

Health claims for which protection of proprietary data has been granted

Claim type	Nutrient, substance, food or food category	Claim	Conditions of use of the claim / Restrictions of use / Reasons for non-authorisation	EFSA opinion reference	Commission regulation	Status	Restriction of use for the benefit of	Expiry date of the restriction of use
Art.13(5)	Slowly digestible starch	Consumption of products high in slowly digestible starch (SDS) raises blood glucose concentration less after a meal compared to products low in SDS	The claim may be used only on food where the digestible carbohydrates provide at least 60 % of the total energy and where at least 55 % of those carbohydrates is digestible starch, of which at least 40 % is SDS	Q-2010-00966	Commission Regulation (EU) No 851/2013 of 03/09/2013	Authorised	Mondelez International group, Three Parkway North Deerfield, IL 60015, UNITED STATES	23/09/2018
Art.13(5)	Reformulated, non-alcoholic, acidic drink with: — less than 1 g fermentable carbohydrate per 100 ml (sugars and other carbohydrates except polyols), — calcium in a range from 0.3 to 0.8 mol per mol acidulant, — display of pH between 3.7-4.0.	Replacing sugar-containing, acidic drinks, such as soft drinks (typically 8-12 g sugars/100 ml), with reformulated drinks contributes to the maintenance of tooth mineralisation	In order to bear the claim, reformulated acidic drinks shall comply with the description of the food subject to the claim	Q-2010-00784	Commission Regulation (EU) No 851/2013 of 03/09/2013	Authorised	Lucozade Ribena Sundry Limited and its affiliates (See footnote 1) 2 Longwalk Road Stockley Park Uxbridge UB11 1BA UNITED KINGDOM	23/09/2018
Art.13(5)	Water-Soluble Tomato Concentrate (WSTC) I and II	Water-Soluble Tomato Concentrate (WSTC) I and II helps maintain normal platelet aggregation, which contributes to healthy blood flow	Information to the consumer that the beneficial effect is obtained with a daily consumption of 3g WSTC I or 150 mg WSTC II in up to 250 ml of either fruit juices, flavoured drinks or yogurt drinks (unless heavily pasteurised) or with a daily consumption of 3 g WSTC I or 150 mg WSTC II in food supplements when taken with a glass of water or other liquid.	Q-2009-00229 , Q-2010-00809	Decision 2009/980/EU of 17/12/2009 , Amended by Decision 2010/770/EU of 13/12/2010	Authorised	Proxavis Natural Products Limited Thames Court 1 Victoria, Street Windsor, Berkshire SL4 1YB UNITED KINGDOM	18/12/2014

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Art.13(5)	Cocoa flavanols	Cocoa flavanols help maintain the elasticity of blood vessels, which contributes to normal blood flow	Information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 200 mg of cocoa flavanols. The claim can be used only for cocoa beverages (with cocoa powder) or for dark chocolate which provide at least a daily intake of 200 mg of cocoa flavanols with a degree of polymerisation 1-10	Q-2012-00002	Commission Regulation (EU) No 851/2013 of 03/09/2013	Authorised	Barry Callebaut Belgium nv. Aalstersestraat 122 Lebbeke-Wieze B-9280 BELGIUM	23/09/2018
Art.13(5)	Cocoa flavanols	Cocoa flavanols help maintain the elasticity of blood vessels, which contributes to normal blood flow.	Information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 200 mg of cocoa flavanols. The claim can be used only for capsules or tablets containing high-flavanol cocoa extract which provide at least a daily intake of 200 mg of cocoa flavanols with a degree of polymerisation 1-10.	Q-2013-00832	Commission Regulation (EU) 2015/539 of 31/03/2015	Authorised	Barry Callebaut Belgium nv. Aalstersestraat 122 Lebbeke-Wieze B-9280 BELGIUM	20/04/2020
Art.13(5)	Native chicory inulin	Chicory inulin contributes to normal bowel function by increasing stool frequency	Information shall be provided to the consumer that the beneficial effect is obtained with a daily intake of 12 g chicory inulin. The claim can be used only for food which provides at least a daily intake of 12 g of native chicory inulin, a non-fractionated mixture of monosaccharides (< 10 %), disaccharides, inulin-type fructans and inulin extracted from chicory, with a mean degree of polymerisation > or = 9.	Q-2014-00403	Commission Regulation (EU) 2015/2314 of 07/12/2015	Authorised	BENE-Orafit S.A Rue L. Maréchal 1 Oreye 4360 BELGIUM	01/01/2021

Footnotes:

(1) By letter of 31 December 2013, the Commission has been informed that GlaxoSmithKline Services Unlimited (GSK House,980 Great West Road,Brentford TW89GS, UNITED KINGDOM) has agreed to transfer all rights it has to use (and to permit others to use) the health claim to Lucozade Ribena Suntory Limited (2 Longwalk Road, Stockley Park, Uxbridge UB11 1BA, UNITED KINGDOM), and, from the date of that letter, consents to and authorises the use by Lucozade Ribena Suntory Limited and its affiliates of the health claim based on the proprietary data filed by GlaxoSmithKline Services Unlimited

Report Notes:

Health claims for which protection of proprietary data is granted, are authorised for the restricted use of the applicant for a period of five years after the entry into force of the relevant legal act. At the expiry of the five-year period, this restriction should be removed so that the health claim may be used, in conformity with the conditions applying to it, by any food business operator. Such authorisations of claims for the restricted use of the applicant, do not exclude the authorisation of the same claims in case they are based on data and studies other than those for which protection of proprietary data has been granted in accordance with Article 21 of Regulation (EC) No 1924/2006.