

# ENSURING PROPER FOOD INFORMATION TO CONSUMERS

FROM MISLEADING USE OF  
"NATURAL" ON FOOD  
PRODUCTS



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Safe Food Advocacy Europe

STRIVING FOR SAFER FOOD FOR EUROPEAN CONSUMERS



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# Ensuring proper food information to consumers from misleading use of “Natural” on food products.

## INTRODUCTION

In the **European Green Deal**, the Commission presented a strategy aiming at transforming the EU into a resource-efficient and sustainable society by 2050. One of the main initiatives of the Deal is the **Farm to Fork strategy** aimed at providing a set of legislative proposals to shift to a sustainable food system and to better empower consumers in their choices. As part of its approach to food information to consumers, the Strategy will also support enforcement of rules on misleading information.

**The current Commission’s focus on nutrition and healthcare well reflects the rising consumers demand for more sustainable food accompanied by clearer labelling standards.** Increasingly, consumers want to understand more of the composition and ingredients present in their food. Pictures and claims are often used by food manufacturers to reflect specific food properties. However, many times the labelling used in the packaging diverges consistently from the real composition of the final product.

**Ensuring correct labelling is a key step to help consumers to opt for more sustainable options.** Due to current inconsistencies in the legal framework, consumers are not always in the conditions to be fully aware of their choices. **One big problem consists in misleading use of the term “natural” on the final products and the lack of labelling information about the origin of the ingredients contained in food (whether it is from synthetic or natural origin).**

Consumers in general connect the term ‘natural’ to positive associations related to origin, minimal processing and/or absence of additives but the lack of a clear definition of the term can often be found on products which do not correlate with consumers’ expectations<sup>1</sup>.

Based on an analysis of EU law, **this report has identified the following main considerations to apply the principles affirmed by the Green Deal in an effective a proportionate way:**

- The EU food law **should define a clear definition of “natural”** for food products.
- The EU food law should foresee **criteria to use the term “Natural” on labels to ensure proper information to consumers.**
- Information as the origin of the ingredients and the real composition of the products are not easily **recognisable** by the consumers.

<sup>1</sup> See Annex : “Examples of misuse of the term natural on EU food products”

## INFORMATION TO CONSUMERS IN EU FOOD LEGISLATIONS

European food law consists of different pieces of legislation regulating foodstuff labelling requirements.

The EU Regulation, introduced in 2006, on health and nutritional claims made on food<sup>2</sup> seeks to regulate food claims (in presentations and advertising) to be clear and not ambiguous or misleading on their properties. The Regulation acknowledges that food labelling criteria “*would aim to avoid a situation where **nutrition or health claims mask the overall nutritional status of a food product, which could mislead consumers when trying to make healthy choices in the context of a balanced diet***”<sup>3</sup>. These nutrient profiles are meant to guide the circumstances where claims can be made.

In 2014, the Food Information to Consumers<sup>4</sup> Regulation entered into force, laying down the provisions for a more coherent framework for food labelling. It merged two previous Directives due to the necessity of updating the legal framework to avoid inconsistent use of labelling, unfair competition among food operators, and implementation issues.

**The FIC Regulation grants consumers the right to adequate information by establishing labelling requirements for consumers and producers and more specifications for certain categories of products.** It sets mandatory information to be displayed on final products (food’s name, list of ingredients, net quantity, use by date, instructions for use if necessary, operator's name and address and a nutrition declaration). In addition to mandatory information, other labels can be displayed by producers on foodstuffs on a voluntary basis, showing specific characteristics of the product (energy labels, gluten-free, vegan, etc.).

Notwithstanding the improvements achieved by setting a more consolidated EU food law, gaps and uncertainties still need to be addressed to properly implement the “Green Deal” strategy. **One problem stands on the lack of definition of “natural” on food products at the EU level and the improper labelling information concerning ingredients’ origin contained in food products**<sup>5</sup>.

## THE DEFINITION OF “NATURAL” IN EU LEGAL FRAMEWORK

The European regulatory framework already generically mentions “natural” in certain pieces of legislation. However, these definitions do not apply on foodstuffs for which clearer indications on the use of the term natural on food products should be established.

A general definition of “**substances that occur in nature**” is provided in the **REACH Regulation**<sup>6</sup>. Here, a “natural substance” means “naturally occurring substance as such, unprocessed or processed only by manual, mechanical or gravitational means, by dissolution in water, by flotation,

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<sup>2</sup> Regulation No 1924/2006 on nutrition and health claims made on foods.

<sup>3</sup> Para. 11 of Regulation No 1924/2006 on nutrition and health claims made on foods.

