

Brussels, 29 October 2007

**Note accompanying the CORRIGENDUM and ADDENDUM to
the food industry's contribution to the list of claims according to Article 13 (3) of the
regulation 1924/2006 of the European Parliament and of the Council of 20 December
2006 on nutrition and health claims made on foods**

This CORRIGENDUM and ADDENDUM have been developed on the basis of comments received on the industry contribution to the article 13 list of claims after the final list was issued on 20 July 2007. They should be considered to be an integral part of that list.

The CORRIGENDUM contains the following:

- Corrections of typographical errors
- Adaptation of a number of entries based upon comments received after the establishment of the final list to encompass current products on the market. This is especially relevant for botanicals given their diverse use in products under the form of dried plant parts, extracts, and isolates which all need to be covered by the equivalent amount in the conditions of use.
- Addition of a limited number of claims that had been submitted and received a favourable assessment from the review experts but that had not been included in the initial list.
- Addition of a limited number of examples of claims due to the Commission's interpretation of borderline issues between nutrition and health claims.

The ADDENDUM contains the following:

- Claims falling under the definition of article 13.1.b and 13.1.c, which had not been included in the initial list because companies intended to submit a file under article 13.5 containing new scientific evidence. Given that the Commission interpretation is that the new scientific evidence dossiers may be submitted only beginning of February 2008, these claims have been included into the general list in order to be able to make use of the transition periods under article 28.6.b.

The industry contribution to the article 13 list was a collective exercise by the members of the four European Federations and was also open to outside parties.

The entries have been assessed using a defined methodology (see Richardson et al, Food Science and Technology Bulletin: Functional Foods 3 (8) 81–95 / DOI: 10.1616 / 1476-2137.14747. Published 30 March 2007).

All health relationships and examples of wording that figure on this list are currently used on products and in commercial communication in the EU Member States.

Any entry was included if it was lawfully used in at least one Member State, in the spirit of mutual recognition and irrespective of national restrictions on the use of the food component. As the list is intended as a list of claims that are based on generally accepted scientific evidence and well understood by the consumer, such claims should be eligible for inclusion in the list irrespective of potential national restrictions relating to the food component.