



Ministerie van Volksgezondheid,
Welzijn en Sport



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*Liberté
Égalité
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**Santé
publique**
France



Bundesministerium
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GOBIERNO
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MINISTERIO
DE DERECHOS SOCIALES, CONSUMO
Y AGENDA 2030



federal public service
**HEALTH, FOOD CHAIN SAFETY
AND ENVIRONMENT**



LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère de l'Agriculture,
de l'Alimentation et de la Viticulture



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

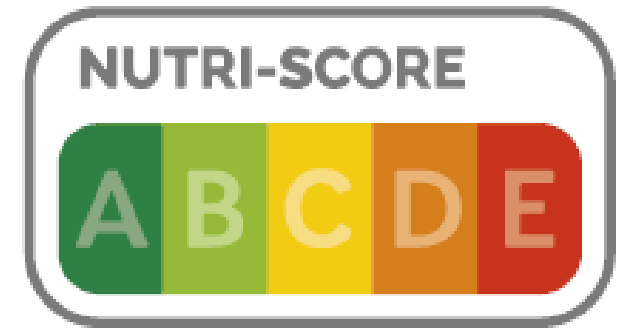
Federal Department of Home Affairs FDHA
**Federal Food Safety and
Veterinary Office FSVO**

1st Meeting of the Nutri-Score User Forum

02 October 2024

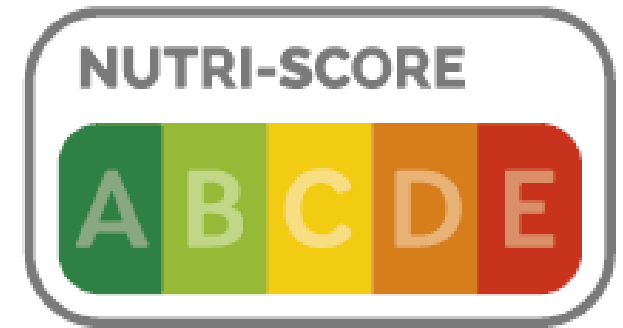
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- Introduction
- Transnational Governance
- Updated algorithm
- First round of questions on above topics
- Transition period
- Responses to questions from stakeholders
- Open discussion



