

## Seven Easy Steps To Assess Non-Compliance Of A Food Supplement

### Three easy immediate checks of the label

1. If a product is labelled as 'Dietary Supplement', it is non-compliant.  
*All food supplements must be labelled with 'Food Supplement'.*
2. If the product lists the vitamins, minerals and other active substances under 'Supplement Facts' or a similar heading, and follows this by 'Other ingredients' listing the carriers and other additives etc., it is non-compliant.  
*ALL ingredients (including the active ingredients) must be listed under the heading 'Ingredients' in descending order by weight of input. Active ingredients must be quantified either separately under an appropriate heading or within the ingredients list itself.*
3. If the quantity of vitamins A, D or E is given solely or principally as 'IU', it is non-compliant.  
*The quantity of these vitamins must be stated on food supplement labels using the applicable units: vitamin A 'µg RE'; vitamin D 'µg'; vitamin E 'mg α-TE'.*  
*Although the voluntarily declaration of quantity in IU may sometimes be provided, this must not take priority.*

### Four easy checks requiring the use of lists

4. The only permitted vitamins and minerals for use in food supplements are listed in Annex I of Directive 2002/46/EC on food supplements, as amended. If the product contains vitamins or minerals other than those listed (e.g. vanadium), it is non-compliant.  
*The permitted vitamins and minerals, as of November 2016, are listed in Appendix I of this document.*
5. The only permitted vitamin and mineral sources for use in food supplements are listed in Annex II of Directive 2002/46/EC on food supplements, as amended. If the product contains vitamin or mineral sources other than those listed (e.g. potassium glycinate complex), it is non-compliant.  
*The permitted vitamin and mineral sources, as of November 2016, are listed in Appendix II of this document.*
6. Certain ingredients have been determined by the UK Food Standards Agency (FSA) to be novel foods requiring authorisation before they can be permitted for use (e.g. *Acacia rigidula*). These ingredients are listed on the FSA website. Certain other ingredients are included in the EU novel foods catalogue. Neither of these lists are exhaustive, but if any of the ingredients stated as novel are present in a product, it is non-compliant, unless proof can be provided by the company that the ingredient falls under one of the few exceptions (as provided by the FSA).
  - *FSA list of unauthorised novel foods*
  - *EU novel food catalogue*
7. If the product bears health claims, these should relate only to those authorised via Regulation 1924/2006 on nutrition and health claims (including disease risk reduction claims) and present on the EU Register on nutrition and health claims. Certain on-hold claims are also permitted. Claims which refer to preventing, treating or curing a disease / illness are not permitted.  
This can be a complicated issue. UK guidance on claims can be found from the Department of Health (DH), the Committee of Advertising Practice (CAP) and the Medicines and Healthcare products Regulatory Agency (MHRA).
  - *EU Register of nutrition and health claims*
  - *DH Guide to compliance with Regulation (EC) 1924/2006 on nutrition and health claims made on foods*
  - *DH guidance relating to 'on hold' health claims*
  - *CAP Help Notes*
  - *MHRA Guide to what is a medicinal product*

*(The links are current as of November 2016. However, we have no control over other agencies relocating their web pages. Therefore, if any of the links do not work, search in your web browser for the document name)*

## APPENDIX I

### List of permitted vitamins and minerals for use in food supplements and the units by which they should be quantified (as of November 2016)

Taken from Annex I of Directive 2002/46/EC as amended

#### Vitamins

Vitamin A ( $\mu\text{g}$  RE)

Vitamin D ( $\mu\text{g}$ )

Vitamin E (mg a-TE)

Vitamin K ( $\mu\text{g}$ )

Vitamin B1 (thiamin) (mg)

Vitamin B2 (riboflavin) (mg)

Niacin (mg NE)

Pantothenic acid (mg)

Vitamin B6 (mg)

Folic acid ( $\mu\text{g}$ )

Vitamin B12 ( $\mu\text{g}$ )

Biotin ( $\mu\text{g}$ )

