

Oats get a new cholesterol-lowering claim

The idea of a heart-health claim for oats is old news in the U.S., where the FDA approved such a claim back in 1998, but the Europeans are only just beginning to catch up. The approval in the UK of a health claim for oat beta-glucans is expected to stimulate NPD activity and - it is hoped - begin to lever open the door to a Europe-wide health claim. In the short term, however, consumers are unlikely to notice anything new. PATRICIA WIKLUND and JULIAN MELLENTIN report.

Marketers of oat-based products in the UK can now claim cholesterol-lowering properties, following the approval of a generic health claim by the country's self-regulatory body for health claims, the Joint Health Claims Initiative (JHCI). The news was announced at the Health Ingredients Europe show in Amsterdam on November 16th by CreaNutrition, the Swiss-based marketing arm of Swedish Oat Fibre (SOF).

"The timing is right," comments Ruedi Duss, Managing Director of CreaNutrition to *New Nutrition Business*. Drawing a parallel to the current developments in health claim regulation at the EU level, he sees the new generic health claim as likely to have a major impact on the future European health claims situation. "This is one way to be in pole position when the race starts," he continues, already visualizing the next step in the form of a Europe-wide approval of an oats health claim.

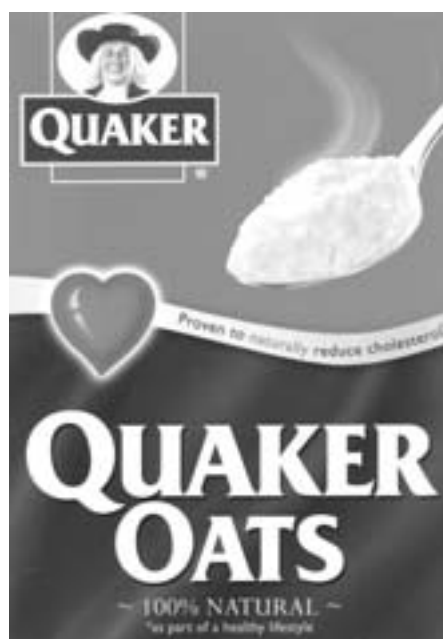
The claim approval is the result of a scientific dossier submitted by CreaNutrition and its parent company Swedish Oat Fibre (see October 2004 *New Nutrition Business*) to the JHCI back in February 2003. The approval process of the JHCI being somewhat pedestrian, the claim was only approved in May 2004 and the approval has only now been made public.

"This is very good news for the whole oats industry and it will benefit all players," Duss emphasises. When asked about first reaction on the claim, Duss says it has been entirely positive: "Researchers, competitors and other industry players have given me very good responses," he says.

The claim as approved by the JHCI states:

The inclusion of oats as part of a diet low in saturated fat and a healthy lifestyle can help reduce blood cholesterol.

Although this is the wording approved, companies are at liberty to alter it. However, consultation with the JHCI on alternative



The UK's recently-approved cholesterol-lowering health claim for oats signifies a very belated catching up by the health claims authority – brands like Quaker have already been using cholesterol-lowering claims for some four years.

wording is entirely voluntary and for other claims there are several examples of companies simply ignoring the JHCI.

The claim relates to whole oats, oat bran, rolled oats and whole oat flour. Beta-glucan soluble fibre may serve as a marker for the oat product that is the subject of the claim, when:

- oat bran provides at least 5.5% beta-glucan soluble fibre
- rolled oats provides at least 4% beta-glucan soluble fibre
- whole oat flour provides at least 4% beta-glucan soluble fibre

The JHCI further ruled that products carrying the claim should:

- contain at least 0.75g beta-glucan soluble fibre per serving, or in an amount that is

customarily consumed in a day that makes a reasonable contribution to a healthy diet.

- state what constitutes a serving; the amount of beta-glucan soluble fibre provided in each serving, expressed as grams; and the proportion ('quarter,' 'third,' 'half') it contributes to a 3g suggested daily intake in each serving, such as: 'One 30g serving provides 0.75g of beta-glucan soluble fibre from whole oats, which is one quarter of 3g, the suggested daily intake'.

The JHCI added in its ruling that there is no evidence for a minimum or threshold intake of oats to produce an effect and it is unlikely that very high doses produce ever-increasing benefit. Claims should not lead consumers to believe that oats have unique actions on cholesterol, or that very large intakes offer special advantages.

The JHCI also expects that the claim should be set in the context of a healthy lifestyle and a diet that is low in saturated fat.

A YEAR BEFORE NEW PRODUCTS CARRY THE CLAIM?

CreaNutrition chose the UK voluntary claims body mainly because JHCI's aim of being consistent with international and EU regulations is in line with CreaNutrition's view on health claim regulation. "UK offers a good platform for discussions of the issue, just like Sweden and the Netherlands," Duss says. As an oats and cereal consuming nation he also sees UK as an important market for health-positioned and value-added oat products. He estimates the first products with the newly approved health claim on pack will appear in supermarkets within approximately one-to-two years.