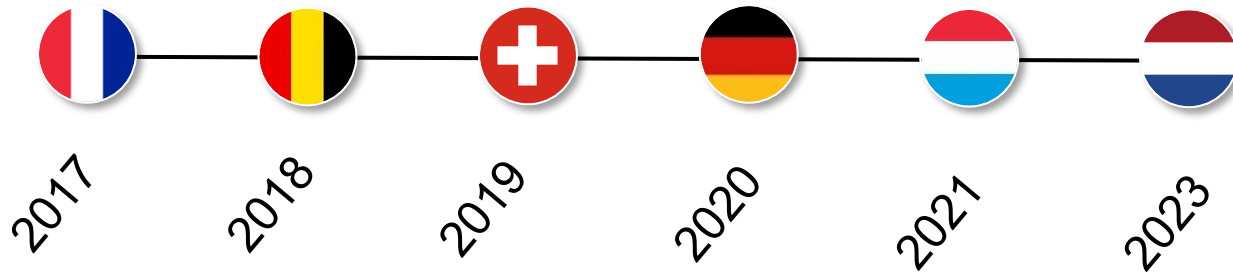
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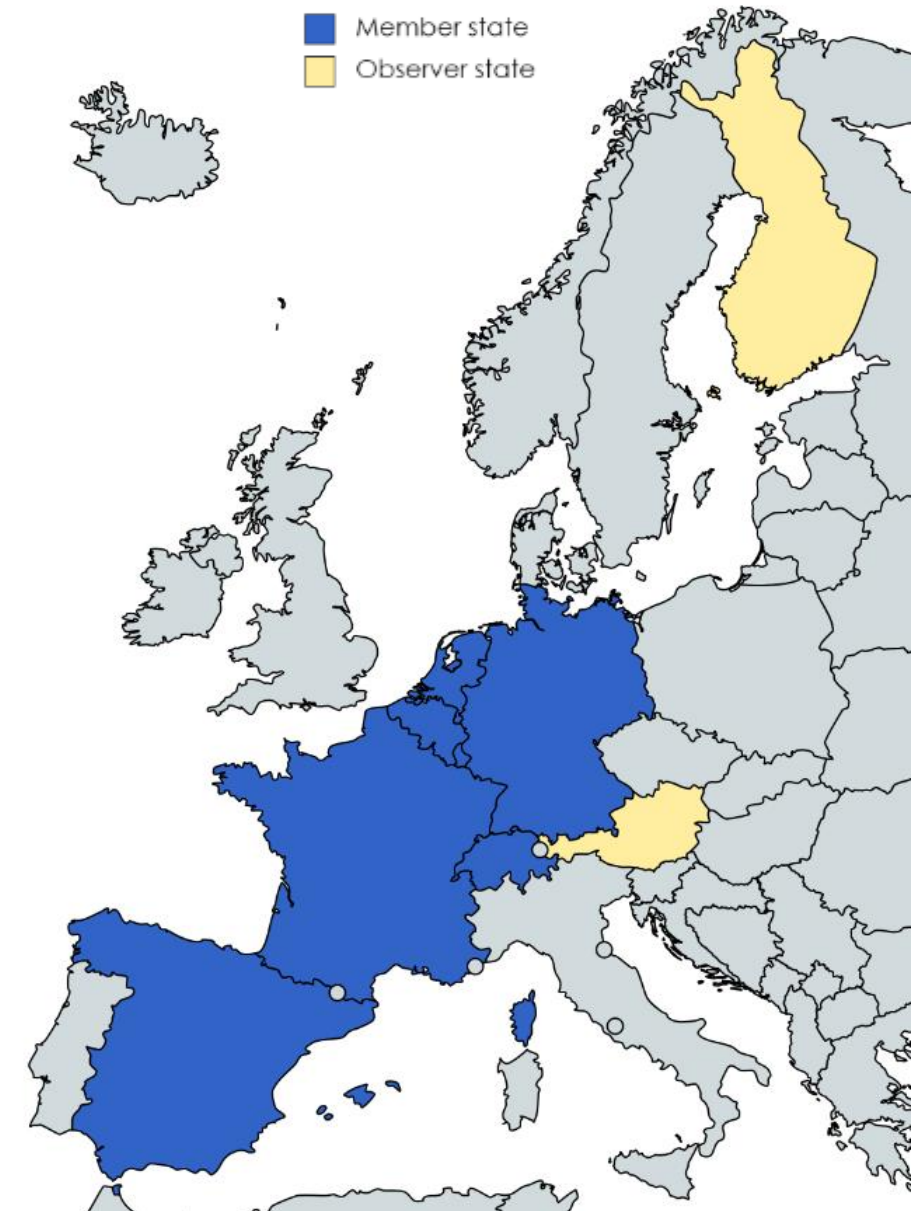




Transnational Governance



- Countries Officially Engaged in Nutri-Score
- Need to coordinate the Nutri-Score rollout on the various territories to ensure a simple and effective tool for food business operators and consumers
- Set up of a transnational governance in January 2021





Transnational Governance



Steering Committee

- ↳ Up to **two representatives** designated by each COEN
- ↳ Governs the **overall development and implementation** of the Nutri-Score and elaborates standardized procedures to coordinate the Nutri-Score
- ↳ General Agreement – COEN agree to:
 - Organize a **national information office** to deal with implementation issues on a national basis
 - Establish a **coordination mechanism to collect questions from FBO** and update FAQ



Scientific Committee

- ↳ Up to **two independent experts** from each COEN
- ↳ Propose **evidence-based adjustments** to the Steering Committee
- ↳ Study the **scientific rationale for requests received from stakeholders**, which are transmitted by the Steering Committee and deemed relevant by the Scientific Committee

