

Scientific Advisory Committee on Nutrition

9TH MEETING

22nd October 2003, Aviation House, 125 Kingsway, London WC2B 6NH
FINALMINUTES

Chairman

Professor Alan Jackson

Members

Professor Annie Anderson
Professor Sheila Bingham
Professor John Cummings
Miss Gill Fine
Mrs Christine Gratus
Dr Tim Key
Professor Peter Kopelman
Dr Ann Prentice
Professor Andrew Rugg-Gunn
Mrs Stella Walsh
Dr Anthony Williams
Professor Christine Williams

Government Observers

Mrs Maureen Howell (Welsh Assembly)
Dr Barbara Davis (Scottish Executive)
Ms Danila Armstrong (DH)

Secretariat

Mr Tom Murray (FSA)
Dr Sheela Reddy (DH)
Dr Alison Tedstone (FSA)
Dr Adrienne Cullum (DH)
Ms Lynn Burns (FSA)

Chair's Introduction

1. The Chair welcomed Members to the meeting.

Apologies for absence

2. Apologies were received from Professor Peter Aggett, Dr Anita Thomas and Dr Naresh Chada.

Changes to Members declaration of interests

3. Members were invited to declare any changes in their interests. Stella Walsh informed the Committee that she had joined the Leeds Coop Membership Committee in a non policy-making capacity.

4. Members congratulated Dr Tony Williams who had been made a Fellow of UNICEF – in recognition of advice he has given about infant feeding. It was noted that this was an honour rather than a conflict of interest.

Agenda Item 1 - Minutes of last meeting (SACN03/min02)

5. Members were invited to comment on the minutes of the previous meeting (12th June 2003).

6. It was noted that Stella Walsh had provided apologies for absence.

7. It was agreed that paragraph 32 should state that "The previous COMA reports in 1984 on *Diet and Cardiovascular Disease* and in 1994 on *Nutritional Aspects of Cardiovascular Disease* had highlighted the relationship between salt and hypertension..."

8. It was agreed that paragraph 29 should state that "the time period to ensure consumer acceptability could be considerable; as manufacturers have also been asked to reduce fat and sugar, reformulation could be a lengthy process as any change in the balance of ingredients must carefully consider the effects on the organoleptic properties and food safety issues".

9. It was agreed that paragraph 41 state that "...and Dr Anthony Williams, who..."

10. It was agreed that the final paragraph of the Q+A transcript should read "I thank my colleagues, the Secretariat...."

Matters Arising (SACN03/22)

11. The Chair asked Members to consider in turn each of the Matters Arising from the previous meetings (SACN/03/22).

12. Members were provided with information on the purpose of the appraisal process (as requested SACN/03/13). Members were informed that the appraisal was based on an individual member's contribution and attendance. Members were unclear as to what aspect of their contribution was being assessed and felt that the process to date had not been transparent.

13. The Chair noted that it would be helpful to implement a more formally transparent process, where reports on Members would be made available to them as a matter of course. It was agreed that Members should be able to view and comment on their reports. Members agreed that they would also welcome the opportunity to provide feedback on the work of the Secretariat. For example, receipt of papers well before a meeting can foster effective working.

14. In order for the appraisal to be most effective it should be a two-way process. The Chair proposed that the appraisal form includes sections which both the Secretariat and Members complete separately. Comments could then be compiled and sent back to Members for further comment if they so wished. The Chair will make a statement on the completed form as a part of the Secretariat comment. This method would provide a way forward in the first instance.

15. It was highlighted that the appraisal process could provide an opportunity for Members' employers to receive formal feedback with clearly articulated roles and responsibilities, and evidence that their contribution to the Committee was highly valued by government. It was noted that this was particularly important in the light of demands on Members' time and the need for employers, to account for the activities of staff. The provision of independent advice to government was an important point of principle and any threat to the process was an important consideration and went beyond SACN. A number of issues might require further discussion, such as the nature and way in which members receive their fee.

16. The FSA acknowledged that this issue applied to all committees and the FSA Board itself. The FSA recognised that there were increasing pressures on committee Members time but recognised the extremely important service they provided. The FSA agreed to examine how explicit feedback mechanisms to employers could be developed for all committees.

