

Food/dietary supplements & health foods

General information

In the United Kingdom most products described as dietary or food supplements are regulated as foods and subject to the general provisions of the Trade Descriptions Act 1968, the Food Safety Act 1990 and the Food Labelling Regulations 1996 (as amended). The Food Safety Act makes it an offence to sell food that is not safe for consumption, not of the nature, substance or quality demanded by the consumer or that is falsely or misleadingly described or labelled.

It is the responsibility of the importer to ensure that their product complies with the necessary legislation. For advice on the labelling of specific products, please contact your local authority's Trading Standards Department or Environmental Health Department. You can find contact details for these via the following link on our website <http://food.gov.uk/enforcement/yourarea/>

Food/dietary supplements and health foods imported from countries outside the European Union (EU) which do **not**:

- contain products of animal origin (POAO)
- make any claims for the treatment or prevention of disease

or which are **not** administered to restore, correct or modify physiological functions must meet the same or equivalent food hygiene and compositional standards and procedures as food produced in the UK or other EU Member States. These standards and procedures also apply to food supplements containing POAO (see further details below).

Important – products imported from non-EU countries must comply with UK/EU food law. Such products will therefore require re-labelling and possible reformulation before being placed on the UK market.

Novel foods

Food supplements, like other foods, are not required to demonstrate their effectiveness before marketing, nor are they subject to prior approval unless they are genetically modified or are 'novel'. 'Novel foods' are products which do **not** have a history of consumption in the EU before May 1997, and are subject to the terms and conditions of the Novel Foods Regulation (EC) 258/97. For further information contact the Novel Foods Division by email novelfoods@foodstandards.gsi.gov.uk

It may be helpful to let the team know exactly what the ingredients are, broken down into percentages of the overall relevant product. If they are satisfied that the product has a significant history of consumption in the UK, it will be covered by food hygiene requirements.

Foods containing products of animal origin (POAO)

If the imported food/dietary supplements or health food contain **any** products of animal origin then, amongst other requirements, this may require certification of the product, the premises that produce the product being licensed by the EU and veterinary checks at the point of entry to the UK. The following contacts will be able to advise on the different types of products of animal origin:

If the product might contain any meat, meat products, honey, milk or dairy products, eggs or their products please contact the Animal and Plant Health Agency (APHA) in Carlisle on 01228 403 600 (option 3) or by email at imports@apha.gsi.gov.uk . APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs (DEFRA).

The Food Standards Agency (FSA) is responsible for imports from non-EU countries of **unfilled** gelatine capsules for human consumption. It is also responsible for imports from non-EU countries of food supplements in gelatine capsules for human consumption. There are strict requirements that importers must follow which can be found at http://tna.europarchive.org/20110615133801/http://www.food.gov.uk/multimedia/pdfs/enf_e_06_026.pdf

However, if the capsule contains a product of animal origin then those contents may not be exempt from the import requirements that apply to animal products. This might include a requirement for an APHA Import Licence. Examples are certain food supplements that contain milk products (dried milk powder, whey or lactose), egg products (dried egg powder), meat products (any animal tissues such as thymus glands or ground bone material) or fishery products (such as ground shell or bones). Different, stricter import rules apply to these types of products. For information on the rules for importing the **contents** of these types of supplements, please see our website http://www.food.gov.uk/foodindustry/imports/want_to_import/fisheryproducts/ (for fishery product contents), or contact APHA for all the other contents as detailed above.

Gelatine capsules for pharmaceutical use have separate import rules. For information on these rules you will need to contact the Medicines and Healthcare products Regulatory Agency (MHRA) at:

Medicines Borderline Section
The Medicines and Healthcare products Regulatory Agency (MHRA)
Market Towers
1 Nine Elms Lane
London SW8 5NQ
Tel. 020 3080 6000
Email: info@mhra.gsi.gov.uk

Labelling and Claims

For information on nutritional labelling policy for food supplements and health claims advertising, please contact: DH customer service centre at <http://www.dh.gov.uk/health/contact-dh> or 020 7210 4850 at the Department of Health.

If the supplement claims that it has the property of preventing, treating or curing a human disease or any reference to such a property, it may be classified as a medicine and the MHRA should be contacted for advice (contact details as above).

Other contacts

- For information on safety of food contact materials and articles, including those used for food packaging please contact Food Contact Materials Team on 020 7276 8570 or by email at FoodContactMaterial@foodstandards.gsi.gov.uk
- For information on dietetic foods please contact: DH customer service centre at <http://www.dh.gov.uk/health/contact-dh> or 020 7210 4850

Food hygiene

For general enquiries on food hygiene please contact the Food Hygiene Policy Team by email at foodhygiene.policy@foodstandards.gsi.gov.uk

Contaminants

A guidance note on the Contaminants in Food (England) Regulations 2013, which make provision for enactment and enforcement of Commission Regulations setting regulatory limits for contaminants in food (nitrate, mycotoxins, metals, 3-MCPD dioxins and PAHs), can be found at <http://www.food.gov.uk/news-updates/news/2013/oct/regulations>

Import restrictions

There are other import restrictions/requirements which may apply to food/dietary supplements and health foods of which importers need to be aware, as follows:

Semax

Semax is used in Russia as a nutritional food administered in nasal drops for the rehabilitation of patients suffering from Parkinson's Disease, Alzheimers Disease, strokes and other serious conditions. In the UK it is considered by MHRA to be a medicine rather than a food item. Semax may only be sold or supplied in the UK if a marketing Authorisation has previously been granted for them. For further information on how to import Semax as a medicine please contact the MHRA on 020 3080 6000.

Lead calabash chalk and clay

Calabash chalk is not a conventional food, but is eaten by some pregnant women, traditionally those from the Nigerian and wider West African community, as a remedy for morning sickness. The FSA has advised people, especially pregnant and breast-feeding women, not to eat Calabash chalk, because FSA surveillance has revealed high levels of lead in the calabash chalk ranging from 8.2 mg/kg to 16.1 mg/kg and the FSA considers that levels over 1 mg/kg of lead in this product should be considered unfit for human consumption. More information can be found on our website via the following link: http://www.food.gov.uk/business-industry/imports/banned_restricted/calabashchalk

The FSA is also advising pregnant and breast-feeding women not to eat clay, also known as 'sikor' or 'shikor mati' and sometimes consumed by people in communities from Asia and Africa, because it may contain high levels of toxic chemicals such as lead and arsenic that could harm their babies. For more information please see: <http://www.food.gov.uk/news-updates/news/2011/june/clay>

Imports of feed and food from Japan

As of 27 March 2011 imports of all feed and food originating in or consigned from Japan to the EU are subject to special conditions. This is following the accident at the Fukushima Daiichi nuclear power plant in Japan in March 2011. This will mean that consignments of feed and food can only enter the UK through specific ports and airports where official controls will be carried out. Further information for business operators can be found at: http://www.food.gov.uk/foodindustry/imports/banned_restricted/japan

For a complete list of foods (not of animal origin) with current EU restrictions, please see the following link on the FSA's website: www.food.gov.uk/foodindustry/imports/banned_restricted/restricted_foodstuffs

Imported Food Team, Food Standards Agency, 1st Floor Zone B, Aviation House, 125 Kingsway, London, WC2B 6NH
Email: imported.food@foodstandards.gsi.gov.uk
Helpline: 020 7276 8018

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