

# TACD

TRANS ATLANTIC DIALOGUE TRANSATLANTIQUE  
CONSUMER DIALOGUE DES CONSOMMATEURS

DOC No. FOOD-24-04

DATE ISSUED: MAY, 2004

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## **Resolution on the adoption and implementation of the WHO Global Strategy on Diet, Physical Activity and Health**

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TACD urges the governments of the United States and the European Union to support approval of the draft World Health Organization Global Strategy on Diet, Physical Activity, and Health at the meeting of the World Health Assembly commencing on May 17, 2004.

TACD furthermore urges the governments to take steps to implement the Strategy, taking into account the relevant recommendations adopted by TACD, which can be found in annex to this resolution.

## **Background documents**

The following pieces of work by TACD give the transatlantic consumer perspective on various issues related to the growing problem of Obesity and diet-related disease:

- Executive Summary of the TACD 'Generation Excess' conference, February 2004
- Resolution on Food Advertising and Marketing to Children, Food-23-04
- Resolution on the WHO Report on Diet, Nutrition, and the Prevention of Chronic Disease, Food-21-02
- Resolution on Misleading Food Labelling, Food-14-00
- Resolution on Health-Related Claims, Food-12-00
- Resolution on Nutrition Labelling, Food-08-99
- Resolutions on Food and Dietary Supplements, Food-20-02 and Food-04-99

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'Generation Excess' – transatlantic food policy approaches to tackling obesity

*A one-day conference on obesity, diet and public policy*

Tuesday 3 February, 2004.

Hotel Renaissance, Rue du Parnasse 19, Brussels

## **Executive Summary**

Delegates at the one-day 'Generation Excess' conference heard about the growing problem of obesity both in the developed and developing world. In some European countries, obesity rates have exceeded 30% of the population while in other regions of the world, more than 75% of the population is either obese or overweight. The growing obesity epidemic is particularly acute in children.

Many speakers stressed the importance of the World Health Organisation's Global Strategy on Diet, Health and Physical Activity and consumer groups were urged to make their views known to their governments and be active regarding its implementation at national level.

Delegates heard about a range of initiatives to provide consumers with better information about food choice and to protect them from misleading information. Speakers from the European Commission explained plans for new labelling rules and legislation on health and diet-related claims and food fortification. The initiatives were broadly supported by consumer groups although some felt the Commission could have gone further and built in additional safeguards.

In approaching the problem of obesity many speakers stressed the importance of a multidisciplinary approach combining consumer education, better information and labelling, as well as action across a broad range of public policy areas. Medical experts stressed the importance of a preventive approach to diet-related diseases, especially in terms of cost-effectiveness.

There was a vigorous debate about the role of food advertising to children with calls for more effective regulation. An advertising industry representative called for greater co-operation with consumer groups but was largely met with scepticism about advertisers' intentions. There were calls for increased government action across a range of fields including regulation of advertising, and food pricing and promotion policy. Several speakers made the link between poverty and obesity, and called for healthy eating to become the easier option.

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## Resolution on Food Advertising and Marketing to Children

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A 2003 joint World Health Organization (WHO) / Food and Agriculture Organization (FAO) report highlighted the major public health threat of diet-related disease. The influence of advertising was among the range of factors that were identified as having a negative effect on health. The WHO states that governments have a responsibility to ensure that advertising is not misleading, is informative, and is unlikely to contribute to ill-health and obesity, a particular concern in the case of children.

There is much support for the idea of restricting advertising to children, and that support will grow if the problems are not effectively tackled.

### Food advertising

- TACD calls on the European Union (EU) and US Government to recognize the potential health impact of food advertising and review existing codes of practice and / or regulations on advertising of food to ensure that advertising supports, rather than undermines, nutrition and public health goals. Such rules should ensure that food advertising does not undermine progress towards national dietary improvement by misleading or confusing consumers or by unfairly setting bad examples. In particular, advertisements, either individually or collectively, should not encourage excessive consumption of foods that are high in fat, sugar and /or salt.
- Food advertising regulations should be consistent with food labelling regulations.

### Food Marketing and Advertising to Children

- Children require special consideration and protection with respect to advertising. Childhood obesity and associated type 2 diabetes are now major issues across the EU and US and measures are needed to help tackle this and protect against health problems in later life.

- The EU and US Government should therefore introduce restrictions on the advertising and marketing of foods to children that protect them from misleading and unfair advertising, marketing and promotional activities, through whatever media.
- Advertising of high calorie, 'energy-dense, nutrient-poor foods [foods high in fat, sugar and /or salt] should be restricted during television programming commonly viewed by significant numbers of children.
- Advertising regulations should take account of the age of the likely child audience, with younger children requiring greater protection.
- The EU and US Government should use advertising and marketing tools to actively promote healthier eating among children ('social marketing'), and help them separate fact from marketing hype. This should include funding initiatives in broadcast media, in schools, and in the broader community.
- The EU and US Government should also consider the effect of, and ensure the adequacy of controls upon, marketing that uses devices such as 'free gifts' and celebrity or cartoon link-ups to encourage consumption of energy-rich foods and drinks, high in fat, sugar and / or salt.
- Guidelines for commercial activities in schools need to be developed and implemented to prohibit marketing of energy-rich foods and drinks high in fat, sugar and / or salt in schools, e.g. through sponsorship and collector schemes.

