

## 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 (for the EU<sup>1</sup> and NI<sup>2</sup>) and in Schedule 1 of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (for GB<sup>3</sup>). 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 June 2021, 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 (for the EU and NI) and in Schedule 2 of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (for GB). 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 June 2021, are listed in Appendix II of this document.*
6. Certain ingredients have been determined to be novel foods requiring authorisation before they can be permitted for use (e.g. *Acacia rigidula*). These ingredients are listed in the EU novel food catalogue, which also includes the status of a number of other ingredients that may be not novel in food supplements only or not novel in all foods. The catalogue is not 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 stated.
  - *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 (for the EU and NI) or on the Great Britain nutrition and health claims register (for GB). 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 and Social Care (DHSC), the Committee of Advertising Practice (CAP) and the Medicines and Healthcare products Regulatory Agency (MHRA).
  - *EU Register of nutrition and health claims*

<sup>1</sup> European Union

<sup>2</sup> Northern Ireland

<sup>3</sup> Great Britain

- [\*Great Britain nutrition and health claims register\*](#)
- [\*DH Guide to compliance with Regulation \(EC\) 1924/2006 on nutrition and health claims made on foods\*](#)
- [\*DHSC guidance relating to 'on hold' health claims\*](#)
- [\*DHSC 'on hold' claims spreadsheet\*](#)
- [\*CAP/ASA Advice and Resources\*](#)
- [\*MHRA Borderline products: how to tell if your product is a medicine\*](#)

*(The links are current as of June 2021. 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 June 2021)

Taken from Annex I of Directive 2002/46/EC as amended (EU<sup>1</sup> and NI<sup>2</sup>) and Schedule 1 of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (GB<sup>3</sup>)

#### 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)

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<sup>1</sup> EU: European Union

<sup>2</sup> NI: Northern Ireland

<sup>3</sup> GB: Great Britain (England, Scotland, Wales)

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)

\* EU and NI: From 30<sup>th</sup> September 2022 the unit will be mg

## APPENDIX II

### List of permitted vitamins and mineral sources for use in food supplements (as of June 2021)

Taken from Annex II of Directive 2002/46/EC as amended (EU<sup>1</sup> and NI<sup>2</sup>) and Schedule 2 of The Nutrition (Amendment etc.) (EU Exit) Regulations 2019 (GB<sup>3</sup>)

#### 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)  
Nicotinamide riboside chloride\*

##### 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

<sup>1</sup> EU: European Union

<sup>2</sup> NI: Northern Ireland

<sup>3</sup> GB: Great Britain (England, Scotland, Wales)

## **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<sup>1</sup>  
Chromium (III) lactate trihydrate  
Chromium nitrate  
Chromium picolinate  
Chromium (III) sulphate

### **Copper**

Cupric carbonate  
Cupric citrate  
Cupric gluconate  
Cupric sulphate  
Copper I-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 citrate malate\*  
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  
Potassium sulphate

**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>  
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

\* EU and NI only

<sup>1</sup> The ingredient must be in the form specified in Annex II of Directive 2002/46/EC as amended (EU and NI) / as per the Guidance notes on legislation implementing Directive 2002/46/EC on food supplements (GB)

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