



# Claims about fats

In recent years a great deal has changed in the field of nutrition and health claims. The current claims legislation which tightened the regulations concerning claims was introduced in July 2007. This factsheet gives an overview of the new regulations concerning both nutrition and health claims and how these apply to fats.

## THE FOLLOWING HAVE ALSO BEEN PUBLISHED IN THIS SERIES:

- What is fat?
- Functions of fats in food
- Consumer knowledge about fats
- The role of fats in the composition of taste

### Nutrition claims for fats

Nutrition claims are claims about energy, nutrients or other substances that a foodproduct does or specifically does not contain, such as: 'rich in unsaturated fatty acids' and 'low saturated fat'. It is laid down in the claims legislation that only those nutrition claims that are included in the annex to this legislation are permitted. For instance, the claim 'low fat' may be used if the product contains no more than 3 grams fat per 100 g or 1.5 g fat per 100 ml. As from January 2010 nutrition claims that are not included in the annex to the claims legislation text may no longer be used. A summary of the permitted nutrition claims for fats is given in Table 1.

The nutrition claim "contains (name of the nutrient)" such as, for example "contains omega-6 fatty acids" may only be used when

a nutrient or other substance is present in the foodproduct other than those for which there are specific conditions laid down in the annex to the claims legislation. The product must then also comply with all the applicable provisions stated in the claims legislation. This means that such a substance must have a scientifically proven beneficial, nutritional or physiological effect and there must be sufficient of the substance present in the product such that the claimed effect can be achieved.

As far as comparative claims are concerned (e.g. 'reduced saturated fat') article 9 of the claims legislation stipulates that it is only permitted to make comparisons with foodproducts in the same category. The manufacturer must show clearly on the packaging what is being compared with and what the claimed difference is.

Table 1: Old and new regulations for nutrition claims about fats

Nutrition claim	Current regulations
Low energy	<40 kcal/100 g or 20 kcal/100 ml
Low fat	≤3 g/100 g or 1.5 g/100 ml
Fat-free	Total fat <0.5 g/100 g or 0.5 g/100ml ("X % fat-free" is forbidden)
Increased PUFA/ MUFA/ UFA/ Omega-3/ Omega-6	PUFA/MUFA/ UFA/ omega-3/ omega-6 ≥ 30% higher than is usual for such products
Low saturated fat	<ul style="list-style-type: none"> <li>• Sum of SAFA and TFA ≤ 1.5 g/100 g or 0.75 g/100 ml and</li> <li>• Sum of SAFA and TFA supplies no more than 10 en%</li> </ul>
Saturated fat free	Sum of SF and TF < 0.1 g/100 g or 0.1 g/100 ml
Reduced energy / fat / saturated fat / trans fat etc.	≥30% less energy / fat / etc. than is usual in such products
'Light'	May be used when the content is at least 30% lower than that in a comparable product
Source of omega-3 fatty acids	≥0.3 g ALA or 40 mg EPA and DHA per 100g and per 100 kcal
High omega-3 fatty acids	≥0.6 g ALA or 80 mg EPA and DHA per 100 g and per 100 kcal
High in MUFA	≥45% of the fatty acids present must come from MUFA and the MUFA must supply ≥20% of the energy
High in PUFA	≥45% of the fatty acids present must come from PUFA and the PUFA must supply ≥20% of the energy
High in UFA	≥70% of the fatty acids present must come from UFA and the UFA must supply ≥20% of the energy

<sup>1</sup> for drinks, soups and liquid milk products on basis of dry solids

PUFA = polyunsaturated fat, MUFA monounsaturated fat, UFA = unsaturated fat, SAFA = saturated fat, TFA = trans fat, en% = energy%

Permitted and rejected nutrition claims can be viewed via the following link from the European Commission: [http://ec.europa.eu/food/food/labellingnutrition/claims/community\\_register/index\\_en.htm](http://ec.europa.eu/food/food/labellingnutrition/claims/community_register/index_en.htm)

It is highly probable that the annex will be further modified in the coming years. For instance the reformulation claim 'now contains x% less energy / fat / saturated fatty acids / salt / sugar' is still under discussion. Should this claim officially be included in the annex to the claims legislation then it will only be permitted to be used for reformulated products and then only for a limited period.

