

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

Fields marked with \* are mandatory.

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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

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\*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:

Nineta

\*Family name:

Hrastelj

\* Name of the entity on whose behalf you are replying:

European Association for Chemical and Molecular Sciences (EuCheMS)

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

nineta@euchems.eu

\* 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*

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\* 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.

## PROBLEM DESCRIPTION

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\*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)]:

	1	2	3	4	5
*The impacts of industrial trans fats consumption on the health of the population as a whole	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*The impacts of industrial trans fats consumption on the health of particular social groups	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Current differences in rules and standards regarding industrial trans fats content in the EU market and impacts on consumer protection levels	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

* Current differences in rules and standards regarding industrial trans fats content in the EU market and impacts on the functioning of the Internal Market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Current differences in rules and standards regarding industrial trans fats content and impacts on external trade	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Legal uncertainty on future developments on industrial trans fats and impacts on the functioning of the Internal Market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* The effects of industrial trans fats use on the image and reputation of the food industry	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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)]?

	1	2	3	4	5
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* 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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

\* 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

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\*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

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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:

	1	2	3	4	5
* Option 1a: <u>limit industrial trans fats content in food through self-regulation</u> (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.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Option 1b: <u>limit industrial trans fats content in food through a legally-binding measure</u> (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.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Option 2: <u>introduce mandatory labelling of the trans fats content of foods</u> 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.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Option 3a: <u>prohibit the use of partly hydrogenated oils in foods manufacturing/preparation through self-regulation</u> , in a way similar to option 1a.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* 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*

Learning more about the mechanisms responsible for detrimental and possible beneficial effects of trans fats in the diet is essential to understanding more about the dietary contributions to cardiovascular disease today. As a first step, and parallel with the research effort, extending the nutrition declaration (Art. 30 (EU) No 1169 /2011) to include trans fatty acids is recommended, as well as an effort to harmonize the current different national recommendations. This will undoubtedly lead to a lowering of TFAs in food due to evolving pressure by sensitized consumers.

EuCheMS is confident that all these efforts, correlated with the application of a specific risk assessment method based on the scientific and epidemiologic evidence, will eventually lead to the setting of legal limits for TFAs in food.

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

*1000 character(s) maximum*

EuCheMS suggestions prepared by EuCheMS Division of Food Chemistry are the following:

1. Further funding of research of the metabolic role and fate of single-unsaturated trans fatty acids;
2. funding of research on the occurrence and metabolic fate of polyunsaturated trans linolenic and linoleic acids in animals and humans;
3. funding of research on possible interactive effects of TFAs with other dietary components or ingredients (e.g. oxidized sterols; sugar content), poorly investigated until today;
4. funding of research on TFAs formation during food processing, also considering the effect of novel technologies (thermal and non-thermal approaches);
5. establishing validated analytical methodology for TFAs testing in foods and feeds, enlarging the data base on TFAs available in Europe;
6. starting and mediating an ongoing institutionalized dialogue between research, industry and EFSA.

## Contact

SANTE-TRANS-FATS@ec.europa.eu

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