hfma
The Voice of the Natural Health Industry

Bulletin Board

News, information and comment

Nearly a decade on, the impact of the health claims regulation on nutraceutical and sports product formulation

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It has certainly been a challenge! It's nearly nine years since the EC Regulation on Nutrition and Health Claims (NHCR) came into effect, and boy has it changed the landscape of NPD formulation. R&D and technical teams have been forced to turn tried and tested NPD techniques on their heads.

Pre-NHCR, NPD teams were able to produce formulations based on new and emerging science, innovation and market foresight, then hand them to marketers to work their magic on labels and advertising. We still had to adhere to Food Law, which prevented 'medicinal' type claims of course, but we retained that creative and unique element so critical to producing a brand.

Post-NHCR we are now forced to work backwards. We have to know what we want to be able to say in marketing a product before even looking at our ingredient profiles. In essence, NHCR is now in charge of product formulation. No one wants a product they can't say anything about.

According to legislation, 15% Nutrient Reference Value (NRV) is physiologically significant – really!

I'd argue that even at 100% NRV, these levels are set to prevent deficiency symptoms such as scurvy, not to maintain optimum health, but of course in the world of NPD where space in shells and tablet tooling is an issue, most are bullied into using low levels.

While adding 0.375µg (15% NRV) – the level required to make a claim – of vitamin B12 to a VMS tablet causes few issues; if you want to use a potassium claim, adding 300mg elemental (15% NRV) of this mineral increases source volume significantly, leaving little space for the innovative functional ingredients that keep our industry exciting. It remains to be seen whether the average consumer can even understand some of the few health claims to be approved.

It's such a shame for the raw material producers who plough thousands into research. With EFSA criteria for approval of claims being so restrictive, there are few that make it through the process, resulting in a monopoly by a few. Glucosamine is a great example of EFSA criteria, arguably, being stricter than that required by the MHRA for a full medicinal product licence. It is licensed as a medicine in the UK, but there is not enough science to give it an approved health claim!

The impact of the NHCR on the UK market is clear to see. Let's take the increase in konjac (glucomannan) products as an example. Not surprisingly amidst the UK's growing obesity epidemic, there is a notable increase in Konjac NPD. As the only ingredient with any substantial permitted weight loss claim, demand is high, and consumer purchasing trends in the EU are being influenced for the first time in decades, not so much by the US, but by EFSA and the decisions it makes on what we can and can't say to market products.

So the challenge for NPD teams is to produce innovative, functional and science-backed, yet exciting new products, within a legislative arena that would really like us to stop us thinking about NPD and focus on the staples of vitamins and minerals. And don't get me started on novel foods!

We love a challenge, so will innovate as best we can, patiently awaiting the outcome of the 'on hold' botanicals list. If you are confused, the HFMA has a fantastic team to help you handle, understand and anticipate all of these challenges. Bring on the next challenge – but not too soon please!

News... Folic acid fortification of flour

The benefits of folic acid have been regularly reported in the national media, highlighting its crucial role in preventing the incidence of neural tube defects, and the worrying 85% of women of child-bearing age who are not taking enough.

This month saw the issue again return to the spotlight, with the BBC and the *Daily Mail* reporting that the Scottish parliament has decided to approve adding it to flour, on the UK Food Standards Agency's recommendation.

The HFMA will continue to lobby that whilst folate fortification of foods will increase the general level of folate for UK consumers, it will not achieve the optimum levels required for the specific target group who will continue to need to supplement their diet with a folic acid supplement.

Getting the best from the HFMA

Members of the HFMA have access to an extensive gold-standard network of experienced advisers to ensure they are well versed in every aspect of industry development.

This includes a technical advisor, who deals with issues relating to products, processing, distribution and relevant legislation, and this month the position saw the new appointment of Sukh Gill as HFMA's new technical adviser.

Sukh brings a wealth of experience in food regulation implementation and enforcement on a national, EU and global level, and almost 30 years of service to public, private, and non-profit sectors.

NEWS... FREE-FROM IN THE SPOTLIGHT

The start of a new year always brings fresh health and diet trends, often fuelled by the media and touted as the "next big thing".

Usually by February many of these fads have fallen away. This year, however, the trend of special diets has stayed in the spotlight for longer.

Recently Channel 4's *Super Shoppers* programme posed the question about free-from foods bring overpriced.

The programme claimed that supermarkets in particular were exploiting shoppers by charging 200% more for a version that was 'free-from' compared with its standard equivalent. In one example, an own-brand tomato ketchup that contained no gluten was 65p, but the speciality 'free-from' version which was also gluten-free was being sold for £1.20. Ultimately this becomes a question of labelling, but it's also one of customer education.

With the UK 'free-from' sector expected to grow by a further 50% in the next four years from its £210 billion today, this is one health trend that is here to stay, and we must ensure that clarity is at the forefront in helping our customers to lead healthier lifestyles.