

# TRANS-FAT

- **SEPTEMBER 2016, SAFE NEWSLETTER ARTICLE**

## EUROPEAN PARLIAMENT WILL SOON VOTE RESOLUTION ON TRANS FATTY ACIDS (TFA)

*On September 2<sup>nd</sup>, the Environment, Public Health and Food Safety (ENVI) Committee of the European Parliament (EP) voted the last amendments to a draft motion for a resolution concerning TFA.*

### **TFA IN THE EU, A LONG STORY...**

As reported in our Newsletter of March 2016, the European Commission (EC) held a meeting with the EP to discuss its Report on TFA. During this meeting, Ms. **Nikolokopoulou** Head of Unit (DG SANTE's Unit E1) presented the report's conclusions. She explained that TFA is some particular type of unsaturated fatty acids which significantly increase the risk of coronary heart diseases; the consumption of 5g a day will increase of 23% this risk. The coronary heart diseases are the principal cause of death in the European Union (EU), with more than 660.000 deaths a year, and therefore, the limitation of TFA consumption seems necessary. TFA are naturally present in food coming from ruminants, but in very low quantities. The main source of TFA, and the one representing a real danger, is the partially hydrogenated oils used by the food industry.

In the report, the EC showed that even if most products contained a very low level of TFA, some specific products, like processed bakeries, were still containing very high levels of TFA. The report also pointed out that although the consumption of TFA was generally diminishing in the EU, some parts of the EU population were still consuming too much of it, especially the young and the low-income people. In light of those findings, the EC intends to take action by imposing a legal limit on the amount of TFA allowed in food products. To do so, the EC decided to launch an impact study and a public consultation in order to determine which amount of TFA to use as a legal threshold.

The MEPs clearly expressed their support to this report. However, they pointed out that it was due one year ago. Indeed, in 2011, after the adoption of the EU Regulation No 1169/2011 on the provision of Food Information to Consumers, the EC was asked to deliver a report on TFA for December 2014. Moreover, the EC was also supposed to already come up with a legislative proposal attached to that report in order to limit TFA.

This MEP's disappointment about the slowness of the EC to act on TFA has to be replaced in the context of an already long on-going story. Indeed, in 2007, a group of four MEPS, **Jim Higgins** (EPP, Ireland), **Dan Jorgenson** (Socialists & Democrats – S&D, Denmark), **John Bowis** (EPP, United Kingdom), and **Linda McAvan** (S&D, United Kingdom), already made a declaration asking the EC to act on TFA, a request which was renewed in 2015.

The European Consumer Organisation BEUC has been calling for action for years, and published, in October 2015, a joint open letter with the food companies Nestlé, Mars, Kellogg's, and Mondeléz, asking the EC to propose a legislative limit on the amount of TFA allowed in food. This open letter was also signed by The Standing Committee of European Doctors (CPME), the European Heart Network, and the European Public Health Alliance.

Moreover, some EU Member States, such as Austria, Denmark, Hungary and Latvia, have fixed legal limits on TFA. Those actions have been proved to be extremely effective and armless for the food industry. In addition, the World Health Organization's call for action with an EU legislation on TFA in its European Food and Nutrition Action Plan of 2015-2020.

## **WHAT'S HAPPENNG NOW**

Despite those multiple calls for action and its declaration in March 2016, promising to launch an impact study and come up with a legislative proposal on TFA, the EC has not submitted any impact study report or legislative proposal until today. For this reason, on July 12<sup>th</sup>, **a group of 8 MEPs submitted to the ENVI Committee a draft motion for a resolution addressed to EC and the Council, and asking the former to propose mandatory limits of TFA on all food.** The last amendments to this resolution have been already voted, and the resolution will be voted in plenary session of the EP this 29<sup>th</sup> of September.

**SAFE POSITION**

SAFE welcomes this resolution and hopes it will push the EC to come with a legislative proposal on TFA very soon. SAFE also hopes that the EC will opt for a complete ban of industrially produced TFA due to serious health risks for consumers. We do not believe that a reduction of TFA rates on a voluntary basis from the industry could be an effective solution.

