

Other Function Claims

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FSS (Packaging & Labelling) Regulations 2011

“Health claims” means any representation that states, suggests or implies that a relationship exists between a food or a constituent of that food and health and include nutrition claims which describe the physiological role of the nutrient in growth, development and normal functions of the body, other functional claims concerning specific beneficial effect of the consumption of food or its constituents, in the context of the total diet, on normal functions or biological activities of the body and such claims relate to a positive contribution to health or to the improvement of function or to modifying or preserving health, or disease, risk reduction claim relating to the consumption of a food or food constituents, in the context of the total diet, to the reduced risk of developing a disease or health related condition;

Other Function Claims @ Codex

These claims concern

specific beneficial effects of the consumption of foods or their constituents

“in the context of the total diet”

on normal functions or biological activities of the body.

Such claims relate to a **positive contribution to health** or to the **improvement of a function** or to **modifying or preserving health**.

Examples:

“Substance A (naming the effect of substance A on improving or modifying a physiological function or biological activity associated with health). Food Y contains x grams of substance A.”

Some examples

- **Gluten Free**
- **Wholegrain multiple health condition benefits including weight management**
- **Reduce Tooth Decay**
- **Slimming or weight-control**
 - or a reduction in the sense of hunger**
 - or an increase in the sense of satiety**
 - or a reduction of available energy from the diet**

e.g. “[Fibre helps maintain a healthy digestive system](#)”.

Lycopene

- Is **NOT an essential nutrient** but a **major operator in the body's defense mechanism acting as antioxidant networks**, protecting lipids, proteins and DNA in circulating blood against free radical damage – particularly from singlet oxygen.
- Lycopene has been found to help restore cell membrane structure that enables cell-to-cell communication – structures that are more abundant in nonmalignant than malignant cells. It also enhances the activity of phase II liver detoxication enzymes.

SCIENTIFIC OPINION

Scientific Opinion on the substantiation of health claims related to whole grain (ID 831, 832, 833, 1126, 1268, 1269, 1270, 1271, 1431) pursuant to Article 13(1) of Regulation (EC) No 1924/2006¹

EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA)^{2,3}

European Food Safety Authority (EFSA), Parma, Italy

SUMMARY

Following a request from the European Commission, the Panel on Dietetic Products, Nutrition and Allergies was asked to provide a scientific opinion on a list of health claims pursuant to Article 13 of Regulation (EC) No 1924/2006. This opinion addresses the scientific substantiation of health claims related to whole grain. The scientific substantiation is based on the information provided by the Member States in the consolidated list of Article 13 health claims and references that EFSA has received from Member States or directly from stakeholders.

The food constituents that are the subject of this opinion are “whole grain”, “whole grain flour”, “whole grain foods”, and “diets rich in whole grain”, related to the following claimed effects: “gut health”/“bowel function”, “weight control”, “blood glucose”/“insulin levels”, “weight management”, “blood cholesterol”, “satiety”, “glycaemic index”, “digestive function” and “cardiovascular health”.

Whole grain foods (including whole grain flour) are defined differently across countries, also within the EU. In the UK and the USA whole grain foods must contain ≥ 51 % whole grain ingredients by wet weight, whereas in Sweden and Denmark the requirement is ≥ 50 % whole grain ingredients on a dry matter basis. In Germany, whole grain bread must be 90 % whole grain.

The information in the consolidated list and the references provided do not allow the Panel to characterise the food constituent, whole grain, that is the subject of the health claims. The Panel considers that the food constituent, whole grain, which is the subject of this opinion is not sufficiently characterised in relation to the claimed effects considered in this opinion.

On the basis of the data presented, the Panel concludes that a cause and effect relationship cannot be established between the consumption of whole grain and the claimed effects considered in this opinion.

