

G-Regs™

Germany – Dietary regulation



Full title of law or regulation	Dietary Foods Regulation as published on 28 April 2005 (Federal Law Gazette I p. 1161), last amended by Article 60 of the regulation dated 31st August 2015 (Federal Law Gazette I p. 1474).
Source	http://www.gesetze-im-internet.de/di_tv/BJNR004150963.html#BJNR004150963BJNG000404310
Title of relevant section	Sections 2, 21a and 25a
Clause	§ 2 <p>(1) When marketing or advertising food products other than those of a dietary nature (foodstuffs for general consumption):</p> <ol style="list-style-type: none">1. The word "dietary" may not be used alone or in conjunction with other words,2. The names or other specifications, descriptions, presentations or packaging that could give the impression that it concerns a dietary food product.
Clause	§ 21a <p>7) Food products for a low-calorie diet intended to reduce weight may not be marketed commercially with:</p> <ol style="list-style-type: none">1. Information regarding the time needed for possible weight loss or2. Information concerning the amount of possible weight loss. <p>Food products under clause 1 above may not be advertised with the information referred to therein. (Note: Clause 1 of the law sets out all the foods defined as 'Dietary' in this legislation; the clause can be accessed by clicking on the link above in the section marked "Source.")</p> <p>(8) § 14a, Par. 4 shall apply mutatis mutandis.</p> <p>Unofficial table of contents</p>
Clause	§ 25a <p>(1) § 22a, Par. 2, Clauses 1a and 2b and Par. 3 Clauses 1 and 2 apply accordingly.</p> <p>(2) Furthermore, the advertising of infant formulae is prohibited where such advertisements</p> <ol style="list-style-type: none">1. Appear in publications other than scientific journals or those dedicated to infant care,2. Contain anything other than factual and scientific information; this may not give the impression or suggest that bottle feeding is equivalent or superior to breast milk, or3. Induce consumers to buy through the giving of samples, dispensing free or discounted products or other additional incentives to buy, either directly or indirectly via

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institutions or persons active in the healthcare sector.

(3) Written or audio-visual material on the feeding of infants directed at pregnant women or mothers of infants or young children for information and training purposes and indirectly instrumental in advertising infant formulae or follow-on formulae may only be distributed if it provides clear information concerning

1. The benefits and advantages of breastfeeding,
2. The diet of the mother as well as preparing for breastfeeding and possibilities for continuing breastfeeding,
3. The possible negative effect of additional bottle feeding on breastfeeding,
4. The difficulty of reversing the decision not to breastfeed,
5. Where necessary, the proper use of infant formulae.

(4) If the material within the meaning of paragraph 3 above contains information about the use of infant formulae, it may only be disseminated if it provides details of the social and financial effects of such use as well as details concerning the danger to health through the use of food products not suitable as infant formulae, through inappropriate feeding methods and through improper use of infant formulae.

(5) The dissemination of material within the meaning of paragraph 3 above is prohibited if it contains or displays images in order to idealise the use of infant formulae.

(6) Manufacturers and distributors of infant formulae and follow-on formulae are prohibited from disseminating objects or items free of charge for information and training purposes which are indirectly instrumental in the advertising of infant or follow-on formulae. This does not apply where such objects or items are provided on request via institutions involved in healthcare. In such a case, these objects or items may not bear any trademarks relating to infant or follow-on formulae. Further requirements concerning distribution are governed by state law.