Markku Patajoki, Director of the Oat Business Unit of Finn Cereal, Finland's biggest cereal company, also expects that the "first products with the claim on pack will start to appear a year from now."

Commenting on the newly-approved claim he says that all activities fuelling interest and bringing positive headlines to oats are welcomed. However, in order for health claims to result in increased sales, he says, they have to be accepted, substantiated and supported by both industry and regulators. "It needs to be convincing." He

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uses the Finnish health claim on oats as an example, even though he finds it very rigid, he emphasizes that it is a claim issued and approved by the authorities.

Taking a wider perspective he sees the increased activities around oats and beta-glucan as a generally positive trend. "The value drifts up North," observes Patajoki, emphasizing that beta-glucan levels in Swedish and Finnish crop varieties often are considerably higher than what is achieved elsewhere. Just as there are percentage requirements for oat bran, rolled oats and whole oat flour, Patajoki would like to see beta-glucan criteria for whole oats in the health claims too, a requirement missing from the JHCI's current claim ruling.

FINLAND AND SWEDEN FIRST WITH AN OATS HEALTH CLAIM

The UK's oat health claim approval is the third such claim to be approved in Europe. As in so many other areas, Finland was the first country in Europe to recognize oats' cholesterol-lowering potential. In 2000 the Finnish National Food Agency approved a generic two-step claim on oat bran and rolled oats in connection to cholesterol. The wording of the claim is: "Soluble fibre helps control blood cholesterol. X oat bran / rolled oats is rich in soluble fibre."

The required beta-glucan level is 5g/100g a product. The claim is currently used by a number of bakeries and milling companies.

Sweden also has a generic reduction of disease risk claim, similar to the one approved in the UK. An example of how the claim can be worded is:

"A nutritionally balanced diet high in soluble fibres from oats (beta-glucans) can contribute to lower cholesterol levels in the blood and thereby to a reduced risk of cardiovascular disease/ atherosclerosis /hardening of the arteries. Product Z is high in soluble oat fibres (beta-glucans)."

This claim may be used for rolled oats and oat bran, as well as mixtures that contain these raw materials. For processed foods containing these – or other raw materials high in beta-glucans – it must be substantiated that they still have a cholesterol-lowering effect after processing.

A product making a claim regarding the connection between oat fibre (beta-glucans) and blood cholesterol levels must contain 0.75g of beta-glucans per normal serving, or provide 3g per day at a normal level of consumption. The packaging should clearly state how much oat beta-glucans the product contains as well as the amount of oat beta-glucans that should be eaten to achieve a cholesterol-lowering effect.

Where applicable, the final product must meet the criteria for using the Green Keyhole symbol – the Swedish national symbol for products that meet specified nutritional criteria. For example, the total sugar content (mono- and disaccharides) in breakfast cereals must be at most 13%. This corresponds to approximately 10% added sugar in cereals containing only cereal grains. According to the Swedish health claims code, the criteria for added sugars must also be met for other dry products. For soft breads, the added sugar content may not exceed 7%. For breakfast cereals, the fat content must not exceed 10%.

COMMENT: UK REGULATOR CATCHES UP WITH REALITY?

While the UK approval of a cholesterol-lowering claim for oats is an excellent reference for oat ingredient suppliers in their dealings with other European regulatory bodies and it will probably stimulate increased use in NPD of oats – which have long benefited from an all-natural, healthy image – the UK consumer will at first notice no difference.

The immediate effect of the JHCI's ruling is simply to end a very British anomaly in which health claims for oats

were technically not permitted but in practice were used all the time, notably by PepsiCo's Quaker Oats brand (see illustration), which for almost five years has used a claim on its oat products based on the wording approved back in 1998 by the USFDA. The UK's rather impotent health claim regulatory body – the JHCI – has no

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enforcement powers over health claims and no company actually has to seek the JHCI's approval of a health claim that it plans to use, nor does a company have to use the JHCI's wording – or indeed take any notice of anything that it says or does, as a walk around the aisles of any British supermarket will reveal.

In an act of self-deception of which only the English are capable, the JHCI – which is supported by the UK's food regulator, the Food Standards Agency – was at one time being held up as a role-model for the rest of Europe's proposed health claim regulation. But the workings of the JHCI's Scientific Committee are notoriously slow – it took over a year, for example, to review the oats-cholesterol-lowering health claim, one of the most straightforward relationships, many would say. In four years it has managed to approve just four generic health claims – hardly a track-record to be proud of. The JHCI in fact seems to have no future planned for it under the EU's proposed health claim regulations. Its eventual disappearance will have no impact on industry or on health claim regulation.

For a full analysis of the marketing of oat beta-glucans in Europe by CreaNutrition (Swedish Oat Fibre) and Finn Cereal see the October 2004 issue of *New Nutrition Business*.