA register of Questions:

<http://registerofquestions.efsa.europa.eu/roqFrontend/questionsListLoader?panel=NDA&foodsectorar ea=26>

## **12. Any other business**

The minutes of the 37<sup>th</sup> Plenary meeting were adopted on 25 March 2011.