## Health claims for fats

### Types of health claims

There are three different types of health claims, namely 1) generic health claims, 2) health claims referring to the reduction of a risk factor in the development of a disease and 3) health claims referring to children's development and health. Medical claims are and remain forbidden.

Generic health claims are claims about a food product or a component of this in relation to health, such as 'linoleic acid can help to maintain a normal cholesterol level in the blood'. Health claims concerning the reduction of a health risk (such as 'reduces the risk of cardiovascular diseases) are classified as health claims referring to the reduction of a risk factor in the development of a disease. An example of a claim referring to children's development and health is 'helps brain development'.

The current situation for the different types of health claims is shown in Table 2. All health claims must be sufficiently scientifically proven before they are permitted. What these scientific criteria are and how they have been arrived at is explained below. The different types of health claims are explained further in the paragraphs following this.

### Scientific criteria for health claims

The scientific criteria for assessing health claims have been determined in the PASSCLAIM project. A summary of the important points is given below:

- It must be clear what product or ingredient the claim refers to (nutrient, ingredient or product category)

- Data about the effectiveness must have been obtained through studies using people (intervention studies and observational research)
- Valid biomarkers must have been used (e.g. cholesterol is a valid biomarker for the risk of developing cardiovascular diseases)
- Health claims must be based on the total of all available data and evaluation of the evidence. This means that the scientific data may not be used selectively.

A special technical manual is available from the EFSA with information about how to submit a request for approval to use a health claim.

### Generic health claims (Article 13 claims)

On 31 January 2008 the member states drew up lists of generic claims that according to those submitting them were already sufficiently scientifically proven. At the end of 2008 the European Commission sent the list with submitted claims to EFSA with the request for a scientific opinion about the various claims. The list of all claims submitted is available for consultation on the EFSA website: <http://www.efsa.europa.eu/en/ndaclaims13.htm> (click on the link database with the list of health claims submitted to EFSA for evaluation given on this page). Health claims that do not occur on the list and have not been submitted are no longer permitted.

The definitive list with permitted generic health claims was to have been published officially by 31 January 2010. This deadline has not been met. In all probability the EC will now publish part lists with approved generic health claims. Opting for the publication of part lists has as consequence that all generic health claims that were submitted by the member states at the beginning of 2008 and that have not been included in a first part list (in other words that have not yet been definitely approved or rejected by the European Commission) may at least still be used until a definite judgement by the EC is published on one of the following part lists. A transition period of 6 months applies where a claim is rejected.

### Health claims referring to the reduction of a risk factor in the development of a disease and claims referring to children (Article 14 claims)

Health claims referring to the reduction of a risk factor in the development of a disease and claims referring to children's development and health (Article 14 claims) are subject to a stricter authorisation

**Table 2 Health claims**

Health claim	Current regulations
Generic health claim (Article 13)	Generic list with proven claims
Health claim referring to the reduction of a risk factor in the development of a disease (Article 14)	Permitted if scientifically proven and approved by the EFSA and member states through the authorisation procedure
Health claim referring to children's development and health (Article 14)	Permitted if scientifically proven and approved by the EFSA and member states through the authorisation procedure

**Table 3 Permitted claims about fats referring to the reduction of a risk factor in the development of a disease and claims referring to children**

Claim referring to the reduction of a risk factor in the development of a disease	
It has been proven that vegetable sterols reduce the blood cholesterol level. A high cholesterol level is a risk factor for the development of coronary heart disease.	Information for the consumer that a favourable effect is obtained by the daily intake of at least <b>1.5 – 2.4 grams</b> . The size of the effect may only be stated for <i>yellow fat spreads, dairy products, mayonnaise and salad dressings</i> . If the size of the effect is stated the full range, “7 to 10%”, and the time required for the effect to be achieved, “after two to three weeks”, must be stated for the consumer.
It has been proven that vegetable stanol esters reduce the blood cholesterol level. A high cholesterol level is a risk factor for the development of coronary heart disease.	
Claim concerning children	
Essential fatty acids are necessary for a normal growth and development of children.	Information for the consumer that the favourable effect is obtained by a daily intake of <b>2 grams ALA</b> and a daily intake of <b>10 g linoleic acid</b> .

procedure. Claims that have not been submitted for this procedure are no longer permitted. A special technical manual is available from the EFSA with information about how to submit a request for approval to use a health claim. A summary of the permitted Article 14 claims about fats is given in Table 3.