Vitamin C (mg)

#### Minerals

##### B

Boron (mg)

##### C

Calcium (mg)

Chloride (mg)

Chromium ( $\mu\text{g}$ )

Copper ( $\mu\text{g}$ )

##### F

Fluoride (mg)

##### I

Iodine ( $\mu\text{g}$ )

Iron (mg)

##### M

Magnesium (mg)

Manganese (mg)

Molybdenum ( $\mu\text{g}$ )

##### P

Phosphorus (mg)

Potassium (mg)

##### S

Selenium ( $\mu\text{g}$ )

Silicon (mg)

Sodium (mg)

##### Z

Zinc (mg)

## APPENDIX II

### List of permitted vitamins and mineral sources for use in food supplements (as of November 2016)

Taken from Annex II of Directive 2002/46/EC as amended

#### VITAMINS

##### Vitamin A

Retinol  
Retinyl acetate  
Retinyl palmitate  
Beta-carotene

##### Vitamin D

Cholecalciferol  
Ergocalciferol

##### Vitamin E

D-alpha-tocopherol  
DL-alpha-tocopherol  
D-alpha-tocopheryl acetate  
DL-alpha-tocopheryl acetate  
D-alpha-tocopheryl acid succinate  
Mixed tocopherols <sup>(1)</sup>  
Tocotrienol tocopherol <sup>(1)</sup>

##### Vitamin K

Phylloquinone (phytomenadione)  
Menaquinone <sup>(1)</sup>

##### Vitamin B1 (Thiamin)

Thiamin hydrochloride  
Thiamin mononitrate  
Thiamine monophosphate chloride  
Thiamine pyrophosphate chloride

##### Vitamin B2 (Riboflavin)

Riboflavin  
Riboflavin 5'-phosphate, sodium

##### Niacin

Nicotinic acid  
Nicotinamide  
Inositol hexanicotinate (inositol hexaniacinate)

##### Pantothenic acid

D-pantothenate, calcium  
D-pantothenate, sodium  
Dexpanthenol  
Pantethine

##### Vitamin B6

Pyridoxine hydrochloride  
Pyridoxine 5'-phosphate  
Pyridoxal 5'-phosphate

##### Folate (folic acid)

Pteroylmonoglutamic acid  
Calcium-L-methylfolate  
(6S)-5-methyltetrahydrofolic acid,  
glucosamine salt

##### Vitamin B12

Cyanocobalamin  
Hydroxocobalamin  
5'-deoxyadenosylcobalamin  
Methylcobalamin

##### Biotin

D-biotin

##### Vitamin C

L-ascorbic acid  
Sodium-L-ascorbate  
Calcium-L-ascorbate ( 1 )  
Potassium-L-ascorbate  
L-ascorbyl 6-palmitate  
Magnesium L-ascorbate  
Zinc L-ascorbate

## MINERALS

### Boron

Boric acid  
Sodium borate

### Calcium

Calcium acetate  
Calcium L-ascorbate  
Calcium bisglycinate  
Calcium carbonate  
Calcium chloride  
Calcium citrate malate  
Calcium salts of citric acid  
Calcium gluconate  
Calcium glycerophosphate  
Calcium lactate  
Calcium pyruvate  
Calcium salts of orthophosphoric acid  
Calcium succinate  
Calcium hydroxide  
Calcium L-lysinate  
Calcium malate  
Calcium oxide  
Calcium L-pidolate  
Calcium L-threonate  
Calcium sulphate

### Chloride

Any of the listed chloride salts

### Chromium

Chromium (III) chloride  
Chromium enriched yeast<sup>1</sup>  
Chromium (III) lactate trihydrate  
Chromium nitrate  
Chromium picolinate  
Chromium (III) sulphate

### Copper

Cupric carbonate  
Cupric citrate  
Cupric gluconate  
Cupric sulphate  
Copper L-aspartate  
Copper bisglycinate  
Copper lysine complex  
Copper (ii) oxide