17. The Secretariat reminded Members that, in line with other Committees, Members' employers had received a short letter on their valued contribution following their appointment. The Secretariat would welcome guidance on the type of information to be included in future letters to employers.

Action: Secretariat

18. Martin Gem, Chemical Contaminants and Animal Feed Division, FSA updated Members on trends on the levels of toxins in oily fish (item SACN/03/16). Annex 2 of the paper provided members with data that suggests that levels are falling, and would be expected to continue to fall due to tighter controls on the levels of toxins released into the environment. Members were informed that the FSA are in discussions with manufacturers as to how to reduce the levels of toxins in fish, for example by sourcing fish from cleaner areas.

19. The FSA agreed to clarify if the method of assessing mercury contamination had changed and may have influenced the data presented in Annex 2. Members were concerned that the key issue was tissue exposure rather than the level in fish. This issue would be raised by the SACN representative at the next Fish Intra Committee Subgroup meeting. It was noted that mercury levels in blood have been measured as part of the National Diet and Nutrition Survey and will be available late 2003.

Action: Professor Alan Jackson

20. Members were of the opinion that this issue was particularly important due to the potential role fish and fish oil supplements in cardiovascular disease. While the current data were reassuring to some extent, further surveys were

required to be sure that levels continued to fall. The frequency of such surveys was queried. Members were informed that mercury levels were measured every 3 years and polychlorinated biphenyls every 5 years through the total diet survey, with the next data collection due 2005/6. FSA are consulting the Committee On Toxicity of Chemicals in Food, Consumer Products and the Environment on the frequency at which such data should be collected.

21. In addition to items listed in the matters arising paper, Members were informed that a member of the Secretariat, Angela Inwood, had now left the FSA and a replacement was being sought.

Agenda Item 2 – SACN Annual Report future structure (SACN03/23)

22. The Chair reminded Members that the Secretariat had prepared the 2002 Annual Report along the lines of previous reports. Members had been asked to consider the format and focus of the report for the 2003 Annual Report.

Members comments included:

- The current report focused on the recorded meetings rather than actively highlighting SACN's outputs and achievements. The report provides an opportunity to publicise the work of SACN to a wide audience, such as universities (students and lecturers), broadcasters, journalists and interested consumers. The presentation of the report does not fully consider the needs of this audience.
- The structure of the report could be reconsidered allowing more focus on key areas of work, for example child nutrition.
- The report and website could better complement each other – perhaps with detailed information (such as personal interests) being placed on website rather than in the report.

23. Members were informed that while there is no accepted format for the Annual Report and it was intended to be a formal record of meetings, it was recognised that there were opportunities for improvement.

24. The Chair invited Members to forward any additional comments to the Secretariat. It was agreed that a draft 2003 Annual Report be prepared by the Secretariat for discussion at the February 2004 meeting.

Action: Secretariat and Members

Agenda item 3 – Nutrition and Health Claims proposal (SACN/03/24)

25. Noel Griffin, Food Labelling and Standards Division, FSA introduced this item. Gill Fine declared an interest as she is actively involved in both Sainsburys and the British Retail Consortium consultation on the proposals.

26. Members were informed that the proposals on the regulation of nutrition and health claims (new and established) are currently being negotiated in

Brussels. The proposal covers claims made during advertising and promotion of all food stuffs and would allow health claims to be made on foods for the first time (as outlined in Article 13). The EC has asked Member States to propose lists of established claims and propose procedures for dealing with applications for health claims. The proposals set out a framework for restrictions on nutrition and health claims and whether there is any need to restrict them based on the nutritional profile of foods (Article 4). Members were asked to comment.

27. Members were informed that foods covered by PARNUTS legislation (foods for particular nutritional purposes, e.g. infant formulas, cereal based weaning, slimming foods) will be subject to this new directive. Health claims that have been allowed under PARNUTS legislation can remain however any new claims for such products will be subject to this new directive.

28. Under the new directive, manufacturers will have to seek prior approval for any claim, and manufacturers would be subject to penalties if they made a claim that had not been approved. It was noted that there are existing codes of practice on this matter and a range of sanctions which enforcement agencies can use against unfounded claims. Member states currently take different approaches to this issue and this regulation is a harmonising measure. It was noted that if a claim was made, it was being proposed that the nutrition profile of the product be considered. This work would impact on the DH 5 A DAY logo, particularly work to develop nutritional criteria for use of the logo on composite foods. Members were informed that DH had raised this issue with the FSA and any developments would inform the process in Europe. The Nutrition Labelling Directive is also currently under review.

