

# EU FOOD SUPPLEMENTS DIRECTIVE

**“Harmonising framework for food supplements and maximum dosages”**

**Official reference:**

Directive 2002/46/EC, as amended, incl Regulation (EC) No 1170/2009 (‘positive lists’)

**Synonyms:**

FSD

**Challenges for natural health**

- A regulatory framework for food supplements that harmonises EU-wide the chemical sources of vitamins and minerals allowed in food supplements and, in due course, their maximum (and minimum) amounts (Maximum Permitted Levels [MPLs])
- Only those vitamins and minerals present on the ‘positive lists’ may be used in food supplements (or fortified/functional foods)
- Disallows use of many important trace or ultra-trace elements e.g. vanadium, silver, strontium, sulphur
- Although, positive lists may be extended, applications for addition of new sources are generally onerous and evaluations by European Food Safety Authority (EFSA) harsh
- Scientific methodologies being considered as means to set MPLs are flawed and could prevent sale of products with significant beneficial (and therapeutic) effects

**Solutions for natural health**

- More applications for new sources of vitamins and minerals required utilising simplified procedure alluded to following European Court of Justice case initiated by Alliance for Natural Health and others (Cases C-154/04 & 155/04)
- Legally challenge any rejections of such applications (according to procedure set in paragraph 73 of above case)
- Use natural sources of nutrients which are outside of scope of Directive
- Maintain pressure on European Commission, EFSA and Member States to ensure appropriate science is used to establish MPLs (as proposed in Verkerk RH, Hickey S. Toxicology. 2010; 278(1): 17-26 and Verkerk RH. Toxicology. 2010; 278(1): 27-38).