GARCIA LOPEZ BERGES Victor (TRADE)

Subject: FW: TTIP Meeting with Food Suplements Europe

From: KAIZELER Ivone (TRADE)
Sent: Wednesday, November 20, 2013 5:34 PM
To: GARCIA BERCERO Ignacio (TRADE); PERREAU DE PINNINCK Fernando (TRADE)
Cc: WEIGL Ulrich (TRADE); MAIER Wolf-Martin (TRADE); EMBERGER Geraldine (TRADE); TRADE TTIP TRANSPARENCY; LOPIAN Arthur (TRADE)
Subject: TTIP Meeting with Food Suplements Europe

Dear all

Ulrich, Wolf-Martin and I meet Monday with "Food Supplements Europe" following the recent EU-US submission under TTIP (letter sent to Commissioner De Guth and Ambassador Froman – attached)

They are asking for "regulatory compatibility in the area of dietary/food supplements" but the discussion revealed that what they are seeking is an uniform implementation of EU legislation across EU MS – the EU market is not sufficiently harmonized in their view + flexibilization of EU legislation if possible (as the US system is more permissive as regards what is allowed and not in food supplements and is more permissible as regards health claims on foods). They noted that EU producers have no difficulties on accessing US market. [**NOT RELEASABLE**]

This domain is the responsibility of DG SANCO food unit (non-SPS). Relevant EU legislation is:

- Directive (2002/46/EC) on Food supplements
- Regulation (1924/2006) on Nutrition and Health Claims made on Foods

<u>As regards Directive on food supplements</u>:
Industry said that several MSs interpret in different ways the rules and some of them put limitations (e.g. maximum permissible limit of vitamins and minerals if food supplements). They say that a single product cannot therefore be marketed across the EU. These claims need to be doubled checked with DG SANCO (*NB: the Directive sets a list vitamins and minerals that can be used in food supplements + procedure to set maximum limits across the EU*)

<u>Regulation on Nutrition claims</u>:
Industry noted that there are differences in MS. Again need to ascertain with SANCO if MS have any flexibility in this matter (e.g. if they can regulate requests to provide additional info as compared with the official health claims). *NB: Regulation 2006 sets the rules. Industry proposed Health claims and respective data/studies are assessed by EFSA, COM takes a decision on basis of EFSA opinion on whether the health claim is substantiated (e.g. does product x really reduces cholesterol?) or not and then the authorized health claims are*

published in a Commission Regulation. We have been receiving recently several dozens of these assessments and COM proposals via ISC

Industry noted that in the US the system is more flexible and even if there is no scientific proof that the health claim is not 100% scientifically substantiated, Industry can still say that product x may reduce cholesterol (different approaches in EU and US)

[NOT RELEASABLE]

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Best regards,

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join...

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