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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

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to: Mr Javier SOLANA, Secretary-General/High Representative

Subject: **Commission staff working document**
Current position in EU Member States on foods for persons suffering
from carbohydrate metabolism disorders (diabetes)

Delegations will find attached Commission document SEC(2008) 2296.

Encl.: SEC(2008) 2296



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.7.2008
SEC(2008) 2296

COMMISSION STAFF WORKING DOCUMENT

**CURRENT POSITION IN EU MEMBER STATES ON FOODS FOR PERSONS
SUFFERING FROM CARBOHYDRATE METABOLISM DISORDERS (DIABETES)**

**CURRENT POSITION IN EU MEMBER STATES ON FOODS FOR PERSONS
SUFFERING FROM CARBOHYDRATE METABOLISM DISORDERS (DIABETES)**

This document's aim is to contribute to comprehension of document COM(2008)392

Member State	Dietary advice	Specific Regs	Compositional standards	Indication "suitable for diabetics"	Foods on market
Austria	Follow healthy eating advice tailored to individual needs	no	no	General provisions on dietetic foodstuffs apply.	Chocolate, biscuits and jams with malitol, sorbitol or fructose.
Belgium	General guidelines and recommendations on a healthy diet.	no	no	There are foods on the Belgian market with the claim "suitable for diabetics". These foods were not notified under Article 9 of Directive 89/398/EEC.	Chocolate, biscuits and jam with sweeteners or fructose.
Czech Republic	They recommend low-energy products for diabetics	yes	no	In addition to the rules on labelling of foods for particular nutritional uses, the following shall be included: "also suitable for diabetics in the framework of an established dietary regime" or "suitable for diabetics"	Shops contain 'dia' sections, i.e. shelves reserved for products designated as 'dia', e.g. chocolate, sweeteners, jams, biscuits.

Member State	Dietary advice	Specific Regs	Compositional standards	Indication “suitable for diabetics”	Foods on market
Denmark	Advice for patients with type 2 diabetes is same as healthy eating advice for general population. Follow recommendations of DNSG of EASD.	no	no	In accordance with § 84 of Order No 741 of 9 August 2000 on labelling, foods cannot be labelled as “suitable for diabetics”. It is the Danish opinion that specific diabetic products are not scientifically justified. The Danish Diabetes Association wants compulsory nutrition labelling, which would make it possible for diabetics to choose products that suit their individual requirements.	Products sweetened with non-calorific sweeteners may be useful if the fat content in the product is reduced by at least 30% compared to corresponding products sweetened with sugar. However, these products are not considered as foods for special dietary uses. The Danish Authorities believe that foods with sucrose replaced by fructose, polyols or other nutritive sweeteners have no substantial advantages over foods sweetened with sucrose, and their use is discouraged. Such foods are considered as ordinary foodstuffs.

Member State	Dietary advice	Specific Regs	Compositional standards	Indication “suitable for diabetics”	Foods on market
Estonia	Diabetics are advised to follow a healthy diet in the same way as the general population, tailored to individual needs.	no	no	Food may be labelled with a claim that the product is suitable for diabetics. In that case the food is considered to be a food intended for particular nutritional uses and the competent authority has to be notified not later than the day of placing such food on the market.	Confectionery products, milk-based desserts, bakery products. Instead of sucrose these products contain fructose or sweeteners.
Finland	Same healthy eating advice as for general population. Follow recommendations of DNSG of EASD	no	no		No specific products but “light” – low fat or products with sweeteners – make it easier to achieve the national dietary intake recommendations.
France	Same healthy eating advice as for general population. Tailored as necessary to meet needs of the individual.	Decree 91-827 (as amended)	The Decree specifies requirements for reduced carbohydrate content and sweeteners that can be marketed as suitable for use in a low-carbohydrate diet.	Labelling and advertising may indicate “the product may be advised by a medical doctor for use as part of the diet of certain diabetics”. Any other wording concerning diabetes or diabetics is forbidden.	Foods presented as being specifically intended for people who need to follow a low-carbohydrate diet. Also “low-carbohydrate” foods which are normal foods in which sucrose has been partly or completely replaced by sweeteners, polyols or artificial sweeteners (comply with provisions of Directive on sweeteners 94/35/EC and Directive on nutrition labelling 90/496/EC).

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Germany	Advice follows recommendations of DNSG of EASD	Verordnung über diätetische Lebensmittel § 12.	The legislation defines sweeteners that may be used. Bread intended for diabetics has a restricted energy content and beer has restricted carbohydrate content.	Only if they comply with compositional standard.	German dietetic food producer organisation lists nearly 2000 food products as suitable for diabetics. Some are products such as fats and cheese that do not have specific labelling. Products with specific labelling include bakery products, jams, chocolate, sweets, desserts and milk products containing fructose and/or sugar alcohols instead of sucrose. The list also includes foods with artificial sweeteners – milk products, desserts and alcohol-free drinks (some contain fructose).
Greece	Follow recommendations of DNSG of EASD	no	no		Do not recommend the use of special foods.

