Authorisation and refusal of authorisation of certain health claims made on foods and referring to children's development and health

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This draft Commission Regulation concerns the **authorisation and refusal of authorisation of certain health claims** made on foods and referring to children's development and health.

Pursuant to Regulation (EC) No 1924/2006 health claims made on foods are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.

Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward valid applications to the European Food Safety Authority (EFSA). The Authority is to inform without delay the other Member States and the Commission of the application, and to deliver an opinion on a health claim concerned.

The eight opinions referred to in this Regulation are related to applications for health claims referring to the effects of essential fatty acids on children’s development and health, as referred to in Article 14(1)(b) of Regulation (EC) No 1924/2006. The draft Regulation intends to include the health claims listed in Annex I (permitted health claims) to this Regulation may be made on foods on the European Union market in compliance with the conditions laid down in that Annex. The following health claims should be included in the Union list of permitted claims referred Regulation (EC) No 1924/2006:

- Docosahexaenoic acid (DHA) intake contributes to the normal visual development of infants up to 12 months of age;
- Docosahexaenoic acid (DHA) maternal intake contributes to the normal development of the eye of the foetus and breastfed infants;
- Docosahexaenoic acid (DHA) maternal intake contributes to the normal brain development of the foetus and breastfed infants.

The Commission proposes that the following health claims be **rejected**:

- Docosahexaenoic acid (DHA) and arachidonic acid (ARA) contribute to the optimal brain development of infants and young children;
- Lipil® contributes to optimal brain development of infants and young children;
- Enfamil® Premium contributes to optimal brain development of infants and young children.