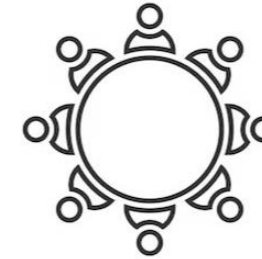


Transnational Governance



Technical Committee

- ↳ **Technical advisers** from ministries or expertise organisms
- ↳ **Provide technical support** to operational questions in order to updated FAQ

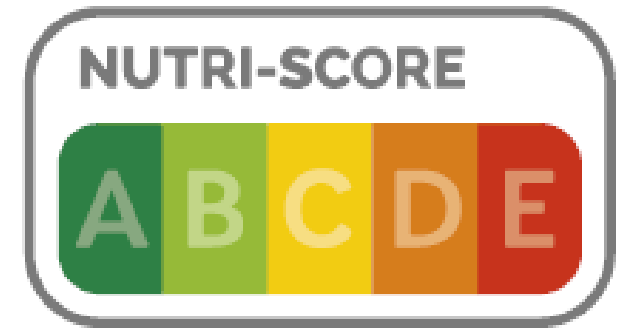


User Forum

- ↳ Up to **nine participants from industry** and **one from national consumer organisations per COEN** + **one representative from BEUC** = **71 participants** without members of the Steering Committee
- ↳ Support the elaboration and validation of solutions for **questions of practical implementation**
- ↳ Selected participants should best **represent all relevant sectors** (producer, retailer), sizes (small and medium sized enterprises and large companies) and **categories** (general foods, beverages, fats, oils, nuts and seeds, cheese, red meat)

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Update of the Nutri-Score

- Assessment of the underlying algorithm between 2021 and 2023, on the basis of:
 - **Literature review** on the association between food groups consumption and health outcome;
 - **Consistency with new food-based dietary guidelines** in some European countries ;
 - **Requests from stakeholders** (consumers organizations, food industry, etc.): transmission continuously + call for request in August/September 2021 ☞ more than 100 requests transmitted to the scientific committee

- Two scientific reports recommending evolutions of the algorithm for foods and beverages, to **improve the capacity of Nutri-Score to discriminate the nutritional quality of foods in consistency with dietary guidelines**

- Adoption of the updated algorithm of Nutri-Score by the Steering Committee

- Continuous, long-term algorithm evaluation and improvement process but in a reasonable timely manner (not defined yet)



Update of the Nutri-Score algorithm

Update report from the Scientific Committee of the Nutri-Score
2022

The update report from the Scientific Committee of the Nutri-Score was voted on June 29, 2022 and accepted unanimously by the members of the Scientific Committee.



Update of the Nutri-Score algorithm for beverages

Second update report from the Scientific Committee of the Nutri-Score
V2 – 2023

The second update report from the Scientific Committee of the Nutri-Score was voted on February 1st, 2023 and accepted with a majority of votes. No minority opinions were expressed.

Update of the Nutri-Score



- Improved differentiation between foods based on **salt or sugar content**
- Improved differentiation between **whole grain foods rich in fibre and refined foods**
- Better classification for **fatty fish**
- Better classification for **oils with lower contents in saturates**
- Better classification for **poultry** compared to red-meat



- Harmonization of the algorithm with all foodstuffs intended to be drunk being consistently classified in the beverage category
- Improved differentiation of beverages depending on **sugar content**, in particular for beverages with low content in sugar
- Modification that limits incentive of using **artificial sweeteners**

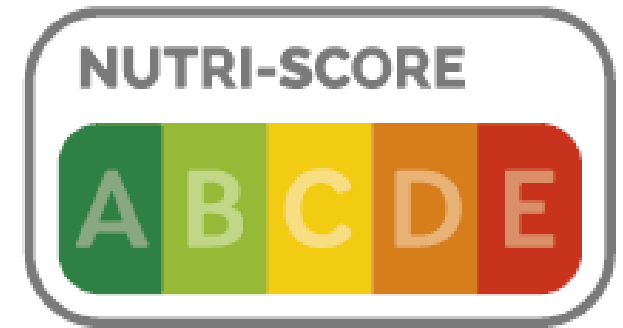
Ongoing and future work of the Scientific committee

