Chairmen:

Mr Basil Mathioudakis (for Items A1, A2, A3, A4, C1, C2 and M1)

Mrs Chantal Bruetschy (for Items A5, B1, B2 and B3)

All Member States were present except Bulgaria (not represented) and Slovak Republic (represented by Czech Republic).


The Dutch representative presented the notified decree. The framework legislation was already notified and discussed in the Standing Committee on the Food Chain and Animal Health meeting of 2 May 2011. The present decree authorises two variants of the "Tick Mark" food-choice logo and their rules for its use for a period of three years. The food-choice logo distinguishes between basic foodstuffs (green logo) and foodstuffs that are not basic (blue logo). Nutritional criteria, based on scientific evidence, select the foods that are eligible to bear the logo.

The Chairman recalled the previous message given in the context of similar notifications that such schemes should be aligned with the nutrient profiles referred to in Article 4(1) of Regulation (EC) No 1924/2006 once they are set. Some Member States asked about the functioning of the principle of mutual recognition in this particular situation. It was clarified that the system of logo was a voluntary one, and that products bearing this logo could circulate freely in the EU market.

A.2 Exchange of views of the Committee on a Working document by the Commission services for consultation of Member States on the modification of Commission Directive 2006/141/EC with regard to protein requirements for infant formulae and follow-on formulae.
A discussion took place on the basis of a Working Document circulated to Member States to seek their views on two possible modifications of Directive 2006/141/EC with regard to protein requirements for infant formulae and follow-on formulae.

The first modification would allow goat's milk protein as a source of protein for Infant Formulae and Follow on Formulae on the basis of European Food Safety Authority's opinion (EFSA) of 28 February 2012 (request No. EFSA-Q-2011-00132).

The second modification, following a request received by interested stakeholders, would concern the possibility to allow follow-on formulae manufactured from protein hydrolysates to have a lower protein content than what is today foreseen, on the basis of EFSA's opinion of 5 October 2005 (request No. EFSA-Q-2005-040).

While certain Member States raised some questions on technical details regarding the two different amendments and asked more time to consider them, no Member State opposed the possible modifications. One Member State called for a broader revision of the protein requirements for Infant Formulae and Follow on Formulae taking into account new scientific developments.

The Commission underlined that such a broader revision would take a significant amount of time, since it would require new advice from EFSA, while the two proposed amendments under consideration could be done in a shorter timeframe, considering that EFSA's advice is already available. The Commission stressed that the authorisation of such innovative products on the basis of existing EFSA's advice would allow to better satisfy consumer demands and as such should not be delayed. The Commission concluded that it would be more opportune to carry out a broader revision of the compositional requirements for these products in due time following the conclusion of the on-going revision of the legislative framework applicable to foods for infants and young children.

A draft legislative measure to amend Commission Directive 2006/141/EC will be presented at a future meeting of the SCFCAH.

A.3


As provided for in Article 18(4) of Regulation (EC) No 1924/2006 Member States were consulted on a health claim provided for in Article 13(5) of that Regulation, which received a favourable assessment from the European Food Safety Authority (EFSA). The health claim related to the effects of cocoa flavanols and maintenance of normal endothelium-dependent vasodilation.

The Commission presented the working document. One delegation considered that such health claim is against national dietary advice and health policies and should not be authorised. Some concerns were raised regarding the setting of
appropriate conditions of use. In particular, a discussion took place on whether the claim to be authorised should be restricted to cocoa flavanols from the specific food sources and the quantified portions referred to in the application and accepted by EFSA in its assessment.

In addition, as regards the wording of the claim to be authorised, there was an exchange as to whether the wording of the claim should not refer to a 'healthy blood flow' as requested by the applicant but to a 'normal blood flow' as proposed by EFSA to avoid that consumers expect to achieve a different effect that the favourably assessed beneficial effect. The Commission also asked the position of the Member States on whether the claimed effect should refer to 'endothelium-dependent vasodilation' as proposed by EFSA or should be subject to a change in order to enhance consumer understanding by referring to the 'elasticity of blood vessels' as agreed for a similar Article 13(1) health claim on walnuts. Delegations that intervened noted their preference to the wording on 'elasticity of blood vessels'.

The comments expressed during that discussion will be taken into account by the Commission in finalising its decision while the issue is referred for further discussions at experts' level.


As provided for in Article 18(4) of Regulation (EC) No 1924/2006 Member States were consulted on a health claim provided for in Article 13(5) of that Regulation, which received a favourable assessment from the European Food Safety Authority (EFSA) in five different applications.

The claimed effects as proposed by the applicant were worded as follows where the target population was the general population: "it is metabolised within body's normal energy metabolism" and "contributes to normal energy-yielding metabolism". The claimed effects as proposed by the applicant where the target population was 'healthy, active, as well as endurance trained, men and women' were worded as follows: "supports normal physical activity", "contributes to normal energy-yielding metabolism during exercise" and "contributes to normal muscle function".

The Commission presented the working document and informed the delegations that EFSA concluded that all the claimed effects referred to the contribution of glucose to energy-yielding metabolism. The difficulty to set appropriate conditions of use for the use of this claim taken into account that EFSA proposed that 'a food should be a significant source of glucose' in order to bear the claim and referred to the reference intake values for carbohydrates laid down in Annex XIII of Regulation (EU) No 1169/2011 was pointed out.

In the discussion that followed, concerns were expressed that such claim would encourage sugar consumption which is against national dietary guidelines and
health policies. Some delegations discussed the possibility to restrict the use of this claim to foods which are not addressed to the general population.

The Commission noted the concerns expressed by the delegations which will be taken into account by the Commission in finalising its decision and referred the issue for further discussions at experts' level.

