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PRESS RELEASE

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EU draft health claims list would infringe commercial free speech

ANH calls on European citizens to persuade MEPs to block passage of health claims list into law

Just days before a European Commission proposal to mandate a list of authorised 'general function' health claims for foods goes to the European Parliament for its consideration, natural health campaign NGO, Alliance for Natural Health International (ANH-Intl), asserts that its passage into European law would amount to a gross infringement of commercial freedom of speech. The list of just 224 health claims evaluated under the terms of the EU's Nutrition and Health Claims Regulation (NHCR) relate to a mere 70 foods and food ingredients. They reflect successful evaluations of just 8% of the 2,758 health claims evaluated by the Parma-based European Food Safety Authority (EFSA). The claims listed would represent the only general function health claims that would be allowed on commercial foods and natural health products six months after the passage of the list into European law. All other general function claims would be disallowed, with the exception of those for which evaluation had yet to be completed.

ANH-Intl argues that it is an overly stringent and inappropriate evaluation methodology used by EFSA that is responsible for this 92% rejection rate. It also argues that to pass the list into law would be legally disproportionate, especially since evaluations of other claims, notably for botanical substances and probiotics, have yet to be completed.

Irish Member of the European Parliament (MEP), Marian Harkin (ALDE), stated: *"We all have a problem with cowboys in the food industry who make outlandish claims that are not supported by science – and this is why I, and the majority of other MEPs, supported the Regulation when we voted for it in 2006."*

"But I'm now very concerned about just how few claims have gone through. For many consumers trying to ensure their families eat as healthily as possible, it would be very confusing if these were the only ones allowed. They'll see the same few claims repeated over and over again on some foods, but so many others will be claim free."

Ms Harkin added: *"It's difficult to accept that among the thousands of known beneficial food ingredients, nutritional science supports the use of only 70! The Parliament will have to think very carefully about how it acts when it comes to voting on this general function health claims list because the implications are so far-reaching."*

ANH-Intl is preparing to help European citizens in all Member States to rally to prevent the health claims list being passed into law. The European Parliament represents the only remaining possibility to block the list, and such parliamentary obstruction of a European law has only rarely

"Promoting natural and sustainable healthcare through the use of good science and good law"

occurred. Most recently, a proposal to legitimise the meat glue thrombin was blocked, in May 2010, by the European Parliament, the majority being achieved by just a single vote.

Robert Verkerk PhD, ANH-Intl's executive and scientific director commented further, saying: *"There's been no research to see how consumers will react in a market place devoid of so much health-orientated information. How would discrimination between healthy and less healthy foods occur? And imagine the consequences if the food industry were to focus its attention on the tiny range of ingredients that have gained claims. It would distort and limit the diversity of our food supply even further, with major implications for chronic disease."*

"As it is," added Dr Verkerk, *"most of the disease we experience is the result of inappropriate diets and lifestyle. There are so many unanswered questions, that to mandate this half-baked list into law, while at the same time banning rejected claims, would not only be fool-hardy, it would have long-term effects on future generations and be against the public interest."*

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NOTES FOR EDITORS

25 Nov 2011 ANH-INTL FEATURE - From 44,000 to 224: the great EU health claims cull

ANH-Intl makes the case for why the European Commission's proposal must be blocked

<http://anh-europe.org/news/anh-feature-from-44000-to-224-the-great-eu-health-claims-cull>

Draft annex of authorised general function health claims

http://anh-europe.org/sites/default/files/Item_4_Art13_list_ANNEX.pdf

Draft text of Regulation seeking to mandate Community list of authorised general function health claims into EU law

http://anh-europe.org/sites/default/files/Item_4_Art13_list_Regulation.pdf

Nutrition and Health Claims Regulation (EC) No 1924/2006 (consolidated version)

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:404:0009:0025:EN:PDF>

European Commission guidance on implementation of the Nutrition and Health Claims Regulation

http://ec.europa.eu/food/food/labellingnutrition/claims/guidance_claim_14-12-07.pdf

UK Department of Health guidance on implementation of the Nutrition and Health Claims Regulation (updated November 2011)

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_130972

European register of authorised Article 13(5) and 14 health claims:

http://ec.europa.eu/food/food/labellingnutrition/claims/community_register/authorised_health_claims_en.htm