



Germany – Nutrition Claims Regulation



Full title of law or regulation	Regulation on nutrition claims for food products and the nutritional value labelling of food products (Article 1 of the regulation for the reorganisation of the nutritional value labelling provisions for food products) (<i>Nährwert-Kennzeichnungsverordnung - NKV</i>)
Source	http://www.gesetze-im-internet.de/nkv/_1.html
Title of relevant section	Sections 1, 2, 3, 6
Clause	<p>Regulation on nutrition claims for food products and the nutritional value labelling of food products (Article 1 of the regulation for the reorganisation of the nutritional value labelling provisions for food products) (<i>Nährwert-Kennzeichnungsverordnung - NKV</i>)</p> <p>§ 1 Area of application</p> <p>(1) This regulation lays down the provisions governing nutrition claims in the marketing and advertising of food products as well as the nutritional value labelling of food products insofar as they are intended for use by consumers. Restaurants, catering establishments and business people are deemed to be equated with consumers insofar as they purchase foodstuffs for consumption on their premises.</p> <p>(2) The provisions contained in this regulation do not apply to natural mineral water, drinking water or spring water.</p> <p>(3) With the exception of § 6, the provisions of this regulation do not apply to food supplements.</p> <p>(4) The provisions of the Diet Regulation remain unaffected.</p>
Clause	<p>Regulation on nutrition claims for food products and the nutritional value labelling of food products (Article 1 of the regulation for the reorganisation of the nutritional value labelling provisions for food products) (<i>Nährwert-Kennzeichnungsverordnung - NKV</i>)</p> <p>§ 2 Definitions</p> <p>For the purposes of this Regulation:</p> <p>1. nutrition claim means:</p> <p>any presentation or statement appearing in the marketing or advertising of food products with which it is declared, suggested or indirectly expressed that a food product has special nutritional properties due to its energy or nutritional content. The specification of the type or quantity of a nutrient required by law as well as information or references to the alcohol content of a food product are not deemed to be nutrition claims within the meaning of this regulation;</p>
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§ 3 Restriction of nutrition claims

In the marketing or advertising of food products, the only nutrition claims that may be used are those relating to the calorific value or the nutrients, nutrient groups and their components listed in § 2, Clause 2 or to sodium chloride.

Clause

Regulation on nutrition claims for food products and the nutritional value labelling of food products (Article 1 of the regulation for the reorganisation of the nutritional value labelling provisions for food products) (Nährwert-Kennzeichnungsverordnung - NKV)

§ 6 Prohibition of particular references

(1) The use of names or other specifications, descriptions, presentations or packaging in the marketing or advertising of food products is prohibited if these suggest that a food product has slimming or weight-reducing properties. Sentence 1 does not apply to food products within the meaning of § 14a of the Diet Regulation intended for use as a daily intake.

(2) Also prohibited is the use of names or other specifications, descriptions, presentations or packaging in the marketing or advertising of food products where these

1. suggest a low calorific value if

a) the calorific value for foodstuffs, excluding beverages, soups and stocks, is more than 210 kilojoules or 50 kilocalories per 100 grams of the ready-to-eat food,

b) the calorific value for beverages, soups and stocks is more than 84 kilojoules or 20 kilocalories per 100 millilitres of the ready-to-eat food product;

2. suggest a reduced calorific value if the calorific value is less than 30% below the average calorific value of comparable conventional food products;

3. suggest reduced nutritional content if the nutrient content is less than 30% below the average nutritional content of comparable conventional food products; in derogation of this, reference may be made to a reduction in sodium chloride or sodium only in the case of the foodstuffs listed in Annex 2; the maximum levels of sodium content specified there may not be exceeded;

4. suggest low sodium chloride or sodium content if

a) the sodium content for food products, excluding beverages, is more than 120 milligrams per 100 grams of the ready-to-eat food,

b) the sodium content for beverages is more than 2 milligrams per 100 grams of the ready-to-eat food product.

(3) In the marketing or advertising of food products intended for use as a meal or in place of a meal, names, descriptions or other specifications suggesting a low or reduced calorific value may only be used if the physiological calorific value of the ready-to-eat food is not below 1,680 kilojoules or 400 kilocalories per meal. The iron compounds referred to in Annex 2, List A no. 2.2 of the Diet Regulation are allowed as additives for these food products; the quantity of these substances added is to be specified in accordance with § 17, Par. 1 in conjunction with § 25, Par. 1 no. 2 of the Diet Regulation.

(4) In derogation of Paragraph 3, the reference "for a weight-controlled diet" may be used in restaurants or catering establishments for main meals to be eaten on the spot insofar as the calorific value does not exceed 2,100 kilojoules or 500 kilocalories per main meal.
