

Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods

[<sup>XI</sup>CHAPTER I

**SUBJECT MATTER, SCOPE AND DEFINITIONS**

*[<sup>XI</sup> Article 2*

**Definitions**

- 1 For the purposes of this Regulation:
  - a the definitions of ‘food’, ‘food business operator’, ‘placing on the market’, and ‘final consumer’ set out in Articles 2, 3(3), 3(8) and 3(18) of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>(1)</sup> shall apply;
  - b the definition of ‘food supplement’ set out in Directive 2002/46/EC shall apply;
  - c the definitions of ‘nutrition labelling’, ‘protein’, ‘carbohydrate’, ‘sugars’, ‘fat’, ‘saturates’, ‘mono-unsaturates’, ‘poly-unsaturates’, ‘fibre’ set out in [<sup>F1</sup>Annex I to Regulation (EU) 1169/2011] shall apply;
  - d the definition of ‘labelling’ set out in [<sup>F2</sup>Article 2(1)(j) of Regulation (EU) 1169/2011] shall apply.
- 2 The following definitions shall also apply:
  - 1 ‘claim’ means any message or representation, which is not mandatory under [<sup>F3</sup>any enactment], including pictorial, graphic or symbolic representation, in any form, which states, suggests or implies that a food has particular characteristics;
  - 2 ‘nutrient’ means protein, carbohydrate, fat, fibre, sodium, vitamins and minerals listed in [<sup>F4</sup>Annex I to Regulation (EU) 1169/2011], and substances which belong to or are components of one of those categories;
  - 3 ‘other substance’ means a substance other than a nutrient that has a nutritional or physiological effect;
  - 4 ‘nutrition claim’ means any claim which states, suggests or implies that a food has particular beneficial nutritional properties due to:
    - a the energy (calorific value) it
      - i provides;
      - ii provides at a reduced or increased rate; or
      - iii does not provide; and/or
    - b the nutrients or other substances it
      - i contains;
      - ii contains in reduced or increased proportions; or
      - iii does not contain;
  - 5 ‘health claim’ means any claim that states, suggests or implies that a relationship exists between a food category, a food or one of its constituents and health;

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EC) No 1924/2006 of the European Parliament and of the Council, Article 2. (See end of Document for details)

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- 6 ‘reduction of disease risk claim’ means any health claim that states, suggests or implies that the consumption of a food category, a food or one of its constituents significantly reduces a risk factor in the development of a human disease;
- [<sup>F57</sup> ‘expert committee’ means a committee with appropriate expertise in the matter to be considered, approved by an appropriate authority to give advice for the purposes of this Regulation;]
- [<sup>F68</sup> ‘appropriate authority’, subject to point 9, means:
- a for regulations, guidelines, applications or the register of claims in relation to England, the Secretary of State;
  - b for regulations, guidelines, applications or the register of claims in relation to Scotland, the Scottish Ministers;
  - c for regulations, guidelines, applications or the register of claims in relation to Wales, the Welsh Ministers;
- 9 The appropriate authority is the Secretary of State if consent is given by:
- a for regulations, guidelines, applications or the register of claims in relation to Scotland, the Scottish Ministers;
  - b for regulations, guidelines, applications or the register of claims in relation to Wales, the Welsh Ministers;
- 10 ‘relevant authorities’ means the Secretary of State, the Scottish Ministers and the Welsh Ministers;
- 11 ‘enactment’ includes any enactment of the types specified in the definition of ‘enactment’ in section 20(1) of the European Union (Withdrawal) Act 2018.]]

#### Editorial Information

- X1** Substituted by Corrigendum to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (Official Journal of the European Union L 404 of 30 December 2006).

#### Textual Amendments

- F1** Words in Art. 2(1)(c) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 2(1)(d) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 2.2(1) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 2.2(2) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Art. 2.2(7) substituted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 2.2(8)-(11) inserted (31.12.2020) by The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/651), regs. 1(1), **17(3)(b)(iv)** (as amended by (S.I. 2020/1476), regs. 1(2), 5(2)(b)); 2020 c. 1, **Sch. 5 para. 1(1)**

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1924/2006 of the european parliament and of the council, Article 2 . (See end of Document for details)

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- (1) [<sup>XI</sup>OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).]

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