- **Ongoing work on the “fruits, vegetables, legumes” component:**
 - The role and impact of maintaining legumes in the component
 - The transformation process on FVL that can be allowed or not to count the ingredients in the component
- **Assessment of the inclusion of non-nutritive sweeteners in solid foods algorithm**
- **Improve discrimination according to fat content of solid cheese**
- **Improve discrimination between whole grains**

However, this is long-term scientific work and a new round of revisions will not be implemented before a reasonable timely manner.

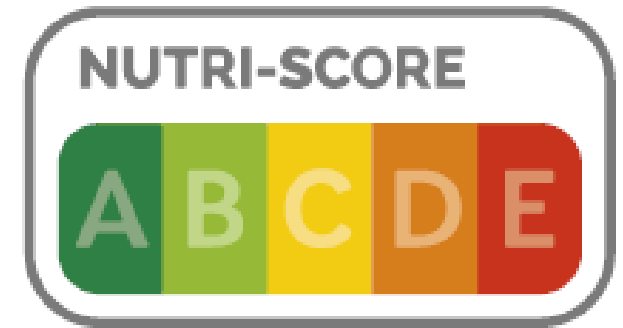
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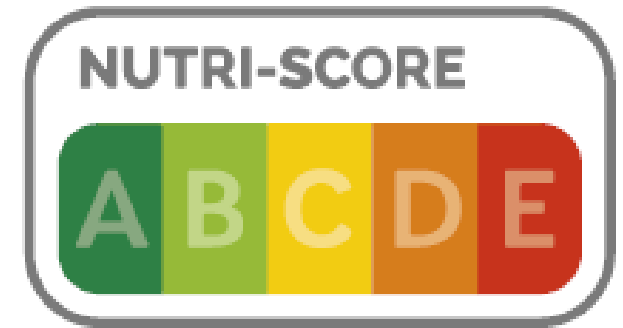


Transition period

- **Harmonization and coordination** of the implementation modalities but taking into account national specific context and constraints
- **Transition period of 2 years** for countries having already implemented Nutri-Score several years ago
- **Starting on the 1st of January**, except for countries needing to revise their legislation (France, Luxemburg)
 - The publication of the decree have been postponed in France due to the current political situation.
 - Ongoing work to find a potential pragmatic and temporary solution for FBOs
- Possibility to use a **voluntary mention during the transition period** to avoid confusion of consumers

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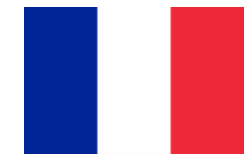




Questions from stakeholders - communication



- In 2023, Germany informed about the changes to the algorithm, particularly via its Nutri-Score website. A consumer information flyer was completed at the end of 2023. Furthermore, the German regulator and the Federal Centre for Nutrition have provided information about the changes to the algorithm and continue to provide information about the Nutri-Score alongside the BMEL.



- In France, meetings with stakeholders have been organized in 2023 to present the evolutions of the Nutri-Score and respond to questions. A communication campaign has also been elaborated by the public health agency (Santé publique France) with stakeholder consultation. The campaign will be launched after the new algorithm is implemented in France.



- Belgium exchanges on regular basis with the federation of food industry, the federation of retailers and also FBO's on the update of the FAQ's and on practical issues regarding Nutri-Score since the very beginning. We upload also all the documents for FBO's on our website www.nutriscore.be



- In April 2023 the Netherlands have made the final decision to implement Nutri-Score with the update algorithm from January 2024. 2023 has been used for the further preparation of the implementation. The stakeholders were involved in this process. The regulations have been finalized, a website with information for FBO's was published, the communication guideline for FBO's has been prepared and we started the development of the campaign to inform consumers about Nutri-Score.