<sup>4</sup> Regulation No 1169/2011 on food information to consumers.

<sup>5</sup> See Annex: “Examples of misuse of the term natural on EU food products”.

<sup>6</sup> Regulation No 1907/2006 on Registration, Evaluation, Authorisation and Restriction of Chemicals.



by extraction with water, by steam distillation or by heating solely to remove water, or which is extracted from air by any means”<sup>7</sup>.

In addition, another general definition of “natural” for food claims is mentioned on the Regulation on nutrition and health claims made on food. Here, a product can be labelled as natural when it fulfills the conditions for the use of a nutritional claim<sup>8</sup>. The Regulation focuses on providing information on the quantities of nutrients present in food (fatty acids, saturated fatty acids, trans-fatty acids, sugars, and salt), but does not provide additional general criteria for further uses.

The last reference in EU law on the definition of “natural” can be found in the Regulation on flavouring and certain food ingredients with favouring properties<sup>9</sup>. According to the current framework, even when the characterising component of a food product is of natural origin, artificial compounds could still be added as excipients, additives and preservatives. Finally, the product cannot longer be considered *de facto* natural and guarantee the absence of synthetic substances in final food products.

The origin of any single ingredient should be displayed on the food labelling to properly inform consumers. This information is relevant for consumers to choose the product properly, as ingredients should be labelled as “synthetic” when obtained entirely by a chemical synthesis. Without proper labelling information, consumers cannot be aware of products containing “synthetic ingredients”.

These issues are represented in two case studies mentioned below, showing examples of how the current framework does not allow consumers to make informed choices. First, **products made by ingredients of natural origin are not appropriately distinguished from those of synthetic origin**, thus preventing the consumers to make distinctive choices. Second, even when a product is composed by substances of natural origin, it still **presents chemical additives, preservatives and other artificial substances** whose use does not jeopardise the chance to claim it “natural”<sup>10</sup>.

## PROTECTING REAL NATURAL, UNVEILING UNCLAIMED SYNTHETIC

### CASE STUDY I: Zeaxanthin: Novel food - Natural vs. Synthetic

This opacity in labelling the difference between natural and synthetic ingredients has been a concrete issue for consumers. According to the law, food information should not mislead the public, particularly by suggesting it



<sup>7</sup> Article 3(39) of Regulation No 1907/2006 on Registration, Evaluation, Authorisation and Restriction of Chemicals.

<sup>8</sup> The Annex says « *NATURALLY/NATURAL- Where a food naturally meets the condition(s) laid down in this Annex for the use of a nutritional claim, the term ‘naturally/ natural’ may be used as a prefix to the claim* » Regulation No 1924/2006 on nutrition and health claims made on foods.

<sup>9</sup> Article 2 of the Regulation No 1334/2008 on on flavourings and certain food ingredients with flavouring properties for use in and on foods defines « *natural flavouring substance* » as « *‘natural flavouring substance’ shall mean a flavouring substance obtained by appropriate physical, enzymatic or microbiological processes from material of vegetable, animal or microbiological origin either in the raw state or after processing for human consumption by one or more of the traditional food preparation processes listed in Annex II. Natural flavouring substances correspond to substances that are naturally present and have been identified in nature* ».

<sup>10</sup> See Annex: “Examples of misleading labelling information on food packaging in the EU”.

possesses special characteristics or effects it does not have. It should be **accurate, clear, and easy** for the consumer to understand.

On 13 August 2018, the Commission adopted [an implementing act](#) to authorise the change of the designation and the labelling requirements for the novel food synthetic zeaxanthin. The Commission agreed on labelling the substance only as “zeaxanthin” removing “synthetic” from the denomination.

As mentioned in a [written question](#) to the Commission from Paolo De Castro (S&D), Pascal Arimont (PPE) and Simona Bonafè (S&D), “even if the term ‘natural’ is not used, **EU consumers can still be misled and made to believe a product is of natural origin, in spite of the fact that it is not.** The removal of the term ‘synthetic’ from the label is misleading in terms of consumers’ perceptions of its origin”.

The Commission explained that this change would ensure consistency in the labelling and designation with other synthetic substances which are not labelled as “synthetic”.

Notwithstanding the understandable intensions of the Commission, requiring same labelling standards for different food components will confuse synthetic and natural ingredients preventing consumers to make conscious, healthier, and sustainable choices.

