



## **Informal meeting of Health Ministers**

**24-25 September 2015, Luxembourg**

### **Lunch debate**

#### ***Towards an EU policy limiting the presence of Trans Fatty Acids in our diet***

### **Discussion paper**

Trans fatty acids (TFA) are contained in numerous foodstuffs which are part of the daily diet of many people. In some Member States, the availability of this type of products, especially of industrial origin, has even become more important over the last years. The direct relationship between higher intakes of TFA and increased risk of coronary heart disease results from many studies, carried out among others by the European Food Safety Agency (EFSA)<sup>1</sup> and the World Health Organisation (WHO)<sup>2</sup>. According to EFSA, “TFA are not required in the diet” and “their intake should be as low as possible”. The WHO Global Strategy on Diet, Physical Activity and Health from May 2004 goes as far as recommending the elimination of TFA.

As of today, in the absence of a relevant regulatory frame, consumers are not in a position to determine by themselves the level of TFA in their food. In general, perceived healthfulness of TFA is dependent on consumer knowledge of TFA. Yet consumer knowledge can vary depending on overall nutritional knowledge which is often linked to socio-economic status.<sup>3</sup>

While the topic has been on the EU agenda since many years, no formal decision has yet been taken as to the best way to limit TFA in our diet.

The *status quo* is not an option and timely action is required more than ever against the following background:

The Commission is in the process of finalising its report on the presence of TFA in foods and in the overall diet of the Union population, due since 13 December 2014.<sup>4</sup> It is crucial that Member States are given the opportunity to provide a strategic input to this important document which will also examine the impact of different policy options on healthier dietary choices, including labelling, legal limits for the presence of trans fats in foods and voluntary measures.

During the Informal Meeting of Health Ministers in Riga in April 2015, a first important political debate on the need for a common EU policy for TFA regulation took place in the context of a wider debate on the challenges of nutrition policy in the EU. A large majority of those delegations having intervened expressed their support to the necessity of reducing TFA in food products. The Commission also marked its support to the reduction of TFA and informed delegations that a report on the presence of TFA in foods and in the overall diet is under preparation.



At Member States level, Denmark, Austria and Hungary have put in place national measures to limit the presence of TFA of non-ruminant origin in foods. The United Kingdom, Germany and the Netherlands have opted for a voluntary approach. National action has also been taken by Switzerland, Iceland and Norway. Although such measures are to be welcomed in principle, their difference in nature does not contribute to the ultimate objective of a harmonised approach in the field of consumer protection.

Pressure is also rising from the side of the European Parliament. On 14 April 2015, the MEP Heart Group organised a panel discussion “Achieving a Trans Fat Free Europe”. As a result of this debate, the co-chairs of the MEP Heart Group addressed a letter to Commission President Juncker, asking for the timely adoption of a proposal to set legal limits on the use of industrially produced TFAs in foodstuffs in the EU.

At international level, a particularly strong call has been sent out very recently further to the decision on 16 June 2015 by the United States Food and Drug Administration (FDA) to remove industrially produced TFA from foodstuffs by 2018 on the grounds that they are no longer generally recognised as safe. FDA estimates that this measure could prevent 20.000 heart attacks and 7.000 deaths from heart disease each year. It furthermore estimates that its cost would be about 6 billion USD, and that it could save about 140 billion USD over 20 years in health care and associated costs. Mandatory nutritional labelling of TFA has been effective in the US since 2006.

The Luxembourg Presidency would like to take discussions one step further by addressing the concrete content of the most efficient measures to be adopted at EU and/or national level. The result of this debate is expected to feed into the Commission’s reflections on the various options on the way forward at EU level and hence prompt the adoption of the long awaited report and of the possible legislative proposal in view of the political debate planned for the EPSCO Council of 8 December 2015.

**Against this overall background, Ministers/Heads of Delegations are invited to consider the following questions in preparation for discussion:**

**Question 1:** How could consumers be most efficiently informed on the presence of industrially produced TFA in their food and what measures should be taken at EU level to reduce the amount of saturated fat, including industrially produced TFA, used in foods? Would you consider voluntary action by the affected food producing sectors as sufficient or would a legal framework be more efficient?

**Question 2:** Do you consider international recommendations, such as those issued by WHO, and recent developments among EU trade partners, particularly in the United States, to be stimulating for those Member States who consider taking national measures as long as the Commission has not yet adopted a legislative proposal on the presence of TFA in foods and in the overall diet?



- <sup>1</sup> EFSA Scientific Opinion on Dietary Reference Values for all types of fats and cholesterol, April 2010.
- <sup>2</sup> WHO Scientific Update on trans fatty acids (TFA) (2009), European Journal of Clinical Nutrition, Volume 63 (Supplement 2), May 2009  
[http://www.who.int/nutrition/publications/nutrientrequirements/scientific\\_update\\_TFA/en/](http://www.who.int/nutrition/publications/nutrientrequirements/scientific_update_TFA/en/).
- <sup>3</sup> Commission Staff Working Document of 26 September 2014 on the results of the Commission's consultation with the Advisory Group on the Food Chain and Animal and Plant Health on options to be included in the report for the Commission to the European Parliament and the Council regarding the presence of and appropriate means for reducing trans fat in foods and in overall diet of the Union population.
- <sup>4</sup> See article 30(7) of Regulation N°1169/2011 of the European Parliament and the Council on the provision of food information to consumers (OJ L 304, 22.11.2011, p.18).