Questions from stakeholders - communication



- Luxembourg: FBO's in Luxembourg are bound to use the updated algorithm from the 5th March 2024 (the date on which the Grand-Ducal Regulation of 30 January 2024 amending the Grand-Ducal Regulation of 7 May 2021 on the use of the Nutri-Score logo has entered into force). Luxembourg informed about the changes to the algorithm, via its website [FOP et Nutri-Score](#). Furthermore FBO's can address their questions regarding the logo at the mail box: nutriscore@alva.etat.lu



- Switzerland: On the website of the Federal Food Safety and Veterinary Office (FSVO), a page is dedicated to international collaboration around Nutri-Score. All information concerning changes to the algorithm are published there, including scientific reports.



- Spain: On the website of the Spanish Agency for Food Safety and Nutrition (AESAN) there is a section with information on the Nutri-Score model. In 2023 the report of the Scientific Committee of Nutri-Score on the update of the algorithm for beverages has been added. The information on the calculation with the new algorithm and the transition period has also been updated

Questions from stakeholders - new algorithm

- **The planned procedure for the outstanding third report on the FVL component?**
 - The Scientific Committee is currently working on the adjustments to the FVL component.
 - After the results have been presented, the Steering Committee will decide on implementation and an appropriate transition period.
 - **However, a new round of revisions will not be implemented before a reasonable timely manner that still needs to be defined in the Steering committee.**

- **An assessment by the Steering Committee of the comments made by ANSES on 5 December 2023?**
 - **The note from the Anses agency in France has been assessed** by the French experts of the Scientific Committee before notifying the Decree to the European Commission.
 - The Scientific Committee is of course free to take into account the comments in the long-term assessment process.

Questions from stakeholders - new algorithm

- **Inclusion in the algorithm of other elements such as the quality of raw ingredients (e.g. organic food) ?**
 - Objective to **keep the main components and the key principles** of the algorithm (mandate of the Scientific committee)
 - Need to be based on mandatory nutrition labelling (nutrient declaration, ingredient list) for transparency purpose for consumers and control authorities
 - At this stage, insufficient scientific elements to elaborate a solid single indicator combining nutrition, transformation, environmental aspects, etc.

- **New categorization/assessment of plant-based milk alternatives as beverages: is a revision planned?**
 - Not included in the Scientific committee ongoing works
 - **The algorithm cannot be changed too frequently** for consumers and food business operators.
 - But **requests from FBOs based on strong rationale and evidence can be submitted to the Steering Committee** for assessment by the Scientific Committee in lights of the long-term improvement process.

Questions from stakeholders - new algorithm

- **Impact of the updated algorithm on the voluntary implementation of Nutri-Score (withdraw by some FBOs, etc.)**
 - For transparency to consumers and help them making healthier choices, it is regrettable that companies whose food products receive worse scores with the new algorithm are considering stopping using the Nutri-Score.
 - The COEN does not know the exact reasons behind the decisions of individual food companies to participate or not in the Nutri-Score. However, no change in the dynamic of commitment or withdrawal has been noticed.
 - It should also be remembered that the changes affect all foods in a particular category to the same extent and that the changes are necessary from a scientific point of view. In addition, the FBOs have the option of indicating that the new algorithm is being used.
 - **The COEN will continue to strive to encourage voluntary use of the Nutri-Score by companies.**

- **Procedure and guidance for FBO who decide to withdraw the Nutri-Score?**
 - Have to comply with Article 12 of the Conditions of Use, allowing the FBO, after its notification to deregister, to only sell existing stock of packaging / pre-packed products with the Nutri-Score

- **List of FBOs using the Nutri-Score**
 - List of FBOs from Germany and France on Spf website: [Nutri-Score | Santé publique France \(santepubliquefrance.fr\)](https://www.santepubliquefrance.fr/nutri-score)

Questions from stakeholders - transition period

- **A clarification that even after 1 January 2026, all products remaining on the market that are labelled with the original algorithm may be sold without restriction.**
 - **COEN confirm this**, it is specified in the Conditions of Use (article 6.1.2).