- **MARCH 2016, SAFE NEWSLETTER ARTICLE**

### **EUROPEAN COMMISSION'S REPORT ON TRANS FATTY ACIDS (TFA)**

*On March 17<sup>th</sup>, the European Commission (EC) held a dialogue with Environment, Public Health and Food Safety (ENVI) Committee in the European Parliament (EP) on Trans Fatty Acids (TFA). This discussion was opened on the occasion of the publication of an EC report on the subject. **Alexandra Nikolokopoulou**, head of the Unit for nutrition, food composition and information of the EC's DG SANTE, presented its conclusions.*

#### **TFA IN THE EU**

**Alexandra Nikolokopoulou** explained that Trans Fatty Acids which are a particular type of unsaturated fatty acid, are either produced industrially (industrial TFA, found mostly in hydrogenated oils) or naturally. The latter are present in foodstuffs coming from ruminants such as dairy products and meat. Yet these acids are really detrimental to health as they increase the risk of developing coronary heart diseases more than any other nutrient. Principal cause of death in the European Union (EU), coronary diseases represent 13.5% of overall EU mortality, i.e. 660 000 deaths per year, and cost an estimated 0.5% GDP. It's difficult to set a maximum threshold per day for TFA but the World Health Organization recommends it to be 1% of total energy intake. In any case, ingestion must be kept to a minimum.

Published on 3<sup>rd</sup> December 2015, the report found that most of food products contain less than 2 grams of TFA per 100 grams fat, the lowest limit set in EU countries with limiting legislation. In fact, a large majority (77%) contains less than 0,5 grams per 100 grams fat, which is very little. The problem is that certain foodstuffs compensate for these low rates as they can contain 40 to 50 grams of TFA per 100 grams fat. These are for example biscuits, popcorn or bakery products.

Furthermore, we observe a diminution in TFA since a few years in various foodstuffs but not across all EU countries. Indeed, Eastern and South-Eastern European Countries didn't experience a reduction in TFA. Even if the average intake is below the recommended

threshold (1% of energy intake), several groups of the population are affected by higher TFA consumption rates, in particular students, young and low-income people.

### **POSSIBLE EU ACTIONS**

The mandatory labelling of TFA would allow consumers to make conscious choices and would urge the industry to reduce TFA use. But it is limited as it will concern only packaged products; which raises the question of its efficiency. In addition, consumers need to be aware of the serious health concerns of the TFA.

It is also possible to request a reduction of TFA rates from the industry on a voluntary basis. This possibility has been tested in different countries and it appears that the success varies depending on the country. It depends particularly on the public opinion's implication in the debate and on the food operator's responsibility.

Yet, a legal limit of TFA rates can be decided. Four Member States have already experienced it. Even the United States has removed partially hydrogenated oils from its diet.

**EC proposes to impose a limit on the amount of TFA accepted in foods.** To know the scale of problem and thus establish an adequate threshold, it has decided to launch an impact study and a public consultation.

### **REACTIONS**

All MEPs who have intervened expressed their support for EC's report. But most of them also criticized EU's serious delay on the subject compared to certain European countries. Others asked questions about the modalities of EC's proposed solutions. Below is a summary of their reactions:

**Christel Schaldemose** (Socialists & Democrats – S&D, Denmark) revealed that TFA has been forbidden since 2004 in her country. All studies have shown a decrease in cardio-vascular diseases since the ban which would have saved 700 lives a year on 5 million habitants. For

her, there is only one solution: the prohibition of industrially produced TFA. Even the industry has supported this new standard which had no negative effects on the economy.

**Frédérique Ries** (Alliance of Liberals & Democrats for Europe – ALDE) stressed, for her part, EU's delay. Indeed, Austria, Denmark, Hungary, and Latvia but also the United States which often comes under criticism for its food safety standards, have all limited or forbidden TFA. She asked about available alternatives to replace TFA, notably for most affected low-income groups. She also highlighted that even some industrialists like Nestlé and Kellogg's support a TFA limitation. Regarding labelling, Ms Ries finally demonstrated that there will be a need for information campaigns with the aim of instructing consumers about this labelling. The EC representative supported the MEP's claim and explained that there will be a discussion on labelling and information campaign after the impact study publication. Currently the FIC Regulation requires the indication of partially hydrogenated oils (containing TFA) and fully hydrogenated oils (containing no TFA). But most of consumers don't know the difference between the two oils or even TFA's health risk.