29. Members raised a number of concerns including:

- The lack of detail in the document made it difficult to assess the proposal.
- The potential for health claims to increase consumer misunderstanding and confusion.
- The potential for an inappropriate increase in the focus on benefits of individual products rather than diets as a whole.
- The risk of over simplification of nutritional science and the assumption that consumers are physiologically uniform when in reality the health risks and nutritional benefits vary considerably between specific population groups .
- The lack of a clear substantiation process to scientifically assess health claims allowing the potential for decisions to be based on inadequate research, reference to "generally accepted scientific data" was too vague to ensure adequate protection.
- Assuming such a rigorous substantiation process were to be developed, why behavioural claims, specifically, could not be allowed even if they were to fulfil the requirement of the evaluation

- The lack of understanding of the role of behavioural change strategies in bringing about changes in diet and health.
- The potential for manufacturers to exploit the regulations and make claims on growth, development and physiological functions within the normal range.

30. Dr Ann Prentice declared an interest in relation to her work with the National Osteoporosis Society (NOS). She was concerned that unless there is more clarity in the Directive, there may be a prohibition on charities, such as the NOS, having associations with particular products. Provided all scientific substantiation was met, such associations can be effective in communicating important messages to support groups and consumers.

31. Gill Fine noted that the key issue was the nature of a claim and the level of evidence required. Industry would welcome a "level playing field" in the EU on this matter with clarity regarding the scientific substantiation for the different type of claims being proposed. Gill Fine highlighted that further work is needed on the proposal as currently phrased it could have an adverse effect on the future of certain areas of nutrition research and the use of general nutrition content claims which may not be beneficial for consumers.

32. Members were of the view that the proposed legislation was intended to make an important step forward in protecting the consumer. However, care had to be taken to ensure that it did not lead to outcomes which were not intended. Members noted that the most important consideration which required greater clarity was the steps which would be required to substantiate any claims which are made, and the nature of the scientific evidence to support such claims. These details would need to be made explicit. Although this proposal was seen as a fundamental forward move, these were important concerns if the directive were to fulfil the needs of both industry and consumers. It was therefore important that SACN participate in the consultation process. A number of Members had already forwarded comments on the proposals.

33. Members were requested to forward any additional comments to the FSA by the 24th October (the end of formal consultation process). It was agreed that the Secretariat would draft a summary statement from Members comments. It was likely that revised proposals would be available by the end of the year.

Action: Secretariat and Members

Agenda Item 4 – Iron Working Group (no paper)

34. In the absence of the Chair of the Working Group, Dr Ann Prentice gave an oral update on the work of the Iron group. The structure of the report had been agreed and key issues on which the report would focus circulated to members. The drafting Secretariat had met to discuss the framework of the final report. Although the work of the Group was on schedule they were still waiting for the data on iron status from the National Diet and Nutrition Survey. The timetable is under review and will be discussed with the SACN Chair after the next Iron meeting (28th November).

35. It was noted that the Group had been without a consumer representative since Paulette Jones had resigned. It was agreed that this issue would be raised with the Chair.

Action: Secretariat

Agenda Item 5 – Food Promotion to Children (SACN/03/25)

36. Mark Browne, Food Labelling and Standards Division, FSA, introduced this item. Members had been circulated the Management and Executive Summary of the FSA funded review on the Promotion of Food to Children, undertaken by the University of Strathclyde, published in September 2003. The report had been undertaken in the context of increasing child obesity and wider action to improve dietary intakes. The report was the first systematic review in this area. Members had also been provided with information on work on this issue undertaken by the Agency to date, including plans for a wide stakeholders meeting and an assessment of policy options. The FSA Board are due to discuss this issue in the New Year.

37. Gill Fine declared an interest.

38. Members praised the report and were of the opinion that it was of a high standard and methodologically sound. It was an important report with firm, clear, messages, particularly as the researchers had been able to identify and determine that the effects of advertising went beyond brand switching. The report was of particular relevance to oral health as confectionery and soft drinks were among the foods most frequently advertised to children. It was noted that while the review focused on TV advertising, for which there was published data, other forms of promotion were also increasingly common (such as promotions in schools, sponsorship of accommodation in children's hospitals), as had been noted in the conclusions of the report.

