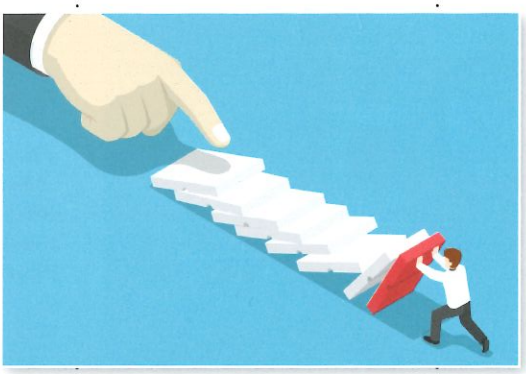
**HFMA UPDATE**
by Graham Keen, Executive Director

# A constant battle

The old adage that life got easier, from a workload perspective, during the summer months seems to be a thing of the past. Yes, Brussels still effectively shuts down for a couple of months, and that is clearly as welcome as it ever was, but this year, we are seeing an unprecedented series of threats and challenges here in the UK. At the HFMA, we seem to be fighting on all fronts right now and, make no mistake, some of the issues we are currently dealing with are potentially going to have a lasting impact and significance on not only our member companies, but all of this industry, for years to come.



Unless you have been living under a stone for the last two to three years, you will definitely be aware that a significant legal action has been taking place regarding the future food/medicinal status of glucosamine containing products, or GCPs. You don't need me to tell you of the significance of the market for GCPs here in the UK, as it is now the second largest segment of the market for 'other substances' (i.e. those other than vitamins and minerals), with only the market for fish oil products ahead of it. So, any change to glucosamine status is going to potentially threaten this market, and the outcome of the legal action, in which the HFMA was the only organisation to intervene in support of our medicines agency – the MHRA – will now do exactly that.

The most important thing to acknowledge here is that those seeking to have glucosamine classed as a medicine at any level were unsuccessful in this aim and glucosamine will still be available as a food supplement. As the responsible trade association representing the natural products industry, we have been working closely in support of the MHRA following the court case and around the time you are reading this, you will become aware of new guidance from the MHRA. This guidance will mean that anything at or above a level of 1,178mg glucosamine (base) or the equivalent figure of 1500mg glucosamine sulphate per daily intake will be deemed to have a pharmacological effect, and will, therefore, be classed as medicinal. Following this advice, we will be working with members to develop safe and effective products at a new level of 1400mg glucosamine sulphate per daily intake, which will now act as the strongest level of glucosamine available without prescription.

In relation to transition and sell-through of GCPs, we have been reassured that the MHRA will take a proportionate approach to the enforcement of its decision, having regard to its duty under section 108 of the Deregulation Act 2015 to promote economic growth in the exercise of its functions. But, in essence, in terms of transition and sell-through, this means it will be the responsibility of all companies marketing these products to be able to show the MHRA, if questioned, that they have taken the appropriate commercial actions in as expedient a fashion as possible.

Another significant issue we are currently dealing with is the potential threat to the regulatory status of turmeric/curcumin products. This issue started life as a RASSF (Rapid Alert System for Food and Feed) complaint in Denmark and Sweden, which was then picked up by the UK's FSA. But the problem has been exacerbated by the fact that the Food Safety Authority of Ireland (FSAI), using its database of 'notified' products, has now been writing to HFMA member companies in the UK, which market products in Ireland, with questions about their products. The problem has two elements; the potential 'novel' nature of the production of concentrated curcuminoids, and the EFSA ADI of 3mg, which equates to an SUL of 210mg (depending on the concentration of curcuminoids used), which may present a significant problem for many products.

The HFMA has commissioned a toxicological study and the findings from this have formed the basis of a robust response on behalf of our members to the FSAI, and I'm pleased to report that our friends at the Irish association, the IHTA, joined us as co-signatories to that response. This has been acknowledged by the FSAI and, at time of writing, we are awaiting its own response back to us.

Another challenge coming from across the Irish Sea comes in the form of a new report published by the aforementioned FSAI, in which the FSAI set vitamin and mineral Upper Safe Levels (ULs) for Ireland for total intake, for life stage groups, including infants, children, males, females, pregnancy and lactation. We have been evaluating the report and have a number of concerns about the new guidance, not least of which is that history shows us that what is intended to only be 'guidance' often becomes much more than that when in the hands of enforcement authorities.

There are several more fundamental issues currently being addressed, but in order to end this month's article on a more upbeat note, I will share a couple of positive stories. One of these relates to the question of the mandatory fortification of flour with folic acid, and on this, the HFMA's position has always been clear – that we are not against this per se, but that any move should be supported by a renewed consumer information campaign regarding the existing SACN advice, to ensure that the key target consumer group is not placed at risk by default. Following the Parliamentary debate in May, we wrote to the Public Health Minister, Steve Brine MP, expressing our concerns and requesting a meeting, and we have now been contacted by his office and I'm pleased to say that we will be meeting with him after the summer Parliamentary recess.

We have also received positive news from the UK FSA representative attending the latest Commission Working Group (CWG) on food additives, the significance being that the continued use of several key additives used in the production of food supplements is currently under threat. The impression from the last CWG was that the Commission was now in listening/reflecting mode, so perhaps a degree of sanity may now be prevailing! hfb

**To help us in our efforts to protect this industry and benefit from the gold-standard advice we provide, join the HFMA at the earliest opportunity. To learn more about our activities, please contact me at graham@hfma.co.uk.**