Note: the ingredient may be listed as 'copper...', in which case the company should be able to confirm the source used is cupric (where relevant)

### Fluoride

Calcium fluoride  
Potassium fluoride  
Sodium fluoride  
Sodium monofluorophosphate

### Iodine

Potassium iodide  
Potassium iodate  
Sodium iodide  
Sodium iodate

### Iron

Ferrous carbonate  
Ferrous citrate  
Ferric ammonium citrate  
Ferrous gluconate  
Ferrous fumarate  
Ferric sodium diphosphate  
Ferrous lactate  
Ferrous sulphate  
Ferric diphosphate (ferric pyrophosphate)  
Ferric saccharate  
Elemental iron (carbonyl + electrolytic + hydrogen reduced)  
Ferrous bisglycinate  
Ferrous L-pidolate  
Ferrous phosphate  
Ferrous ammonium phosphate  
Ferric sodium edta  
Iron (ii) taurate

Note: the ingredient may be listed as 'iron...', in which case the company should be able to confirm the source used is ferrous or ferric (where relevant)

### **Magnesium**

Magnesium acetate  
 Magnesium l-ascorbate  
 Magnesium bisglycinate  
 Magnesium carbonate  
 Magnesium chloride  
 Magnesium salts of citric acid  
 Magnesium gluconate  
 Magnesium glycerophosphate  
 Magnesium salts of  
     orthophosphoric acid  
 Magnesium lactate  
 Magnesium l-lysinate  
 Magnesium hydroxide  
 Magnesium malate  
 Magnesium oxide  
 Magnesium l-pidolate  
 Magnesium potassium citrate  
 Magnesium pyruvate  
 Magnesium succinate  
 Magnesium sulphate  
 Magnesium taurate  
 Magnesium acetyl taurate

### **Manganese**

Manganese ascorbate  
 Manganese l-aspartate  
 Manganese bisglycinate  
 Manganese carbonate  
 Manganese chloride  
 Manganese citrate  
 Manganese gluconate  
 Manganese glycerophosphate  
 Manganese pidolate  
 Manganese sulphate

### **Molybdenum**

Ammonium molybdate  
     (molybdenum (VI))  
 Potassium molybdate  
     (molybdenum (VI))  
 Sodium molybdate (molybdenum  
     (VI))

### **Phosphorus**

Any of the listed phosphates that  
 provide a sufficient quantity

### **Potassium**

Potassium bicarbonate  
 Potassium carbonate  
 Potassium chloride  
 Potassium citrate  
 Potassium gluconate  
 Potassium glycerophosphate  
 Potassium lactate  
 Potassium hydroxide  
 Potassium l-pidolate  
 Potassium malate  
 Potassium salts of orthophosphoric  
     acid

### **Selenium**

L-selenomethionine  
 Selenium enriched yeast<sup>1</sup>  
 Selenious acid  
 Sodium selenate  
 Sodium hydrogen selenite  
 Sodium selenite

### **Silicon**

Choline-stabilised orthosilicic acid  
 Silicon dioxide  
 Silicic acid<sup>1</sup>

### **Sodium**

Sodium bicarbonate  
 Sodium carbonate  
 Sodium chloride  
 Sodium citrate  
 Sodium gluconate  
 Sodium lactate  
 Sodium hydroxide  
 Sodium salts of orthophosphoric  
     acid  
 Sodium sulphate

## Zinc

zinc acetate  
Zinc l-ascorbate  
Zinc l-aspartate  
Zinc bisglycinate  
Zinc chloride  
Zinc citrate  
Zinc gluconate  
Zinc lactate  
Zinc l-lysinate  
Zinc malate  
Zinc mono-l-methionine sulphate  
Zinc oxide  
Zinc carbonate  
Zinc l-pidolate  
Zinc picolinate  
Zinc sulphate

<sup>1</sup> The ingredient must be in the form specified in Annex II of Directive 2002/46/EC as amended

NOTE: Synonyms might be used in the ingredients list for some of these substances.