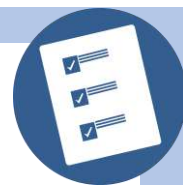
In conclusion, **the uncertainty of the current legal framework does not allow consumers to properly differentiate and identify food components in final products.** Confusing labelling requirements creates situations where consumers cannot properly differentiate between substances that may be of natural or synthetic origin.

#### **CASE STUDY II: Melatonin: always natural?**

Consumers buy products containing melatonin believing that the substance is of natural origin. Currently, all melatonin used for the food supplements’ production is of synthetic origin as it is obtained by chemical process.

Consumers believe that Melatonin is a hormone physiologically produced by our body, ignoring the synthetic origin of the food supplement they are purchasing.

This example highlights the misleading use of the term natural on final products, as it should be forbidden to use such claims on products using ingredients of synthetic origin.



In conclusion, the uncertainty of the current legal framework does not allow consumers to properly differentiate and identify food components in food products. The lack of mandatory information regarding the origin of the ingredient – together with a lack of definition of “natural” for food

products – leads “natural” targeted products to present chemical ingredients hidden behind unclear denominations. These two elements can enable consumers to understand whether claims such as “100% natural” or “only natural ingredients” reflect correct characteristics for the product.

## CONCLUSIONS AND POSSIBLE SOLUTIONS

Considering the already existing definition of natural present in the REACH Regulation, and the one available for natural flavouring, SAFE believes a possible definition of natural should consider the following elements:

- **Criteria for labelling standards and possible definition of natural for food products:**
  - **Nature of the components of the product:** a natural product should consist of natural ingredients and should not contain synthetic substances.
  - **GMOs not allowed:** The product does not contain, or it is not obtained by, genetically modified organisms.
  - **Biodegradable condition:** The product shall be considered 100% biodegradable.
- **Proposal for amending Regulation No 1924/2006 on nutrition and health claims made on foods.**

A labelling system allowing consumers to understand the real composition of the product they are purchasing can help them in orienting their food choice properly.

The Regulation on nutritional claims acknowledges that *“the application of nutrient profiles as a criterion would aim to avoid a situation where **nutrition or health claims mask the overall nutritional status of a food product, which could mislead consumers when trying to make healthy choices in the context of a balanced diet**”*<sup>11</sup>. The paragraph follows adding that nutrient profiles as listed in the Regulation are meant to guide the circumstances where claims can be made.

In this regard, to properly inform the consumers about the origin of the ingredients and to prevent an unfair use of the word “natural” in food packaging, **we invite the Commission to develop a clear definition of natural that could be inserted by amending the existing definition of “natural/naturally” provided in the Annex of Regulation No 1924/2006 on nutrition and health claim made on food.**

This would guarantee consistency and uniformity with other EU Regulations, as mentioned in para. 38 of Regulation 1169/2011 on food information to consumers that states *“in the interest of consistency and coherence of Union law the voluntary inclusion of nutrition or health claims on food labels should be in accordance with the Regulation (EC) No 1924/2006 [...] on nutrition and health claims made on foods”*.

Finally, the amendments mentioned are in the view of ensuring consumers protection and alignment with the Farm to Fork and Green Deal’s objectives.

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<sup>11</sup> Para. 10 of Regulation No 1924/2006 on nutrition and health claims made on foods.



# EXAMPLES OF MISUSE OF THE TERM "NATURAL"

ON EU FOOD PRODUCTS



# ANNEX

The Annex below intends to show examples of misleading use of the term "natural" on EU food packaging.

These examples are divided by category of food (drinks, precooked soups, precooked food, sauces and sweets), each highlighting the ingredients of concerns with respect to specific claims.

The Annex recognised two main misuse of the term "natural":

1. On food products which still contains chemical ingredients.
2. In relation to colourants and flavourings that not always guarantee the absence of synthetic ingredients.





**CLAIM**  
"Naturally without"

**INGREDIENTS OF CONCERN**  
Modified starch,  
flavorings

**Ingredients:** eau, légumes 29% (petits pois 14%, oignon poireau), lardons fumés 3%, amidon modifié, sel, arômes, arôme de fumée, lait écrémé en poudre.  
Peut contenir des traces de céleri, de blé (gluten) et d'œuf.



**CLAIM**  
"100% of natural ingredients"

**INGREDIENT OF CONCERN**  
Natural flavouring

**Ingredients:** eau, champignon de Paris 15%, poireau, oignon, crème fraîche 5,1%, pomme de terre, amidon de maïs, sel, arômes naturels (contient du lait). Contient 28% de légumes.  
Peut contenir des traces de blé (gluten), céleri et œuf.





