

NOTE: Marcoms-relevant extracts from Directive 96/8/EC of 26 February 1996 on foods intended for use in energy-restricted diets for weight reduction

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A31996L0008>

---

The labelling, presentation and advertising of total diet replacement products for weight control shall provide information for the appropriate use of such food, and shall not mislead, or attribute to such food the property of preventing, treating or curing a human disease, or imply such properties. (Art. 9 (5) Regulation [609/2013](#))

The following provisions from Directive 96/8/EC will continue to remain applicable up until the date of application of the delegated act foreseen under Art. 11(1) of the FSG Regulation, as of August 2018, this Act is still awaited):

- The labelling, advertising and presentation of the products concerned shall not make any reference to the rate or amount of weight loss which may result from their use (Art. 5.3 Dir. 96/8/EC) Note: this is prohibited under Art. 12 (b) of the Nutrition and Health Claims Regulation. (The following health claims shall not be allowed: (b) claims which make reference to the rate or amount of weight loss)
- Regulation 1924/2006/EC on nutrition and health claims will apply to foods intended for use in energy-restricted diets for weight reduction (Recitals 1- 5, Directive [2007/29/EC](#), which amended Directive 96/8/EC)
- As a result, for total diet replacement products, it will be permitted to make health claims describing or referring to: slimming or weight-control or a reduction in the sense of hunger or an increase in the sense of satiety or to the reduction of the available energy from the diet - provided the claims comply with the conditions laid down in Article 13 (1) of Regulation 1924/2006/EC (i.e. health claims describing or referring to slimming/ weight-control/ reduction in sense of hunger/ increase in sense of satiety/ reduction of available energy from the diet - which are indicated on the permitted health claims list in Regulation (EU) No [432/2012](#) may be made without undergoing the authorisation procedures outlined in Arts 15 -19, if such claims are based on generally accepted scientific evidence and are well understood by the average consumer.