Open public consultation on the initiative to limit industrial trans fats intakes in the EU

Fields marked with * are mandatory.

Open public consultation on the initiative to limit industrial trans fats intakes in the EU

Trans fats are a particular type of unsaturated fats that are present in foods in the EU and whose consumption increases the risk of Coronary Heart Disease more than any other nutrient. Trans fats can be produced industrially and can also be naturally present in food products derived from ruminant animals such as dairy products or meat from cattle, sheep or goat. The European Commission is currently carrying out an Impact Assessment on a possible EU-based initiative to limit intakes of industrial trans fats in the diet of EU consumers, such as to limit industrial trans fats content in food through self-regulation or through a legally-binding measure, to introduce mandatory labelling of the trans fats content of foods on food labels or to prohibit the use of partly hydrogenated oils, which are the main source of industrial trans fats, in foods manufacturing/preparation through self-regulation or through a legally-binding measure. The present public consultation integrates the targeted consultations with interested stakeholders and national competent authorities already carried out by the Commission and an external contractor which supports the Commission’s work on trans fats. This public consultation is aimed at giving an additional possibility to all stakeholders and individual citizens with a possible interest in trans fats to provide their views on key elements of the Impact Assessment.

ABOUT YOU

*Q1. You are replying as an:
   ○ Interested individual/citizen/consumer
   ○ Stakeholder/expert/on behalf of an organisation

*Q2. If you are replying as a stakeholder, please specify what entity/organisation you represent:
   ○ a national NGO
   ○ a European-level NGO
   ○ a company (or group of companies)
   ○ a national business association
   ○ a European-level business association
   ○ a public authority (government, regional or local level)
   ○ an international organisation or association
a think tank/ university/ research institute

other

Q3. Please indicate the country where you live or, if you reply on behalf of an entity/organisation, the country where it has its headquarters/place of establishment:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other country (non-EU)

Q9. Please provide your full name and, if applicable, the name of the entity on whose behalf you are replying.

* First name:

Robert

* Family name:

Delis
Q10. Please provide your e-mail address in case we have questions about your reply and need to ask for clarifications.

rdelis@bma.org.uk

Q11. Is your entity registered in the Transparency Register of the European Commission and the European Parliament?

Please note: In the interest of transparency, organisations, networks, platforms or self-employed individuals engaged in activities aimed at influencing the EU decision-making process have been invited to provide the public with relevant information about themselves, by registering in the Transparency Register and subscribing to its Code of Conduct. If the organisation is not registered, the submission is published separately from the registered organisations. During the analysis of replies to a consultation, contributions from respondents who choose not to register will be treated as individual contributions (unless the contributors are recognised as representative stakeholders through Treaty provisions, European Social Dialogue, Art. 154-155 TFEU). If your organisation is not registered, you have the opportunity to register now Transparency Register.

- Yes
- No

Please provide the registration number.

20 character(s) maximum

Briti103340111

Q12. Can your response be published? (please note that, whatever option you choose, your response may be subject to a request for public access to documents under Regulation (EC) No 1049/2001).

- My response **can be published with my personal information** (I consent to the publication of all information in my response in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication);

- My response **can be published without the information** I provided in replies to questions about my or my organisation's or entity's name, surname, country of residence, country where an entity/organisation has its headquarters/space of establishment, age, e-mail addresses, entity/organisation that is represented, company size represented, sector represented, membership of industry association/organisation, registration in the Transparency Register of the European Commission and the European Parliament and registration number. I consent to the publication of all the other information in my response in whole or in part (which may include quotes or opinions I express). I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.
*Q13a. In the Inception Impact Assessment on the EU trans fats initiative, the Commission described that there is limited availability of comparable/EU-level data, however, some evidence indicates that the intake of trans fats in the EU has decreased considerably over recent years, but that the situation is not homogeneous for all products consumed by all population groups in all EU Member States. While average daily trans fats intakes for the overall EU population are below 1% of daily energy intake, some population groups have, or are at risk of having higher intakes. Do you agree with this description?

- Yes
- No
- Don't know

*Q13b. In the Inception Impact Assessment on the EU trans fats initiative, the Commission described that there is limited availability of comparable/EU-level data, however, some evidence indicates that the intake of trans fats in the EU has decreased considerably over recent years, but that the situation is not homogeneous for all products consumed by all population groups in all EU Member States. Most of the analysed food products contain trans fats at amounts below 2% of the total fat content, however, there are still products in the European food market with high levels of industrial trans fats. Do you agree with this description?

- Yes
- No
- Don't know

*Q14. In the Inception Impact Assessment on the EU trans fats initiative, the Commission noted that “Trans fats are an important risk factor for the development of CHD [Coronary Heart Disease] and their intake should be reduced in the diet of EU consumers. Although different actions were taken in different Member States and intakes have decreased over the past years, industrial trans fats are still present at levels of concern in certain foods and intakes are still excessive in certain cases (…). The issue is of particular relevance in certain Member States and for particular population groups”. The Commission concluded that this lack of homogeneity in the EU hampers the effective functioning of the Internal Market, negatively affects the protection of consumers’ health and contributes to the perpetuation of health inequalities. Do you agree with the Commission’s analysis?

