

New Regulations and Guidelines Have Been Published Regarding Nutrition and Health Claims.

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Regulation on Turkish Food Codex Nutrition Claims and Regulation on the Use of Health Claims on Food and Food Supplements were published in the Official Gazette dated April 20, 2023, and numbered 32169. The Guideline on the Use of Health Claims on Foods and Food Supplements was published on the website of the Turkish Pharmaceuticals and Medical Devices Agency on 26.04.2023.

According to Nutrition Claims Regulation; "nutrition claim" is defined as any message that states, asserts or implies that a food has specified beneficial properties due to elements it contains such as energy, nutrients, or others.

The use of nutrition claims and how to use those have been regulated by the relevant regulation.

According to Health Claims Regulation, a health claim is defined as a statement that indicates, asserts or implies the relationship between any food group, food or food ingredients and the human health.

The main purpose of both regulations has been defined as protecting the consumer at the highest level. Under the regulations, health claims and nutrition claims may be used on food labels, promotions or advertisements under several conditions. In both regulations, general principles and conditions for the use of declarations have been determined.

The following points regarding the claims are emphasized:

The claims;

- May not be unclear, false or misleading.
- May not be presented in a manner promoting or encouraging excessive consumption of certain foods.
- May not refer to the changes in body functions, through written, pictorial, graphic or symbolic representations causing concern to the consumer.
- should not cause doubt on the adequacy or safety of other products or foods.

Also, health claims listed in the annexes of the relevant Guidelines may be re-evaluated due to public health requirements. As a result of this evaluation, the claim may be modified, its use may be suspended or canceled. The parties have the right to appeal against the Agency's -in line with the relevant conditions.

The health claims in the annexes of the Guidelines may be used without applying for authorization or notification to the Agency for products that are produced or imported by enterprises registered or approved by the Ministry of Agriculture and Forestry and are within the scope of the Regulation, provided that the products comply with the Regulation and the Guidelines.

The relevant health claim, which do not meet the conditions specified in the Health Claims Regulation and the relevant Guidelines, may be used until 31.12.2024 on the labels of the product manufactured and placed on the market before the publication date of the Health Claims Regulation and for which a health claim is used in accordance with the repealed Turkish Food Codex Regulation on Nutrition and Health Claims published in the Official Gazette dated 26.01.2017 and numbered 29960. Products manufactured but not placed on the market

before the publication date of the Health Claims Regulation may be placed on the market with a health claim on the label in accordance with the repealed Regulation within three months from the publication date of this Regulation and the relevant health claim may be used until 31.12.2024.

Various amendments were also conducted in relevant legislation for complying with the provisions introduced by the Regulations. With the Regulation Regarding the Amendment of the Regulation on Health Claims of Products Offered for Sale with Health Claims, published in the same Official Gazette; the provisions regulating the application for health claims authorization, the documents to be submitted, the evaluation of the application and the responsibility of the product owner are repealed. Pursuant to Article 11 of the amended Regulation, in the event of using a claim contrary to the Health Claims Regulation, the Agency will carry out or have carried out the suspension of the placing of the product on the market, collection, recall and destruction of the product.

Moreover, the List of Permitted Substances has been amended with the Turkish Food Codex Regulation Amending the Regulation on the Classification and Maximum Residue Limits of Pharmacologically Active Pharmaceutical Ingredients in Animal Foods, published in the Official Gazette dated May 4, 2023 and numbered 32180. With the provisional article 3, it has been regulated that the food operators should be comply with the new amendments in this List until 31.07.2023.

You can access the Nutrition Claims Regulation through this [link](#), the Health Claims Regulation through this [link](#), the Guideline through this [link](#), the Regulation Regarding the Amendment of the Regulation on Health Claims of Products Offered For Sale with Health Claims through this [link](#), the Turkish Food Codex Regulation Amending the Regulation on the Classification and Maximum Residue Limits of Pharmacologically Active Pharmaceutical Ingredients in Animal Foods through this [link](#) (only available in Turkish).

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