**CLAIM**  
"100% Natural"

**INGREDIENTS OF CONCERN**  
Natural flavourings

**INGREDIENTI:** Sale, amido di mais, zucchero, estratto di lievito, verdure 6,2% (cipolla 3,6%, carota 1,6%, prezzemolo 0,4%, pomodoro 0,2%, porro 0,2%, spinaci 0,1%, aglio, 0,1%), aroma naturale, patate, semi di **sedano**, olio extravergine di oliva 0,4%, spezia. Può contenere tracce di: **latte, soia, uova, pesce, crostacei e molluschi.**



**CLAIM**  
"100% Natural"

**INGREDIENTS OF CONCERN**  
Natural flavourings, meat extract

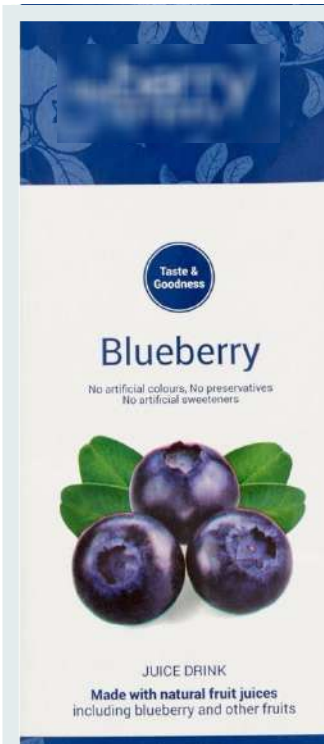
**BRODO DI CARNE MISTA**  
**INGREDIENTI:** Acqua, pollo 1,3%, manzo 1,2%, verdure 0,6% (porro, pomodoro, carota, **sedano**), sale, aromi naturali (contiene **uova e latte**), estratto di carne 0,05%, aroma naturale di **sedano** e spezia.



Ingrediënten: koolzuurhoudend water, invertsuiker, voedingszuur: citroenzuur, aroma's, kleurstoffen: zwarte wortel extract en briljant zwart, conserveermiddel: kaliumsorbaat.  
 Ingrédients: eau gazéifiée, sucre inverti, acidifiant: acide citrique, arômes, colorants: extrait de carotte noire et noir brillant, conservateur: sorbate de potassium.  
 Pour 100 ml

**CLAIM**  
 With natural flavouring and colorants

**INGREDIENTS OF CONCERN**  
 Citric acid (E 330), flavourings, extract of black carrot (E 163) and brilliant black (E 151) potassium sorbate (E 202)



**CLAIM**  
 "Made with natural fruit juice" "No artificial colours"

**INGREDIENTS OF CONCERN**  
 Citric acid (E 330), natural flavourings, stabilisers: pectin (E 440), ascorbic acid (E 300)

**Ingredients:** Water, Fruit Juices from Concentrate, 20%, (Grape, Blueberry 2%), Natural Sugars, Acid: Citric Acid, Natural Flavouring, Stabiliser: Pectin, Antioxidant: Ascorbic Acid.





## CLAIM

“100% ingredients of natural origin”

## INGREDIENTS OF CONCERN

Citric acid (E 330), other natural flavourings, colorant: paprika extract (E 160c)

### Ingrédients

Ingrédients : Eau de source 80%, jus de fruits à base de concentrés 12% (orange 6.4%, pomme, acérola, fruit de la passion 0.1%, mangue 0.07%) sucre 7.1%, acidifiant : acide citrique, arôme naturel d'orange avec autre arôme naturel, colorant : extrait de paprika.



## CLAIM

“100% ingredients of natural origin”

## INGREDIENTS OF CONCERN

Citric acid (E 330), extract of black carrot (E 163), potassium citrate (E 332), ascorbic acid (E 300), natural flavourings

INGREDIENTI:  
 acqua, succhi di frutta da concentrato 30% (uva 13,4%, arance rosse 9,0%, ciliegia 5,0%, melograno 2,3%, sambuco 0,3%), zucchero, acidificante: acido citrico; estratto di carota nera, correttore di acidità: citrato di potassio; antiossidante: acido ascorbico; aromi naturali.



**FR SAUCE DE TOMATES À LA VIANDE DE BŒUF ET DE PORC, AUX LÉGUMES ET AUX HERBES AROMATIQUES**  
 Ingrédients : Pulpe de tomates avec morceaux et concentré de tomates (52%), viande de bœuf et de porc (19,5%), eau, oignons (7%), carottes, céleri, sel, sucre, amidon de riz, persil, l'huile d'olive extra vierge, extrait de vin blanc, arôme naturel, ail, arôme naturel des herbes aromatiques avec d'autres arômes naturels, arôme naturel de poivre, basilic.

