

Food for Special Dietary Use

**Centre for Food Safety
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Background

- The NL Scheme is not applicable to food for special dietary uses due to special nutritional requirements of these target subgroups
- There is call for clarification on the definition of food for special dietary uses

Definition

- Principles mentioned in Q1 of Annex IV of the Technical Guidance Notes:
 - Food for special dietary use is those specially processed or formulated to satisfy particular dietary requirements which exist because of a particular physical or physiological condition and/or specific disease and disorders and which are presented as such
 - The composition of these food stuffs must differ significantly from the composition of ordinary foods of comparable nature, if such ordinary foods exist

(Same as Codex definition)

Communications with Trade

- Principles and examples were discussed with trade on various occasions, including-
 - 5th meeting of NL working group (March 2010)
 - Trade Consultation Forum (June 2010)
- Subsequent discussions in the working group on whether certain products could be classified as food for special dietary uses-
 - Food for children of specified age range (7th meeting, May 2010)
 - Food for picky eaters (8th-9th meeting, Jun/Jul 2010)
 - Sports drinks (11th meeting, Dec 2010; meeting on sports drink claims, Dec 2010)

Principles and examples

- To provide further clarification and details, 1 FAQ on CFS website has been updated and 2 new FAQs were added
- Website:
http://www.cfs.gov.hk/english/programme/programme_nifl/programme_nifl_faq.html#1q

FAQ 1.6-- What are the examples of “food for special dietary uses”? (updated)

- “... following products are generally considered as food for special dietary uses- (i) products that must always be used under medical supervision and is presented as such (if medical supervision is only required under certain circumstances, e.g., product with statements such as ” for children under age of 3, use under medical supervision only” or “use under medical supervision if use as sole source of nutrition”, the product does not fall into this category) ...”

FAQ 1.12-- A product is targeted to a particular group of consumers. Is it considered as food for special dietary uses?

- If a product is targeted to a particular group of consumers (e.g., the elderly population) only as marketing strategy, but the **composition is not significantly different from ordinary food**, or if the product is added with nutrients which is of interest to a particular group of consumers who actually **do not have special requirement on these nutrients** as compared to the general population, → the product is **not** considered as a food for special dietary use.
- In any case, a product is considered as a food for special dietary uses only when the principles mentioned in Q1.5 are satisfied.

FAQ 1.13-- What other products are not considered as food for special dietary uses?

- In addition, food for special dietary uses should not have any information or advertisement suggesting or implying that the product is also recommended or suitable for the general population or other population subgroups which do not have that specific disease or condition
(e.g., “for health-conscious people”, “for maintaining well-being and help you stay energetic”, “for picky-eaters”).
- In any cases, products would be classified as food for special dietary uses only if the principles mentioned in Q1.5 are satisfied.

In case of uncertainty...

- In case of uncertainty, relevant information for individual products will be considered to see whether such products are considered as food for special dietary uses.

Recommendation

- For products which are “food for special dietary use”, it is encouraged to label their energy and nutrient contents to provide information for consumers’ and health professionals’ reference
- To promote good practice, traders are encouraged to note and follow relevant Codex guidelines and standards on food for special dietary uses

Codex Guidelines

- Codex Guidelines/Standards are available at:
 - www.codexalimentarius.net

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