Permitted health claims may be used by every foodproducts company in accordance with the conditions applying for this, unless the use is restricted in accordance with the article providing protection for the use of data (Article 21 of the claims legislation).

### Nutrition and health claims for spreadable fats

Separate regulations for nutrition and health claims apply to spreadable fat products, such as margarine and low fat spreads. The old regulations for use of the term ‘light’ remain in force, which means that these products may contain a maximum of 41% fat. The regulations for spreadable fats are shown in Table 4.

**Table 4 Rules for spreadable fats**

Nutrition claim	
Reduced fat content	≥ 41% and ≤ 62% fat in product
Low fat content/light	≤ 41% fat in product
Claim on basis of national agreement of dietary rules	
Suitable for a cholesterol-reducing diet	≥ 50% PUF and ≤ 25% SF (including trans fatty acids)

### Nutrition profiles

Nutrition and health claims are only permitted if the product complies with a number of conditions for the content of fat, saturated fat, trans fatty acids, sugar and salt. These are what are termed nutrition profiles. Although it states in the claims legislation that the European Commission is to have drawn up nutrition profiles by at the latest 19 January 2009 up to now definitive criteria for these nutrition profiles still have to be established. Therefore, the nutrition profile requirement does not apply at the moment. From the moment that the profiles do apply a product must comply with the whole profile for a health claim to be approved. However, a nutrition claim remains permitted if only one nutrient exceeds the criteria, provided that this is stated equally legibly and on the same side of the packaging as the claim. Exceptions are the nutrition claim ‘light’ and the claim concerning reducing the content of one of the above-named ‘nutrition profile nutrients’: e.g. ‘reduced (saturated) fat’. This last claim is permitted when the relevant content is at least 30% lower than that in a comparable product without having to comply with a nutrition profile. When using the term ‘light’ it must be stated though to what the claim refers to, for example, sugar or fat.

### Conditions applying to labelling and advertising

The following additional information must be included on the label or in the advertising when using health claims (but not nutrition claims):

- a statement pointing out the importance of a varied, balanced diet and a healthy lifestyle
- the necessary amount of the foodproduct and the required pattern of consumption to achieve the claimed beneficial effect
- if applicable, a statement for people who should avoid using the particular foodproduct
- a suitable warning for products that could form a health risk if used in excess

This applies to all products that have been produced since 1 July 2007 (see the following paragraph).

The objective of the Product Board for Margarine, Fats and Oils (MVO) as knowledge centre is to disseminate reliable and balanced information about the role of fats in a healthy diet. This information complies with the policy of the Dutch government and the Guidelines for Good Nutrition from the Health Council. It is also the objective of the Product Board to stimulate an improvement in the fatty acid composition of foodstuffs.

**Fact on Fats is a initiative of**  
Product Board for Margarine, Fats  
and Oils - [www.mvo.nl](http://www.mvo.nl)



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## General regulations for the use of nutrition and health claims

### There are a number of general conditions related to the use of claims:

- a claim must be understandable to the consumer
- a claim may not be incorrect or misleading
- a claim may not cause any doubt about the safety or suitability of other foodstuffs
- a claim may not induce excessive consumption
- a claim may not state that despite a balanced diet the consumer does not eat sufficient of the product
- a claim may not induce any fear
- the nutrient or substance to which the claim applies must be biologically available and present in sufficient quantity
- in the case of prepackaged foodproducts bearing a claim the nutritional value, including the nutrient for which the claim is being made, must be stated
- in the case of health claims and nutrition claims referring to sugar, saturated fats, fibre or sodium at least the 'big 8' must be stated (energy, protein, carbohydrate, of which sugars, fats, of which saturated fats, edible fibre and sodium) plus the nutrient concerned if this does not form one of the 'big 8'. In the case of other nutrition claims mention of the 'big 4' (energy, protein, carbohydrate, fats) is sufficient

#### The product

Calvé reduced fat mayonnaise

#### The claim

'Reduced fat mayonnaise contains good, unsaturated fats but less calories than normal mayonnaise'