**CLAIM**  
 "All natural" and  
 "made by 100%  
 natural ingredients"

**INGREDIENTS OF CONCERN**  
 Natural flavouring



Ingrédients: Amidon (pomme de terre, maïs), jaune d'OEUF en poudre 20 %, sel, LAIT écrémé en poudre, oignon<sup>1</sup> 4,4 %, sucre, jus de citron en poudre<sup>1</sup> 1,4 %, épices (curcuma, poivre de cayenne, poivre blanc), huile de maïs, feuilles de laurier. Peut contenir: gluten, céleri, moutarde.  
<sup>1</sup> issus de l'agriculture durable.

**CLAIM**  
 "Naturally good"  
 and "full of  
 natural  
 ingredients".

**INGREDIENTS OF CONCERN**  
 Powdered egg  
 yolk, powdered  
 milk creme,  
 lemon powdered  
 juice



## BRASATO DI TACCHINO CON PATATE

PREPARAZIONE PRECOTTA A BASE DI CARNE DI TACCHINO E PATATE.

INGREDIENTI: Fesa di tacchino 41%, patate (SOLFITI) 25%, olio di semi di girasole, vino (SOLFITI), amido di FRUMENTO, aromi naturali, sale, proteine del LATTE, carote 0,5%, SEDANO 0,2%, cipolla, destrosio, aglio, rosmarino 0,2%, salvia 0,1%, amido di patata, zucchero caramellizzato, estratto di lievito, curcuma, pepe, stabilizzante: E450(iii), antiossidante: estratto di rosmarino, esaltatore di sapidità: glutammato monosodico. PUÒ CONTENERE TRACCE DI UOVA, SENAPE, PESCE, FRUTTA A GUSCIO, SEMI DI SESAMO, LUPINI, SOIA.

### CLAIM

"It is natural, it is good"

### INGREDIENTS OF CONCERN

Natural flavourings, stabilisers: tetrasodium diphosphate (E 450iii), monosodium glutamate (E 621)



## SCALOPPINE DI POLLO AI FUNGHI

PREPARAZIONE GASTRONOMICA PRECOTTA CON CARNE DI POLLO E FUNGHI.

INGREDIENTI: Carne di pollo 47%, funghi champignon 45%, olio di semi di girasole, olio di oliva, sale, amido di FRUMENTO, aromi naturali, destrosio, zucchero caramellizzato, estratto di lievito, curcuma, paprica, pepe, aglio, prezzemolo 0,5%, rosmarino, salvia, antiossidante: estratto di rosmarino. PUÒ CONTENERE TRACCE DI LATTE, UOVA, SEDANO, SENAPE, PESCE, FRUTTA A GUSCIO, SEMI DI SESAMO, LUPINI, SOLFITI, SOIA.

### CLAIM

"It's natural, it's good"

### INGREDIENTS OF CONCERN

Natural flavourings





**CLAIM**  
"With natural colouring"

**INGREDIENTS OF CONCERN**  
Citric acid (E330), flavourings, mono- and diglycerides of fatty acids (E471)

**Confiserie - Ingrédients:** sirop de glucose, sucre, jus de pomme concentré, acidifiant (acide citrique), fécule, arômes, colorant (anthocyanes), émulsifiant (mono- et diglycérides d'acides gras).  
**Attention!** Les bonbons peuvent se détacher. La surveillance d'un adulte est recommandée pour des enfants.



**CLAIM**  
"100% natural ingredients" "all natural"

**INGREDIENTS OF CONCERN**  
Natural flavouring

## Ingrédients

**Nesquik All Natural Cacao 3 x 180 ml**

Lait partiellement écrémé (0.9% de matières grasses) (92%)  
sucre de canne brut (2.6%)  
cacao maigre en poudre (1.3%)  
arôme naturel  
cannelle

# Conclusions

The report shown the complexity standing on the current labelling regulatory framework, and the linked misuse of the term "natural".

An average consumer does not have the proper knowledge to identify and understand the composition of most of the products available on the market. The term "natural" is overused, being applied on products which contains chemical substances.

As we are seeing a growing debate around sustainable labelling and a rising concern on empowering consumers in making healthy, sustainable and informed choices, SAFE launches the "WeValueTrueNatural" campaign to raise awareness on value of real natural food, to ensure that natural-labelled products are GMO-free, synthetic substances free and biodegradable.

Check more info on:



**#WeValueTrueNatural**



[www.safefoodadvocacy.eu](http://www.safefoodadvocacy.eu)