39. Members noted that marketing is complicated and the evidence used by advertisers is likely to be different to the evidence available to academics. It was noted that the authors had previously undertaken work on tobacco advertising and useful analogies had been drawn. It was clear that industry is very effective at promoting foods and there is a need to promote appropriate nutrition messages using similarly effective methods.

40. Members noted that the definition of "children" is broad and it would be helpful to have a greater understanding of the point at which children are able to make informed choices. It was proposed that it would also be helpful to increase the broader evidence base on relevant issues in the UK to progress the report's findings. The majority of studies included in the report were North American.

41. Members were informed that since publication of the report, the Food Advertising Unit of the Advertising Association had commissioned a similar review of the evidence. However the findings of this report appear to disagree with the FSA report. The FSA are convening an academic seminar to examine where and why the reports agree and disagree. It was agreed that this second report be forwarded to SACN Members.

Action: Secretariat

42. It was highlighted that the research focused primarily on terrestrial TV advertising but now there is considerable advertising on satellite television and using other media. It was noted that advertising has been banned on terrestrial TV aimed at children in Sweden, however this only constitutes about a quarter of all TV watched by Swedish children as there is a plethora of satellite channels.

43. Gill Fine commented that there was little mention made of the positive role that some food companies play in promoting healthier eating and that this should be considered as part of any proposals covering the promotion of foods to children .

44. It was proposed that SACN forward any additional views to the FSA before the FSA Board meeting in the New Year. It was agreed that a small group of interested Members (Professor Annie Anderson, Professor Andrew Rugg-Gunn, Miss Gill Fine, Ms Stella Walsh and Dr Tony Williams) meet with the Chair in the first two weeks of December to "brainstorm" the issues.

Action: Secretariat and Members**Agenda Item 6 – Sub-Group on Maternal and Child Nutrition (SMCN) (no paper).**

45. The Chair of the Sub-group, Dr Tony Williams, gave an oral update on the work of the Sub-group. The minutes of the previous meeting (29th September) had not yet been agreed. The Sub-group discussed:

- The planned work on the effect of early diet on later health in light of an MRC review covering a similar area. The Sub-group decided that there were a number of topics of importance to SMCN which would not be covered in the proposed report from the MRC, such as nutrition during pregnancy and in early life. Therefore, there is the need for SACN to prepare a report which addresses the issues it sees as being important, and which would complement any report from the MRC. The Secretariat will be obtaining additional support to take this work forward.
- The most appropriate age for introducing solid foods particularly to bottle-fed infants was discussed. SACN had previously discussed the advantages of delaying weaning in breastfed infants to 6 months. There was a lack of evidence on the need to delay solids foods in bottle-fed infants therefore SMCN were unable to undertake a full risk assessment. It was agreed the appropriate age for introducing solid foods in bottle fed infants depended on the developmental readiness of the infant but this was not adequately defined. The sub-group agreed that any risks associated with delaying complementary feeding to six months in bottle-fed infants was likely to be low and recommended that the matter be addressed through risk management.

- The Infant and Dietetic Food Association had queried SACN's position on the use of soya based formula. SMCN could not identify any benefits of soya based formula for healthy infants. It was the Sub-group's view that questions relating to management of particular clinical conditions were out of SACN's remit.

46. In response to a query, it was noted that details of the MRC review on early diet and later health would be circulated to the Sub-group in confidence.

Action: Secretariat

47. It was agreed that SACN members should be forwarded the relevant papers and SMCN minutes to discuss the issue and confirm SACN's position on the use of soya-based formulas.

Action: Secretariat

Agenda Item 7 – Horizon Scanning (SACN/03/26)

48. The Chair asked Members to comment on the record of the Horizon Scanning event.

49. Members were of the view that the paper was a fair record of the event. It was agreed that as the workshop had been a closed, "brainstorming" event, the paper would be removed from the SACN website. It was agreed that a more general summary would be prepared by the Secretariat and placed on the SACN website. The Secretariat would also draft a more formal work plan and circulate to Members for comment at the next meeting. This could be discussed in conjunction with the results of the National Diet and Nutrition Survey.