- Yes
- No
- Don't know

Q15. Please indicate your level of concern with respect to the following issues regarding industrial trans fats in food [1 (not at all concerned), 2 (not concerned), 3 (somewhat concerned), 4 (concerned), 5 (very concerned)]:

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>The impacts of industrial trans fats consumption on the health of the population as a whole</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>The impacts of industrial trans fats consumption on the health of particular social groups</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Current differences in rules and standards regarding industrial trans fats content in the EU market and impacts on consumer protection levels</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current differences in rules and standards regarding industrial trans fats content in the EU market and impacts on the functioning of the Internal Market</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current differences in rules and standards regarding industrial trans fats content and impacts on external trade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal uncertainty on future developments on industrial trans fats and impacts on the functioning of the Internal Market</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The effects of industrial trans fats use on the image and reputation of the food industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q16. How much do you agree with these statements [1 (don't agree at all), 2 (don't agree), 3 (somewhat agree), 4 (agree), 5 (totally agree)]?

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>The presence of industrial trans fats in foods is primarily the consequence of the use of particularly processed oils and fats by food manufacturers. These oils and fats are commonly used as ingredients or during manufacturing (e.g. frying) because of costs or technological considerations.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Food business operators tend to engage into reformulation only if there is an adequate incentive (e.g. market pressure, pressure by public authorities or legal obligations, level of corporate social responsibility) and these incentives vary depending on the Member State.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Consumers could reduce industrial trans fats intakes by reducing consumption of products that contain them. However, in the EU, there are different levels of nutritional literacy/consumer awareness of the negative effects of trans fats on health so that not all consumers are actively seeking to avoid trans fats from their diet.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Other considerations may influence consumers' behaviour (e.g. cost, taste, habits) and may have a stronger impact on some consumers' final decision than the intention to reduce trans fats intake.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Not all consumers can relate the information present on labels to the presence of industrial trans fats in foods and not all consumers can use that information to effectively compare different products taking into account their overall nutritional composition.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Consumers lack information on the presence of trans fats in non pre-packed foods (e.g. bakery products) and these can be an importance source of trans fats.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
</tbody>
</table>

Q18. In the Inception Impact Assessment on the EU trans fats initiative, the Commission explained that it would focus on industrial trans fats, given that ruminant trans fats sources, such as such as dairy, beef and
lamb, generally contribute in a limited way to high total daily intakes and ruminant trans fats are naturally present in foods in fixed, small proportions of ruminant fat and cannot be reduced in the fat and cannot therefore totally be avoided. Do you agree with this approach?

- Yes
- No
- Don't know

**SUBSIDIARITY**

*Q19. In the **Inception Impact Assessment on the EU trans fats initiative**, the Commission described that in order to limit the intake of trans fats, different actions were taken in different Member States, other Member States have not taken action. There is added value of an EU-based, EU-wide action as this would ensure a level playing field in the Internal Market and the same high level of protection of consumers’ health by the means of an initiative that would apply simultaneously in the entire EU and would minimise the risk of national regulatory interventions fragmenting the Internal Market. Do you agree with this analysis?

- Yes
- No
- Don't know

**OPTIONS RATING**

Q20. On a scale of 1 (not at all appropriate), 2 (not appropriate), 3 (somewhat appropriate), 4 (appropriate), 5 (very appropriate), please rate the different policy options to address industrial trans fats intakes in the EU that the Commission is assessing in its Impact Assessment:

<table>
<thead>
<tr>
<th>Option</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option 1a: limit industrial trans fats content in food through self-regulation (most likely at 2% of the total fat content of the food). This would most likely take the form of an agreement secured at European level between the European Union and relevant food business operators committing voluntarily to the agreement individually or through industry associations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Option 1b: limit industrial trans fats content in food through a legally-binding measure (most likely at 2% of the total fat content of the food). In this context, the opportunity of introducing a transition period to allow food business operators to adapt is being considered, as well as higher limits (above 2% of total fat) for products with low fat content.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Option 2: introduce mandatory labelling of the trans fats content of foods in the nutrition declaration on food labels. This indication would not distinguish between industrial and ruminant trans fats and would only be required for pre-packed foods. The opportunity of introducing a transition period is being considered.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Option 3a: prohibit the use of partly hydrogenated oils in foods manufacturing/preparation through self-regulation, in a way similar to option 1a.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Option 3b: prohibit the use of partly hydrogenated oils in foods manufacturing/preparation through a legally-binding measure, in a way similar to option 1b.

What should the Commission pay particular attention to when analysing the different options?

1000 character(s) maximum

The BMA would like to highlight that there is strong evidence that consumption of IPTFAs increases the risks of cardiovascular disease (http://www.fao.org/3/a-i1953e.pdf) and some evidence that it increases the risk of component features of the metabolic syndrome and diabetes (https://www.ncbi.nlm.nih.gov/pubmed/11382654). Extrapolation of the effect of trans fats on CHD (Coronary Heart Disease) risk using the pooled variance-weighted risk from a meta-analysis of studies suggests that a 1% decrease in energy from trans fats would be associated with a 12.5% decrease in risk of CHD (https://www.gov.uk/government/publications/sacn-update-on-trans-fatty-acids-2007). There is a growing body of evidence from Europe (http://bmjopen.bmj.com/content/4/5/e005218) and across the world (http://ajcn.nutrition.org/content/100/4/1036.full) which demonstrates that legislation, which restricts the amounts of IPTFAs in the food chain, is by far the most effective method to reduce intake.

Q21. Are there further comments you would like to make on anything that is not covered above?

1000 character(s) maximum

Contact
SANTE-TRANS-FATS@ec.europa.eu