Member State	Dietary advice	Specific Regs	Compositional standards	Indication “suitable for diabetics”	Foods on market
Hungary	Same healthy eating advice as for general population. Advice follows recommendations of DNSG of EASD	yes	yes In the case of pasta, bakery products, cakes, biscuits and confectionery products the carbohydrate content must be at least 30% lower compared to a similar product and, in the case of other foods, at least 50%. Chocolates can contain – as added sugar – only fructose. The products must not contain added mono- and disaccharides and the natural mono- and disaccharide content must not exceed 3% m/m.	Must comply with general rules on labelling and also with the specific rules on labelling of foods for particular nutritional uses. The following indications are in use: – "Diabetic" jam., bread,.. – Jam, bread,.. "for diabetics" – "Can be consumed by diabetics"	Pasta, bakery products, cakes, biscuits and confectionery products, ice-cream, jam, chocolates, nougats, sugar-free drops, sugar-free and energy-free soft drinks, tabletop sweeteners, coffee and cacao drinks, fruit nectars and drinks with reduced energy and carbohydrate content.

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Italy	No specific advice	no	no	Products authorised on a case-by-case basis. For example, pasta and biscuits with high content of soluble fibre and on appropriate fat components. Products containing sweeteners (especially polyols) are regarded as normal foods and cannot make a claim.	Pasta, biscuits
Ireland	Follow healthy eating advice tailored to individual needs	no	no		Jams, cakes, biscuits, breads, chocolates.
Portugal	Same healthy eating advice as for general population, tailored to the needs of each individual.	no	no	Some products authorised as foodstuffs intended for special nutritional purposes. Most are intended for enteral nutrition and are foods for special medicinal purposes.	Some ordinary foodstuffs with reduced energy content and with sucrose replaced by fructose, polyols or artificial sweeteners are marketed as “suitable for diabetics” but there is no legislation.

Member State	Dietary advice	Specific Regs	Compositional standards	Indication “suitable for diabetics”	Foods on market
Slovak Republic	Same healthy eating advice as for general population	yes	A product is regarded as being for diabetics if: Fat and carbohydrate content as energy value is reduced by at least 30% compared to a corresponding product and if content of animal proteins, cholesterol and salt is reduced.	Only if they comply with compositional standard. Labelling of the products for diabetics must also include: energy value, protein, fat and utilisable carbohydrate content, vitamin and mineral content, information on origin and type of carbohydrates. Can also include: Information on origin and type of carbohydrates Symbol "red stripe"	Cereals, cakes, biscuits, chocolates, jams.

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Slovenia	Advice follows recommendations of DNSG of EASD	no	no	National regulations apply for specific claims on the absence or reduction of total fat, saturated fat, cholesterol, sugar, salt	The Slovene Authorities believe that foods with sucrose replaced by fructose, polyols or other nutritive sweeteners have no substantial advantages over foods sweetened with sucrose, and their use is discouraged. Such foods are considered as ordinary foodstuffs. Also, the use of products sweetened with non-calorific sweeteners is discouraged when this means that energy and total fat density of these products is increased. But the free market allows for chocolate, biscuits, jams, sweets, dairy products labelled as "suitable for diabetics".

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Spain		Real Decreto 1685/1976 of 16 October, -Art 18-	Regulation specifies reductions in carbohydrate content compared to normal foods (23% m/m less than normal foods). As natural sweeteners, only fructose is allowed. The fat content must not exceed the fat content of the similar normal product. Also specifies certain labelling requirements.	Only permitted when in compliance with compositional standard.	Biscuits, cakes and other bakery and confectionery products; marmalade and jams; nougat and marzipan; chocolates, ice-creams.
Sweden	Same healthy eating advice as for general population. Overweight individuals need to reduce energy intake and increase physical activity. Advice follows recommendations of DNSG of EASD	no	no	1/1/83 the National Food Administration stated that no food could be sold as “suitable for diabetics”. Considered that the claim could be misleading and may undermine the dietary advice.	Ordinary foods with reduced sugar and/or energy content may be useful but not considered as foods for special dietary uses. National regulations apply for specific claims on the absence of sugar (10 § the ordinance on nutrient declaration SLVFS 1993:21 give conditions for voluntary claims on sugar content of products).

Member State	Dietary advice	Specific Regs	Compositional standards	Indication “suitable for diabetics”	Foods on market
United Kingdom	Same healthy eating advice as for general population, to avoid becoming overweight and to take part in regular physical activity.	no	no	The UK considers that foods labelled as "suitable for diabetics" do not comply with the requirements for food for particular nutritional use. Use of claim "suitable for diabetics" is not specifically prohibited but must comply with general provisions prohibiting false and misleading claims, and rules on labelling of foods for particular nutritional uses.	Chocolate, toffee, fudge, truffles, sweets and biscuits.