

TECHNICAL ISSUES ON NUTRITION LABELLING

– NUTRIENT FUNCTION CLAIM –

BACKGROUND

Unlike nutrition claims that are related to the quantity of a nutrient, nutrient function claims are focused on the “quality” of a nutrient. Codex defines nutrient function claim as a statement that describes the physiological role of a nutrient in growth, development and normal functions of the body. Often, the trade and the general public have difficulty in differentiating nutrient function claims and health claims¹. The key difference between them is that health claims are related to disease or health-related condition, whereas nutrient function claims do not have these elements. For example, “Calcium helps build bones” which is a nutrient function claim, whereas “Calcium may help reduce the risk of osteoporosis” is considered as a health claim. Under the proposal on Labelling Scheme on Nutrition Information, the Food and Environmental Hygiene Department plans to regulate the use of nutrient function claims on prepackaged foods.

NUTRIENT FUNCTION CLAIMS UNDER THE LOCAL SCHEME

Subjects of Nutrient Function Claims

2. Same as nutrition claims (i.e., nutrient content claims and nutrient comparative claims), the only nutrient function claims permitted shall be those relating to energy, protein, carbohydrate, and fat and components thereof (such as saturated fat), cholesterol, sugars, dietary fibre and sodium, plus vitamins and minerals for which Nutrient Reference Values (NRVs) have been laid down for nutrition labelling purpose.

¹ The control of health claim is under the purview of the Department of Health. The Undesirable Medical Advertisements (Amendment) (No.2) Bill 2004 was passed in LegCo on 29 June 2005.

Labelling Requirements

3. For all nutrient-related claims, the amount of claimed nutrients should be declared on the nutrition label. Furthermore, triggered cluster declarations are required for claim on fat/cholesterol and carbohydrate/sugars.

- Claims on fat / cholesterol – Where a claim is made regarding the amount and/or type of fat or the amount of cholesterol, the amounts of saturated fat, monounsaturated fat, polyunsaturated fat and cholesterol should be declared. Furthermore, in addition to the above, any fat or cholesterol claim should be accompanied by declaration of trans fat in Phase II.
- Claims on carbohydrate / sugars – Where a claim is made regarding the amount and/or type of carbohydrate, the amount of total sugars should be listed.

Conditions for Nutrient Function Claims

4. Any nutrient function claim should not imply that the nutrient could cure, treat or prevent disease. Furthermore, we propose to adopt the principles for the use of nutrient function claims established by Codex :

- i. The nutrient function claim must be based on relevant scientific substantiation and scientific consensus;
- ii. The claimed physiological role should arise from the consumption of a reasonable quantity of the food or food constituent in the context of a healthy diet;
- iii. If the claimed physiological role is attributed to a constituent in the food, for which a Nutrient Reference Value (NRV) is established, the food in question should be a source of or high in the constituent in the case where increased consumption is recommended; or low in, reduced in or free of the constituent in the case where reduced consumption is recommended (Conditions for nutrition claims will

be used to determine the levels for “source”, “high”, “low”, “reduced” and “free”); and

- iv. The claim must consist of two parts: (a) the information on the physiological role of the nutrient; and (b) the information on the composition of the product relevant to the physiological role. For example, Calcium aids in the development of strong bones and teeth. Product X is high in calcium.

VIEWS SOUGHT

5. Representatives from the trade are invited to comment on the proposed principles in para. 4 for nutrient function claims for the Labelling Scheme on Nutrition Information in Hong Kong.

Food and Environmental Hygiene Department

August 2005