DHA & ARA

Claim:

DHA & ARA are important building blocks for the development of the brain and eyes in **infants**

Criteria:

DHA, ARA declaration on label

DHA & EPA @ EU

Health claims approved by EFSA (v EU Reg 1924/2006 and 432/2012)

DHA and EPA contributes to

- Normal function of heart
- Normal Blood Pressure
- Maintenance of Normal Blood TGs

Condition

0.25g/day

3g /day

2g/day

Inulin

Claim:

Inulin helps in absorption of Calcium

Criteria:

- Codex = No specific mention of contents

Condition:

- Amount of inulin in each serving or other equivalents of the product must be declared on the label
- Amount of the combination of shorter and longer chain inulin present in the product is able to bring claimed benefit

OFS (OLIGOFRUCTOSACCHARIDES)

Claim:

- OFS stimulates in bifidobacteria resulting in a significant improvement of beneficial bifidobacteria in the intestine
- Also Helps reduce significantly the less desirable bacteria

Criteria:

- Amount should be sufficient to bring about the claimed benefit

PREBIOTICS

Claim:

Prebiotics promotes the growth of good bifidus bacteria to help maintain a healthy digestive system

Criteria (eg Singapore):

- Exact identity of prebiotics
- Amount present in the reasonable quantity recognized to provide the health benefits (amount present should be relevant to bring about the claimed benefit)

PROBIOTICS

Claim:

Prebiotics ...

... helps maintain a healthy digestive system

... helps in digestion

... helps to maintain a desirable balance of beneficial bacteria in the digestive health

... helps to suppress / act against harmful bacteria in digestion system thereby helping maintain a healthy digestive system

Criteria (eg Singapore):

- Exact identity of probiotics
- Amount present in the reasonable quantity recognized to provide the health benefits (amount present should be relevant to bring about the claimed benefit)

Potential Functional Properties and Positive Health Benefits for some commonly consumed foods..

| | Probable Bioactive component(s) recognized for health benefits | Possible Health Benefits |
|--|---|--|
| Wholegrain, Fruits, Vegetables | Dietary Fibre | Reduce risk to cancer |
| | .. esp Soluble fibre | Reduce risk of coronary heart disease |
| Soybean | Phytosterols, Saponins, Isoflavones, Phenolic acids, Phytic acids | Reduces blood cholesterol Anticarcinogens |
| Broccoli, Other Cruciferous vegetables | Glucosinolates changed to indoles/isothiocyanates | Reduces risk to cancer |
| | | |

Potential Functional Properties and Positive Health Benefits for some commonly consumed foods..

| | Probable Bioactive component(s) recognized for health benefits | Possible Health Benefits |
|---------------|---|--|
| Ginger | Gingerol | Anti-inflammatory actions Relieves Flatulence |
| Rice Bran Oil | Oryzanol, Phytosterols / Tocotrienols | Lower Blood Cholesterol |
| Garlic | Allyl Sulphur Compounds | Lower Blood cholesterol, Reduces Cancer risk |

Potential Functional Properties and Positive Health Benefits for some commonly consumed foods..

| | Probable Bioactive component(s) recognized for health benefits | Possible Health Benefits |
|----------------------------|---|--|
| Tomato, Watermelon, Papaya | Lycopene | Reduce Risk to Cancer |
| Mushroom | Eritadenine | Lower Blood Cholesterol |
| Marine select fish | Omega 3 fatty acids | Reduce Risk to Coronary Heart Disease |
| Tea – Green/Black | Catechins (Flavonoids) | Weight management Reduce risk of Coronary Heart Disease |
| Turmeric | Curcuminoids/Curcumin | Astringent/Carminative, Reduce Risk to Cancer |

Conditions for Health Claims including OFCs (Codex Perspective)

Health claims **must** be based on

- Current relevant scientific substantiation, and
- Level of proof must be sufficient to substantiate the type of claimed effect and the relationship to health as recognized by generally accepted scientific review of the data, and
- Scientific substantiation should be reviewed as new knowledge is available

Health claim **must** consist of two parts – Information on the

1. Physiological role of the nutrient or on an accepted diet-health relationship
2. Composition of the product relevant to the physiological role of the nutrient or the accepted diet-health relationship unless the relationship is based on a whole food or foods whereby the research does not link to specific constituents of the food



Claims need to be substantiated

General Guidelines

- Claim Language is critical
- Consumer awareness is low – protection of consumers is the key
- Guidelines are missing explaining regulation – potential opportunity for the claim guidelines to be built as part / support regulation