

## Annex 5

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**parnutsconsultation@dh.gsi.gov.uk**

**Dear Mr. Hampson,**

**Thank you for the opportunity to contribute to this consultation. The following views have been collated from members of the Nutrition Committee of the Royal College of Paediatrics and Child Health.**

Question 1. The Commission proposal restricts the scope of PARNUTS foods to three categories of foods, infant formula and follow-on formula, processed cereal-based foods and baby foods for infants and young children and medical foods. We would be grateful for your views on the proposed list.

A number of other foods given to infants and children need to be included in the 'medical' foods. These include feeds for premature infants, feeds for children with food allergies and specialist feeds designed for infants with special metabolic needs.

Question 2. The proposal plans to repeal Regulation (EC) 41/2009 concerning the composition and labelling of foodstuffs suitable for people intolerant to gluten. It is proposed that the statements 'gluten-free' and 'very low gluten' and their associated requirements would be recast as nutrition claims as defined in Regulation (EC) No 1924/2006. We would welcome views on the impact of the proposed changes to the legislative requirements to these foodstuffs.

This would appear to be a sensible revision. However there is a small technical issue. We are led to believe that in the past it has been difficult for consumers or clinicians to check nutrition claims with respect to gluten levels. We would request that any nutrition claim be accompanied by a system to allow an independent third party to measure gluten levels.

Question 3. The proposal aims to repeal Directive 96/8/EC, the slimming foods directive, what is the impact of this on this food sector?

This revision is unlikely to have any adverse effect, in our opinion.

Question 4. What is the impact of the removal of the concept of dietetic foods from the Framework? How would you like the products marketed as dietetic foods to be handled?

Removal of this concept is helpful and will reduce confusion. Products currently within this category - particularly infant feeds - require a robust legislative system to ensure that their ingredients, labeling and marketing are authorised as safe and accurate. Any such system must be flexible and open to challenge to allow for progress arising from research as this is not a static field of knowledge.

Question 5. What is the impact of the proposed pre-authorisation of PARNUTS being centralised to the European Commission?

The committee supports option 4, with a standard prior authorisation procedure. History has shown that consumer protection has not been strong, particularly with respect to the addition of ingredients to formula milks and follow-on milks. A prior authorisation system that provides independent analysis and review of the evidence of any benefits of new ingredients would be of considerable benefit to families purchasing these products. Ethically any new ingredient found to be beneficial can therefore be incorporated into all such feeds rather than those from a single commercial source.

Question 6. The Commission expects the proposal will reduce administrative and financial burdens on industry and Member States' competent authorities. We would be grateful for your views on possible financial implications including costs and benefits, which will inform the UK impact assessment.

The impact assessment does not assess the potential effect of a failure of pre-market evaluation in the area of infant feeds or follow-on milks. Numerous publications testify to infant illness and death resulting from such omissions. Any new proposal must institute a pre-marketing assessment that is scientific, independent and reproducible by any responsible agency.

Question 7. Would the changes proposed impact differently on any of the "protected characteristics" (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation) with regard to the Equality Act 2010 and Equality Duty?

We cannot comment on this as it is beyond the areas of the committee's expertise.

We welcome your views on any other questions/issues that you may have with the proposal.

We would welcome a mechanism whereby representatives from committees such as ours be permitted to attend and contribute to meetings or working groups at which expertise in these subjects is discussed.

**Please e-mail your completed response to:**

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