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/ASA Advice and Resources*
   - *MHRA Guide to what is a medicinal product*

(The links are current as of July 2017. 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 July 2017)

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

Vitamins

Vitamin A (µg RE)

Vitamin D (µg)

Vitamin E (mg a-TE)

Vitamin K (µg)

Vitamin B1 (thiamin) (mg)

Vitamin B2 (riboflavin) (mg)

Niacin (mg NE)

Pantothenic acid (mg)

Vitamin B6 (mg)

Folic acid (µg)

Vitamin B12 (µg)

Biotin (µg)

Vitamin C (mg)

Minerals

B
Boron (mg)

C
Calcium (mg)
Chloride (mg)
Chromium (µg)
Copper (µg)

F
Fluoride (mg)

I
Iodine (µg)
Iron (mg)

M
Magnesium (mg)
Manganese (mg)
Molybdenum (µg)

P
Phosphorus (mg)
Potassium (mg)

S
Selenium (µg)
Silicon (mg)
Sodium (mg)

Z
Zinc (mg)

APPENDIX II

List of permitted vitamins and mineral sources for use in food supplements (as of July 2017)

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 (1)
- Tocotrienol tocopherol (1)

Vitamin K
- Phylloquinone (phytomenadione)
- Menaquinone (1)

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
- Calcium phosphoryl oligosaccharides*

Chloride

- Any of the listed chloride salts

Chromium

- Chromium (III) chloride
- Chromium enriched yeast[1]
- 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[1]
- Selenious acid
- Sodium selenate
- Sodium hydrogen selenite
- Sodium selenite

Silicon

- Choline-stabilised orthosilicic acid
- Silicon dioxide
- Silicic acid[1]
- Organic silicon (monomethylsilanetriol)*

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

[1] The ingredient must be in the form specified in Annex II of Directive 2002/46/EC as amended

* Permitted from 26th July 2017

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