**Karin Kadenbach** (S&D, Austria) expressed her outrage at the slowness of the process. During FIC regulation debates, MEPs had already insisted for a TFA labelling. In her view, measures have already been proven efficient thus it is time to act. Doing nothing is making the EU responsible for numerous deaths.

**György Hölvényi** (EPP) also criticized the EU's lack of reactivity. Indeed, his country has experienced a TFA maximum threshold since 2013 and it has immediately provided good results. In parallel, they launched an information campaign on TFA and he recommend to do the same at a European level to inform consumers on TFA's health risks.

**Piernicola Pedicini** (Europe of Freedom & Direct Democracy, Italy) denounced the tedious legislative process too and claimed Italy had already acted on the matter and will ban TFA before 2017. He further raised an interesting issue: the risk that industrialists replace TFA with

saturated fats, which are also detrimental to health. **Alexandra Nikolokopoulou** responded that the focus is now on TFA as saturated fats are almost impossible to ban since they are present at the level of 50% of the total mass fat, in every dairy product. As It is not possible to remove them, a ban on saturated fats would correspond to a ban on dairy products. She also pointed that measures are being taken to decrease saturated fats consumption, which are in any case less dangerous than TFA for health.

#### **NEXT STEP**

EC will publish an impact assessment on TFA in the next months. It will thus propose a legislation to the Parliament and the Council according to the results: probably a ban or a maximum threshold on TFA. The legislative process will be launched.

#### **SAFE POSITION**

SAFE welcomes EC's report and shares MEPs' critics on the slowness of the legislative process. SAFE hopes that the European Commission will opt for a prohibition of industrially produced TFA due to serious health risks for consumers. We do not believe that a reduction of TFA rates on a voluntary basis from the industry could be an effective solution.

- **OCTOBER 2015, SAFE NEWSLETTER ARTICLE**

**CALL FOR A LEGISLATIVE LIMIT FOR THE AMOUNT  
OF INDUSTRIALLY PRODUCED TRANS-FATS IN FOODS**

Food industry giants with EU Consumer Organization calling the Europe a Commission for action to curb trans fats' threat in Europe European Consumer Organisation BEUC as well as food companies Nestlé, Mars, Kellogg's, Mondelez and other health NGOs have signed a letter, released on 15<sup>th</sup> October 2015, calling for the European Commission to introduce a threshold for industrial trans-fatty acids (trans-fats) in food products.

The organisations believe it is past time for the Commission to act on the need for a strict legal limit of trans fats to protect consumers' health and improve competition fairness for industry players in Europe. The open letter argues for a limit of the amount of industrially produced trans fats in foods to 2g per 100g of fats.

In 2011, the regulation requested for the Commission to publish a report in December 2014 on possible restrictive measures for trans-fats, after failing to reach a common position with Member States (MS) and Members of Parliament (MEPs) on measures to limit trans-fats intake. Though the deadline has passed, no report has been released to date.

This particular call however might be heeded by the Commission as it comes in the context of recent high profile reports and opinion pieces on the major threat posed by the striking non communicable diseases (NCDs) epidemic in Europe and their risk factors. As exemplified by the current sugar tax controversy in the UK, calls have intensified across European countries to take legislative steps and improve European consumers' diets to avoid preventable NCD morbidity and mortality.



## **TRANS-FAT, CONSUMPTION IN THE UNION AND HEALTH CONCERNS**

Trans-fats are unsaturated fatty acids naturally produced in small amounts in the guts of ruminants (cows, sheep etc.) but which are predominantly found in processed foods cooked with hydrogenated vegetable oils. These include fried and fast food such as biscuits, fries or chicken nuggets, supermarkets products like tortillas, fats, and oils and bakery products. Industrial trans-fatty acids (hereupon referred to as trans-fats) often make up to 60% of processed foods' fat content as they enhance taste, allow repeated heating and longer shelf life of products.

In 2003, a technical report by the World Health Organisation (WHO) recommended that adequate intake for trans-fats should be as low as possible, with no more than 2g of trans-fats per day for a person requiring 2000 kcal. Meanwhile, a 2010 Scientific Opinion on Dietary Reference Values for fats by the European Food Safety Authority (EFSA) fell short of setting an actual intake level, simply declaring to keep trans fats intake "as low as possible". Furthermore, the report concluded that there is a limit to which trans fats can be lowered without compromising intake of essential fatty acids and other nutrients.