Action: Secretariat

50. Members agreed that there were a number of issues which they had committed to undertake. This included a contained piece of work on the wider issues relating to the fortification of flour with folic acid, following the publication of new evidence since the COMA review in 2000. The Secretariat agreed to forward Members relevant papers.

Action: Secretariat

Agenda Item 8 – FSA Departmental Report (SACN/03/27)

51. Members were provided with the FSA Departmental Report for information. Members were informed that groups generally interested in the report included consumer groups, special interest groups and professional bodies. Members commented that the report was user-friendly and provided a good account of FSA's activities.

Agenda Item 9 – COT Statement on metals in infant food (SACN/03/28)

52. Nick Ball, COT, FSA, introduced this item which related to the results of a recently completed survey as part of continued monitoring of levels of metals

in infant foods. The FSA Contaminants Division estimated dietary exposure based on NDNS data on infants aged 6-18 months (which probably underestimated intake) and manufacturers feeding instructions (which probably overestimated intakes due to wastage). The results suggested that young infants (0-3 months) may have low intakes of some nutrients, such as copper, but conclusions were difficult to draw due to the difficulty of measuring intakes in these groups.

53. Members highlighted that the model made considerable assumptions, particularly as the levels in breastmilk were unavailable. The exercise also excluded water intake which would provide some copper. It was unclear how the findings related to infants who were fed home prepared foods.

54. Members concluded that there was no evidence to raise specific concern at this time about the adequacy of nutrient intakes by infants, but this issue could be considered again when further data were available.

Agenda Item 10 – Government update on nutrition related activities FSA (SACN03/29)

55. Tom Murray gave an update on FSA initiatives and Members were asked to comment.

56. Members asked for clarification on the purpose of the Agency's mini survey programme and model for salt reduction. Members were informed that these were part of the Agency's overall plan on salt and were useful for media briefings, consumer awareness and in discussions with industry (with DH). The salt model being developed by FSA provided useful indicators for salt reduction. FSA had assessed product ranges and picked the lower salt values in each product category. The model will be discussed with industry. It was noted that some of the suggested reductions would have to be undertaken gradually. FSA were not able to provide a firm timescale for the availability of data on children's exposure.

57. In response to a query, Members were informed that only minor amendments had been made to the methodology for the Low Income Diet and Nutrition Survey following the pilot work.

DH (SACN03/30)

58. Danila Armstrong gave an update on DH initiatives and Members were asked to comment.

59. Clarification was requested on a number of issues:

- Whether the terms of reference for the Nutrition Forum applied to England or the UK. It was agreed that this would be clarified at the Forum and SACN Members be updated at the next meeting.

Action: Secretariat

- The use of the 5 A DAY logo – Members were informed that the DH logo was only in England at present but that discussions with devolved Health

Departments had taken place. There would be no difficulty if devolved Health Departments wanted to use the logo.

- The key stakeholders for the Food and Health Action Plan problem analysis consultation document had been presented at the Nutrition forum and sent to around 300 organisations, including SACN members. The closing date for the consultation was 12th September. Over 100 responses had been received. The next stage was to agree priority areas and then to engage stakeholders to consider solutions and actions to address the priorities.

Scotland (SACN03/31)

60. Dr Barbara Davis gave an update on Scottish Executive initiatives and Members were asked to comment.

61. It was agreed that a detailed account of the Scottish Healthy Living campaign, which had received some negative publicity, be provided to Members at a future meeting.

62. It was agreed that further clarification be provided on whether there is nutritional guidance available for breakfast clubs.

63. It was noted that the report on vitamin D would be of interest to wider stakeholders such as the National Osteoporosis Society.

Wales (SACN/03/32)

64. Maureen Howell gave an update on Welsh Assembly initiatives and Members were asked to comment.

65. Clarification was requested on the breakfast club work. Members were informed that a guidance document was being developed which would provide sample menus rather than detailed nutritional guidance. It was suggested that it would be useful to calculate the nutritional contents of breakfasts supplied and consumed. It was agreed that the document be forwarded to Members following consultation with ministers.

Action: Secretariat

AOB

66. Members were informed that the provisional dates for the next meetings were the 11th February (post meeting note: date changed to 23 February), 18th June (open meeting) and 15th October. It was suggested that future meetings begin at 10 or 10.30am.

67. The Chair thanked Members for their attendance.