- **Current status of the legislative process for implementing the new algorithm in France**
 - Procedure of notification of the project of Decree to the European Commission: achieved;
 - Publication of the legal text postponed due to the current political context: waiting for new ministers;
 - The original algorithm is therefore still in force on the French market;
 - Difficulties have been raised by FBOs: **current discussions in France with competent authorities to legally expertise potential temporary solutions;**
 - This delay does not have any impact on the transition period in other COEN.

Questions from stakeholders - transition period

- **Differences between COEN regarding the start / end of the 2-years transition period: which algorithm should be used?**
 - Specific constraints in some COEN had to be taken into account with an impact on the start of the transition period, even if COEN try to harmonize procedures and functioning as much as possible
 - **The rule of the first country of selling applies**, for examples:
 - Between 1 January and 26 May 2026, does a product manufactured in France using the old Nutri-score and placed on the market in Belgium have to have the new Nutri-Score?
 - Is a Belgian producer who places a product on the French market obliged to use the new Nutri-Score from 1 January 2026, while French competitors are not?
- ➔ If the product is first sold on the Belgian market where the updated algorithm must be displayed on all products that use Nutri-Score from 1st January 2026, the FBO has to apply the new Nutri-Score on the product in all countries including France.
 - In case of specific issues: contact your national representatives from the Steering committee

Questions from stakeholders - EU level

➤ Revisions of the FIC regulation / contact with the COM regarding discussion on FOPNL harmonization / strategy of COEN regarding this subject ?

- After the elections to the EU Parliament, we are **currently waiting for the formation of the new EU Commission**. At present, no statements can be made whether an EU-wide harmonised FOP-NL can be expected.
- Nevertheless, **the COEN are still committed to the introduction of the Nutri-Score in the EU and favour the Nutri-Score** as currently the most effective FOP-NL for Europe. One example is the symposium on FOP-NL in April 2024 by the Belgian Council Presidency.
- The strategy of engaged countries to Nutri-Score regarding the EU harmonization is discussed within the Steering committee.

➤ Issues against products carrying a Nutri-Score label in some Member States / barriers to the free movement of goods

- Major point of attention in the transnational governance with ongoing discussions to find some operational solutions for FBOs that faced some issues to sell products carrying Nutri-Score in Italy / Romania
- Ongoing legal assessment in some COEN to identify potential solutions

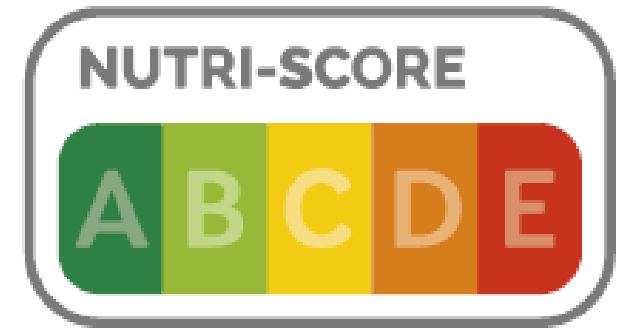
Questions from stakeholders - technical questions

👉 **Technical questions cannot be answered in the User Forum: COEN will respond to stakeholders individually afterwards.**

- *Clear and comprehensible procedural instructions for the consideration/calculation of concentrate/rehydrated ingredients/dried ingredients*
- *For nuts, seeds and red meat a certain percentage (respectively 50 % and 20 %) is described for processed products, when the other calculations mode are to be used. But for cheeses this is not the case, therefore the cheese calculation is only to be used for only cheese as such?*
- *For nuts, seeds and added fat, there is on slight difference in the cutt offs for the B-score, Is this necessary?*
- *Why were intensive sweeteners not considered in general foods like dairy desserts, cookies,?*
- *Why have nuts and seeds been put under added fats?*
- *Why have milk and milk drinks been put in the beverages. Not in line with the dietary guidelines.*
- *Application of the Nutri-Score on net weight versus drained in canned fish in oil.*

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