A.5 Exchange of views concerning two applications for the placing on the market of Conjugated Linoleic Acid (CLA) under Regulation (EC) No 258/97.

EFSA in their statement of 27 April 2012 concerning the safety of CLA-rich oil as Novel Food ingredient confirmed that the safety of CLA consumption for periods longer than six months has not been established.

The majority of the Committee therefore agrees that it is not appropriate to authorise CLA-rich oil as a novel food ingredient at this moment.

The Committee invites the applicants to provide new information that would possibly allow the authorisation of CLA as a novel food ingredient.


Some editorial amendments were agreed. In particular, in Article 1 should be emphasised that this Decision was without prejudice to certain legislation. Furthermore the conditions were slightly amended in order to avoid possible ambiguities.

Vote taken: The Committee delivered a favourable opinion by qualified majority (325 in favour, 10 abstained, 10 absent and not represented)

B.2 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of bovine lactoferrin as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (Morinaga).

A draft proposal was discussed together with Item B3. Some editorial amendments were agreed. In particular for the designation on the labelling only the option 'Lactoferrin from cow milk was maintained'.

Vote taken: The Committee delivered a favourable opinion by qualified majority (335 in favour, 10 absent and not represented)
B.3 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of bovine lactoferrin as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (FrieslandCampina).

A draft proposal was discussed together with Item B2. Some editorial amendments were agreed. In particular for the designation on the labelling only the option ‘Lactoferrin from cow milk was maintained’.

**Vote taken:** The Committee delivered a favourable opinion by qualified majority (335 in favour, 10 absent and not represented)

C.1 Exchange of views of the Committee on a draft Commission Regulation on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk.

The draft Commission Regulation was submitted to the Standing Committee in accordance with Article 17(1) of Regulation (EC) No 1924/2006. It would authorise three health claims provided for in Article 14(1)(a), and would reject three health claims provided for in Article 14(1)(a) of that Regulation.

More particularly, one application related to the effects of calcium, either alone or in combination with vitamin D, and reducing the loss of bone mineral density (BMD) in postmenopausal women. Reducing the loss of BMD may contribute to a reduction in the risk of bone fractures. One application related to the effects of vitamin D and risk of falling for men and women sixty years of age and older. One application related to the effects of glucosamine hydrochloride and reduced rate of cartilage degeneration. One application related to the effects of isolated soy protein on reduction of blood LDL-cholesterol concentrations. One application related to a combination of plant sterols and Cholesternorm® mix and reduction of blood LDL-cholesterol concentrations.

The Commission presented the draft and the health claims therein, and a number of issues were raised, especially with regard to the setting of appropriate conditions of use for the favourably assessed health claims on calcium and vitamin D and the high level of vitamin D intake to achieve the claimed effects. As these issues are of a technical nature, the draft Regulation will be referred for further discussions at experts' level and put to the vote of the Committee in a future meeting.

C.2 Exchange of views of the Committee on a draft Commission Regulation refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health.

The draft Commission Regulation was submitted to the Standing Committee in accordance with Article 18(5) of Regulation (EC) No 1924/2006. It would refuse
to authorise the use of twelve health claims provided for in Article 13(5) of that Regulation.

More specifically, the applications subject to this draft measure relate to the effects of:

• Glucosamine and maintenance of joints
• Glucosamine and maintenance of normal joint cartilage
• Wheat polar lipid extract and protection of the skin against dehydration
• Saccharomyces cerevisiae var. boulardii CNCM I-3799 and reducing gastrointestinal discomfort
• A combination of thiamin, riboflavin, niacin, pantothenic acid, pyridoxine, D-biotin and pumpkin seed oil (Cucurbita pepo L.) and maintenance of normal hair
• Rhodiola rosea L. extract and reduction of mental fatigue
• A combination of flaxseed oil and vitamin E and maintenance of the skin permeability barrier function
• Opti
EFAX™ and maintenance of normal blood LDL-cholesterol concentrations
• Opti
EFAX™ and maintenance of normal blood HDL-cholesterol concentrations
• KF2BL20, which is a combination of keratin, copper, zinc, niacin, pantothenic acid, pyridoxine and D-biotin, and maintenance of normal hair
• Hyaluronic acid and protection of the skin against dehydration
• Opti
EFAX™ and maintenance of normal blood concentrations of triglycerides

The Commission presented the draft and the health claims therein. The draft Regulation will be referred for further discussions at expert level and put to the vote of the Committee in a future meeting.

M.1 Discussion on mandatory labelling requirements for plant sterols and plant stanols.

Regulation (EC) No 608/2004 concerning the labelling of foods and food ingredients with added phytosterols, phytosterol esters, phytostanols and/or phytostanol esters provides, amongst others, for a mandatory statement to be included on the labelling of foodstuffs with added phytosterols/phytostanols that the product is intended exclusively for people who want to lower their blood cholesterol level. This requirement is also incorporated in Regulation (EU) No 1169/2011 on food information to consumers which will repeal and replace Regulation (EC) No 608/2004 as of 13 December 2014.

Commission Regulation (EC) No 983/2009, Commission Regulation (EU) No 384/2010 and Commission Regulation (EU) No 432/2012 have authorised health claims relating to the reduction but also to the maintenance of blood cholesterol with respect to foods with added plant sterols/plant stanols, subject to certain conditions of use.

The Commission informed the members of SCFCAH that the wording of the mandatory labelling statement when combined with the voluntary health claims may confuse consumers as to the effects of phytosterols/phytostanols on blood cholesterol. The Commission is currently considering how the relevant legislation
could be modified so as to address the issue.