



HFMA UPDATE

by Martin Last,
Director General

Being prepared

We are all watching the economic situation closely and whilst our economy continues to demonstrate a fragile recovery, it does keep us guessing as to when the cost-of-living pressures may ease. It is hoped that in the lead up to a probable November election, maybe on November 14 according to our advisors, that there will be more positive news to come in the run up to that event.

There will also be elections in Europe in June and the effect of these are that the Commission is wanting to complete all its current work schedules before the election, and it is expected that there may be several announcements raised by them within this time.

We are already receiving some rumours which, if acted on, would have worrying developments for food supplements. Through our European partner, the EHPM, we understand that the Commission is considering a radical proposal on the setting of maximum levels (MPLs) and what formula may be adopted. We were all expecting an announcement pre-Christmas, but we are aware that recently, the Commission has been having meetings with certain targeted Member States regarding what formula may apply when setting MPLs and these seem to provide different levels of insights into discussions with some national authorities. These meetings are not being given open access and therefore currently, there is little transparency, however, if the proposals are adopted as they appear to indicate, they would have serious consequences for the EU food supplements industry.

The concerns are that the Commission may be moving away from adopting any currently proposed scientific model for the setting of levels and instead appear to want to follow a model which could be arbitrary in how these levels are set. The outcome of which would severely

restrict the maximum levels of all food supplements in the EU. There appears to be no apparent reason for such an approach as over the last 20 years, since the Food Supplements Directive was implemented, there have been no major safety concerns that may have prompted the need for such restrictions. There is not yet any engagement by the Commission with stakeholders, but it is understood that the Commission wants to progress this before the elections in June. We are aware that since the implementation of the Food Supplements Directive, successive Commissions have discussed this issue at length with stakeholders and due to its complexities, has been unable to finalise a working practical solution in all this time. So, taking such a rapid approach now without full consultation would at the least provide insufficient time for national authorities to fully understand the implications of such a proposal and discuss properly with their stakeholders.

To prepare for this, EHPM are uniting with other related associations in Europe to generate political engagement designed to encourage MEPs and national authorities to strongly oppose the proposal. The HFMA is actively supporting EHPM in this approach. Given the voting process and timescales involved, this is receiving urgent attention and if wider mobilisation is required, this will also be considered. Clearly, HFMA is in regular contact with EHPM on this as whilst this may not have any immediate effect on levels in the UK, it would affect our EU links with our closest export trading partner.

Another issue that has only recently been highlighted is that the Commission is actively looking at contaminants. At a recent meeting in Italy, DG Sante reflected EFSA's concerns over possible carcinogenicity with mineral oil



hydrocarbons (MOHs) and could look soon to announce maximum limits for MOHs in foods and food supplements based on the EFSA opinions.

The analysis methods for MOHs, which are normally found to result from production processes, are not well defined or standardised and therefore limits based on quantification has difficulties in being clearly identified. There will be the greatest impact on food and fish oil, and this would include food supplements, most notably omega 3, and how limits affect finished products could be more complex. Therefore, whilst this is not a safety issue, it would create some challenges to industry with compliance.

Again, HFMA is working with the EHPM to firstly raise awareness of the issue with members and to then discuss how this may best be addressed. As a result, EHPM are in discussion with other EU food associations, and on the agenda for discussions with the technical groups in the EU and UK. There is

likely to gain greater awareness over the coming months.

In the UK, at the time of writing, we have had the announcement by our UK Government on developments in Northern Ireland regarding the re-establishment of Stormont and early signs are that a consequence of this may be fewer border declarations between Northern Ireland and the UK. How this is likely to impact on the Border Target Operating Model (BTOM) is, as yet, unclear, and Government departments are preparing to brief industry on these developments. HFMA is involved with the discussions with DEFRA and are monitoring this situation closely.

As always, there is much to be aware of and the HFMA continues to be at the forefront of defending our industry and representing the interests of our members. If you would like to know more about the benefits of membership to your company, simply visit our website, www.hfma.co.uk, to learn more, or contact me directly at martin@hfma.co.uk

HFMA membership is vital to ensure that your company keeps abreast of the fast-changing regulatory environment. The HFMA is the UK's best source of information and most effective defender of our industry's interests. To help the HFMA defend your business at this most critical time, contact hfma@hfma.co.uk or call 020 8481 7100.

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