Refusal of health claims on beta glucans, Affron, MegaNatural-BP and Frutalose

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European Commission rejects health claims for beta glucans and blood glucose; Affron® and anxiety; MegaNatural®-BP and blood pressure; and Frutalose® and bowel function

Commission Regulation (EU) 2023/1141 of 1 June 2023 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health

Update

The European Commission has rejected health claims related to beta glucans and blood glucose; Affron® and anxiety; MegaNatural®-BP and blood pressure; and Frutalose® and bowel function.

Impacted products

health foods

What is changing?

The Commission has rejected four health claims on foods submitted by food business operators because they do not to comply with the conditions set out in Regulation (EC) No 1924/2006, and will not be authorised for use on foods.

Table 1 sets out details of the four applications.

Why?

EFSA assessed all four health claims, with an unfavourable outcome. The evidence provided by the claimants was not sufficient to establish cause-and-effect relationships between consumption of the foods and the claimed health benefits.

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Timeline

Entry into force: **2 July 2023**.

What are the major implications for exporting countries?

The health claims listed in the Annex of the Regulation are not permitted on products exported to the EU.

Background

Health claims made on foods are prohibited unless they are authorised by the Commission in accordance with Regulation (EC) No 1924/2006 and included in the EU list of permitted claims. Food business operators may submit applications for authorisation of health claims to the national competent authority of a Member State. The national competent authority forwards applications to EFSA, which then delivers an opinion on the health claim concerned.

Resources

EFSA (2021) Beta-glucans from oats and/or barley in a ready-to-eat cereal manufactured via pressure cooking and reduction of blood-glucose rise after consumption: Evaluation of a health claim pursuant to Article 13(5) of Regulation (EC) No 1924/2006. EFSA Journal,19(4): 6493.

Sources

Commission Regulation (EU) 2023/1141 refusing to authorise certain health claims made on foods

Regulation (EC) No 1924/2006

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Tables & Figures

Table 1
Refusal of health claims on beta glucans, Affron, MegaNatural-BP and Frutalose

Nutrient, substance, food or food category	Rejected claim	EFSA opinion reference
Beta-glucans sourced from oats and/or barley, incorporated into ready-to-eat breakfast cereals manufactured via pressure cooking (i.e. either by batch cooking or extrusion), and present at a level of at least 1.3 g per 25 g available carbohydrate in the ready-to-eat cereal	Consumption of beta-glucans from oats and/or barley in a ready-to-eat breakfast cereal contributes to a reduction of the blood glucose rise after that meal	Q-2020-000447
Affron®, aqueous saffron extract, with the sum of crocins and safranal concentration >3.5% and dextrin as inert carrier	Affron® contributes to maintaining a healthy mood by reducing negative feelings of depression and anxiety	Q-2020-00617
MegaNatural®-BP grape seed extract made entirely of California-grown grapes containing biologically active constituents: total phenolics (90–93%), gallic acid (≥2%) and catechin and epicatechin (≥5%). The distribution of phenolic compounds in MegaNatural®-BP is on average 9% monomers, 69% oligomers and 22% polymers	MegaNatural®-BP helps maintain healthy blood pressure	Q-2020-00718
Frutalose® chicory oligofructose	Frutalose® chicory oligofructose contributes to regular bowel function by increasing stool frequency	Q-2020-00631

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Regulation (EU) 2023/1141

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