

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

CHAPTER I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1

Subject matter and scope

1 This Regulation harmonises the provisions laid down by law, regulation or administrative action in Member States which relate to nutrition and health claims in order to ensure the effective functioning of the internal market whilst providing a high level of consumer protection.

2 This Regulation shall apply to nutrition and health claims made in commercial communications, whether in the labelling, presentation or advertising of foods to be delivered as such to the final consumer, including foods which are placed on the market unpacked or supplied in bulk.

It shall also apply in respect of foods intended for supply to restaurants, hospitals, schools, canteens and similar mass caterers.

3 A trade mark, brand name or fancy name appearing in the labelling, presentation or advertising of a food which may be construed as a nutrition or health claim may be used without undergoing the authorisation procedures provided for in this Regulation, provided that it is accompanied by a related nutrition or health claim in that labelling, presentation or advertising which complies with the provisions of this Regulation.

4 This Regulation shall apply without prejudice to the following Community provisions:

- a Directive 89/398/EEC and Directives adopted on the basis thereof;
- b Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters⁽¹⁾;
- c Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption⁽²⁾.

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⁽³⁾, 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’ and ‘fibre’ set out in Directive 90/496/EEC shall apply;
 - d the definition of ‘labelling’ set out in Article 1(3)(a) of Directive 2000/13/EC shall apply.
- 2 The following definitions shall also apply:
- 1. ‘claim’ means any message or representation, which is not mandatory under Community or national legislation, 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 the Annex to Directive 90/496/EEC, 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;
 - 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;
 - 7. ‘Authority’ means the European Food Safety Authority established by Regulation (EC) No 178/2002.

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 229, 30.8.1980, p. 1](#). Directive as last amended by Regulation (EC) No 1882/2003.
- (2) [OJ L 330, 5.12.1998, p. 32](#). Directive as amended by Regulation (EC) No 1882/2003.
- (3) [OJ L 31, 1.2.2002, p. 1](#). Regulation as amended by Regulation (EC) No 1642/2003 ([OJ L 245, 29.9.2003, p. 4](#)).