A 2015 policy brief by the WHO's regional office for Europe seriously puts in question the latter position however as it states that a review of the wide evidence base on trans-fats indicates no positive nutritional role beyond being dietary sources of energy. That are replaceable with healthier alternatives like single mono-unsaturated fatty acids (MUFAs) or poly-unsaturated fatty acids (PUFAs).

The paper thus calls for the elimination of trans-fats from Europe's food supply as part of efforts to address the urgent NCD public health crisis in the region.

Indeed, considerable evidence establishes positive associations between trans-fats and risks of Coronary Heart Disease (CHD), one of Europe's biggest killers. In 2014 the WHO's mortality database showed that Coronary heart disease singlehandedly accounted for nearly 1.8 million deaths i.e. 20% of all annual mortality in Europe.

According to data from randomised controlled trials and observational studies, trans-fats is the source of energy that most increases the odds of developing CHD. A combination of the epidemiological findings of several landmark prospective cohort studies reveals that a mere 2% increase in energy intake from total trans-fat leads to an increase in mortality for CHD or myocardial infarction of 23%. What's more, evidence has also linked trans-fats to a range of serious illnesses including other cardiovascular diseases, breast ovarian and bowel cancers, type 2 diabetes, Alzheimer's disease, infertility, and allergies etc.

### **CALL FOR ACTION**

It should be noted that there has been growing awareness of the above adverse effects of trans-fats in Europe mostly due to increase availability of evidence and health education and promotion campaigns to inform the European public. Yet as demonstrated by a recent British survey even at the highest levels of the Union knowledge of cardiovascular diseases such as CHD remains lacking, with 41% of MEPs stating they "*know a fair amount*".

More importantly, despite growing pressure on processed food operators to cut down on trans-fats and dietary surveys highlighting declining levels of average trans-fat consumption in the EU, intake level among consumers still remains high enough to pose significant risks of developing CHD. In recent years many self-regulation initiatives have been taken by food business operators to address the problem of trans-fats consumption through reformulation of food products for instance. However, as illustrated by the history of industry self-regulation this is insufficient and only tight legislative action can ensure a real, significant effect on the public health threat posed by trans-fat.

This has been successfully demonstrated by Denmark, which since 2004 has enforced a maximum threshold of 2 grams per 100 grams of fat for trans-fats in processed foods produced in the country as well as in its imports. As a result, food products which contained trans fats levels as high as 30%-40% before the ban have gradually declined with only 6% of products having more than 2% content in 2013. The move is estimated to be cost effective and to have saved the lives of 4-500 Danish citizens since its introduction each year, in a country with a population of 5.614 million.

Hence BEUC and the WHO's calls for EU regulatory action that severely limits trans-fat contents as, the socio-economic burden caused by CHD outweigh the costs of tackling this modifiable risk factor and preventing avoidable deaths and morbidity. Other policy options besides introducing thresholds have also been suggested for marketing of processed foods containing trans-fats. For instance, the European Network Code has been drafted by the WHO European action network group to address marketing of junk food high in fat, sugar and salt to children.

Mandatory labelling schemes for trans-fat content has also been proposed over the years though this measure would necessitate clear guidance from EFSA on adequate intake levels as its current advice will not be useful to informing consumers' choice.

### **SAFE POSITION**

SAFE welcomes BEUC's initiative and the industry's willingness to step forward and play a more active role in reducing trans fats consumption to prevent European consumers' exposure to risks of CHD and related associated diseases.

We ask for the Commission's release of its delayed report on trans-fats consumption in Europe and proposed measures to reduce intake as soon as possible. Indeed, the current context of NDCs' tremendous growth and burden in the EU calls for rapid action to be taken on tackling current diets (and other factors like physical activity) to prevent catastrophic health impacts and related expenditure in the near future. With the overwhelming evidence on the negative effects of trans-fats and the Danish case study showing positive impacts, the EU should come up with swift legislative proposals that follow Denmark in its path towards trans-fat free diets to protect European consumers' health and safety.