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CEFS KEY MESSAGES ON COLOUR-CODING FRONT-OF-PACK NUTRITION LABELLING SCHEMES

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I. Any front-of-pack nutrition labelling scheme must be in line with article 35 to Regulation (EU) No 1169/2011.

- Article 35 to Regulation (EU) No 1169/2011 on food information to consumers allows additional forms of expression/presentation to express the energy value and the amount of nutrients using graphical forms or symbols in addition to words or numbers provided that they follow certain requirements. Those requirements are the following:
 - The scheme must not mislead as to the characteristics of the food
 - The scheme must be based on sound and scientifically valid consumer research
 - The development of the scheme must be the result of consultation with a wide range of stakeholder groups
 - The scheme's aim must be to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet
 - The scheme must be supported by scientifically valid evidence of understanding of such forms of expression or presentation by the average consumer
 - The scheme must be objective and non-discriminatory
 - The scheme's application must not create obstacles to the free movement of goods

II. Colour-coding front-of-pack schemes can be misleading.

- Front-of-pack (FOP) schemes addressing subset of nutrients, such as the colour-coding schemes, draw consumer's attention to the presence of only certain nutrients in products and erroneously make consumers believe that only the mentioned nutrients have an impact on the nutritional quality of the product and thus, on their health.
- FOP schemes can mislead consumers by not providing clear information on which to fully assess the nutritional quality of the products they buy and can undermine healthy eating recommendations. They also draw consumers' attention away from the full nutritional information found in other places of the products' pack.
- In addition, colour-coding FOP schemes that highlight, for example, a "low" sugars content could mislead consumers into believing that the product also has a low caloric content. Research shows that consumers feel deceived when a product has a reduction in sugar content, but does not contain a significant reduction in calories¹. In foods, sugar is often replaced by another carbohydrate (such as starch), or fat or protein. This substitution often

¹ Patterson NJ *et al.* (2012) [Consumer Understanding of sugars claims on food and drink products](#). Nutrition Bulletin. 37: 121-130.

leads to no major reduction in the product's caloric content and in some cases to unintended consequences, with a possible caloric increase.

III. Colour-coding front-of-pack schemes are discriminatory and not scientifically based.

- The scientific justification behind colour-coding schemes is questionable. Dietary reference values or nutrition guidelines designed for nutrition as a whole cannot be used as a basis for the definition of "reference variables" of individual foods. The quality of the diet is not determined by a single food, but by the sum of what is consumed. Judging individual foodstuffs for human nutrition on the basis of reference values developed for diet as a whole without taking into account further criteria is thus not methodologically reliable. Besides there is no scientific basis supporting the threshold values guiding the change from a colour to another (e.g. from yellow to red). The quality of food is a complex principle, resulting from a large number of parameters. Limiting the assessment of the food quality to only 3 colours and 4 ingredients contradicts consumer education and consumer information to improve the handling of individual foods.²
- FOP schemes tend to single out sugars, but in its 2008 Scientific Opinion on Nutrient Profiles, EFSA did not recommend that sugars be a generic profiling criterion (unlike saturated fatty acids, sodium, dietary fibre and unsaturated fatty acids). EFSA mentions that, if at all, sugars may be considered in the case of particular beverage/food groups in relation to dental caries and the potential effect of liquid calories on weight gain (sugar-sweetened beverages and sweets/sugar confectionery are notably referred to).
- Overweight and obesity are the main risk factors for diet-related diseases. Overweight and obesity result from an imbalance between energy intake and energy expenditure, and excessive calories are identical no matter whether they are provided by carbohydrates (including sugar), proteins, fats or alcohol (all carbohydrates provide 4 kilocalories per gram, compared to 9 kilocalories per gram for oil and fat). Colour-coding FOP schemes will not help consumer in achieving a healthy and balanced diet particularly in the case of sugars as the energy density of solid foods does not depend on their sugars content. Selecting products on the basis of the green or a red light could be misleading if consumers aim at saving calories.
- Colour-coding FOP schemes can be discriminatory for a number of products by unjustifiably drawing consumers' attention toward products containing less of a single nutrient even though these products may be calorically similar or greater to original formulations. It will also be discriminatory for the nutrients included in the scheme as compared to those which are not (e.g. a scheme that would target sugars and not starch, which both represent 4 kcal/g).

IV. National Colour-coding scheme can create obstacles to the free movement of goods.

- National schemes (such as the UK scheme) are voluntary. However, the pressures put on the industry by national Governments to use this scheme can lead to additional costs and intricacies for food operators. This can impede the ability of some food operators to market their products in the country which has developed the scheme, and can *de facto* have an effect on the internal market.
- National schemes can set a precedent for possible additional forms of expression and presentation in other EU Member States. A proliferation of such individual national schemes would lead to a lack of uniformity that would undermine the free movement of goods across the EU. It can also lead to additional costs to adapt the labelling to the different schemes proliferating in Member States and at international level.

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² German Nutrition Society (2008). <https://www.dge.de/fileadmin/public/doc/ws/stellungnahme/DGE-Stellungnahme-LM-Kennzeichnung-2008-09-09.pdf>