## **Enforcement**

- Agencies within the US and EU Member States should ensure that systems are in place to enforce compliance with advertising regulations. Broadcast advertisements should be pre-vetted and violations should be promptly addressed so that advertisements are stopped before they are widely disseminated to the public.
- Effectively-enforced sanctions should be imposed to deter future misleading advertisements, including corrective advertising and monetary penalties.
- There should be greater regulatory co-operation between the EU and US governments and advertising regulatory agencies to facilitate enforcement and to notify other countries when an advertisement has been stopped.

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DOC No. FOOD-21-02

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## **Nutrition, and the Prevention of Chronic Disease**

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The TACD calls upon the governments of the United States and the European Union to support finalization of the draft World Health Organization report on “Diet, nutrition and prevention of chronic diseases.” The TACD particularly urges the US and the EU to support finalization of the public policy recommendations in the draft report which call on governments to combat increases in obesity and other diet-related diseases by taking a variety of measures including tighter controls on food marketing. The TACD further calls upon the US and the EU to reject political pressure from the food and advertising industries who are urging that such public policy recommendations be deleted from the final WHO report.

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CONSUMER DIALOGUE DES CONSOMMATEURS

DOC No. FOOD-14-00

DATE ISSUED: FEBRUARY, 2000

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## Misleading Food Labeling

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The governments of the US and EU should take steps to improve the regulation of food labeling to provide consumers with more reliable and informative food labels and ensure that misleading claims stopped in one region of the world are not permitted to be made by the same company, or its subsidiary, in another region of the world. As consumers become increasingly reliant on food labels, every effort must be made by the US and EU, as well as by the food industry, to ensure that the information provided on food labels is honest, user-friendly, presented and used consistently, and not misleading.

### **To achieve this goal, the TACD recommends the following:**

1. The EU should adopt rules for nutrition claims. This effort should include defining within legislation the conditions under which claims may be used on products. Rules for nutrition claims should be made consistent, where possible, between the EU and US.
2. Food labels should include a list of all ingredients, including those used in compound ingredients, to ensure that consumers have complete information about all of the ingredients used in a particular food.

Food labels should not highlight the presence of an ingredient unless the ingredient is present in an amount considered significant by the consumer. Food labels should not feature depictions of ingredients that are not present in the product, or present in the product in only trivial amounts. Food labels should include quantitative ingredient declarations and a consistent, comprehensive approach to their use should be adopted by the EU and US.

Specifically, labels should state the percentage of all major ingredients, i.e., those that comprise 5% or more of the total weight. If any ingredient appears in the name of the food or is highlighted on the label through words or pictures, the percentage of this ingredient should also be listed in immediate conjunction to such statements or pictures.

3. Meaningless terms that can mislead as to the quality of a food ( including, for example, terms that imply slimming effects, "energy" claims, and/or the term "natural") should not be used unless they can be clearly defined and consistently used.

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## Health Related Claims

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In countries where claims related to health are not prohibited, claims must be approved, prior to market introduction in the United States by a government agency and in the European Union by a government agency or a government certified independent authority. Such determinations must be based on a finding of scientific consensus.

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Doc No. FOOD-8-99

DATE ISSUED: APRIL, 1999

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## Nutrition Labeling

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The TACD calls upon the governments of the EU to require mandatory nutrition labeling for food products, disclosed in a meaningful, consistent and easy to read format, regardless of whether nutrition claims are made. Both the EU and US should support mandatory nutrition labeling requirements at Codex Alimentarius.



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DOC No. FOOD-04-99

DATE ISSUED: APRIL, 1999

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## Dietary Supplements

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The TACD calls upon the governments of the European Union and the United States to require that dietary supplement ingredients be subjected to a government safety and efficacy review which shall include the establishment of safe upper limits.

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## Resolution on Food and Dietary Supplements

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The TACD calls upon the governments of the European Union and the United States to require that :

- (a) herbal and other ingredients<sup>1</sup> (in addition to vitamins and minerals)<sup>2</sup> promoted as food supplements or dietary supplements<sup>3</sup> be subject to pre-market safety assessments, based on a priority list established by government authorities, or appear on a positive list of substances that are in compliance with applicable safety, purity and labeling requirements;
- (b) supplement labels and advertising should use only authorized health-related claims if such claims are made;
- (c) supplements should be produced and packaged in accordance with strict Good Manufacturing Practices; and,
- (d) labels should contain appropriate information, including, but not limited to, specific requirements relating to dosage, active ingredients, health warnings, etc.

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<sup>1</sup> This resolution does not apply to herbal and other substances that are regulated as drugs. Compliance with drug laws and regulations supercede the requirements specified in this resolution.

<sup>2</sup> In the EU, vitamins and minerals are regulated pursuant to Directive 2002/46/EC, 10 June 2002. In the United States, vitamins and minerals are regulated pursuant to the Dietary Supplement Health and Education Act. This resolution only addresses the regulation of herbal and other ingredients contained in products that are sold in the form of food or dietary supplements.

<sup>3</sup> In the EU, such products are referred to as food supplements. In the US, such products are referred to as dietary supplements.