



29.2.2024

## NOTICE TO MEMBERS

**Subject: Petition No 0991/2023 by Juan Silva Martos (Spanish) on accurately labelling aloe vera products in the EU**

### 1. Summary of petition

The petitioner highlights the lack of regulation on aloe vera product quality in the EU. He refers to a study recently conducted by the University of Palma de Mallorca on various aloe vera juices marketed in the EU. The study reveals a lack of market regulation addressing the varying qualities of aloe vera products. The petitioner emphasises the need for regulation to inform consumers about the actual benefits of the products they purchase. He proposes modifying the law to require aloe vera juice labels to disclose the acemannan content, the plant's main characteristic providing health benefits. This, he believes, would enable consumers to make informed choices based on quality rather than price. Drawing parallels with other products like olive oil, the petitioner believes this change would protect European consumers and provide a valuable reference point for purchasing aloe vera juice. He emphasises the plant's qualities and urges the EU to consider his request for the benefit of consumers.

### 2. Admissibility

Declared admissible on 12 January 2024. Information requested from Commission under Rule 227(6).

### 3. Commission reply, received on 29 February 2024

Regulation (EU) No 1169/2011 on the provision of food information to consumers<sup>1</sup> (FIC Regulation) establishes the general principles, requirements and responsibilities governing food

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<sup>1</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, OJ L 304, 22.11.2011, p. 18–63.

information, and in particular food labelling whilst providing the basis for the assurance of a high level of consumer protection in relation to food information.

The FIC Regulation requires the mandatory provision of information on nutritional characteristics of foods, so as to enable consumers to make informed choices. According to the FIC Regulation the list of ingredients, and the nutritional declaration have to be indicated on the labelling of a food product.<sup>2</sup>

Moreover, under Article 36 of the FIC Regulation additional information on foods can also be provided on a voluntary basis, as long as it does not mislead the consumer, is not ambiguous or confusing for the consumer and, where appropriate, is based on relevant scientific data.

Concerning the reference made in the request to beneficial health effects of acemannan, it must be noted that the use of nutrition and health claims on food products marketed in the EU is governed by Regulation (EC) No 1924/2006 on nutrition and health claims made on foods<sup>3</sup> (Claims Regulation). The Claims Regulation defines health claim as any claim that states, suggests or implies that a relationship exists between a food category, a food or one of its constituents and health. Health claims are prohibited unless they are authorised and are only authorised for use in the EU after a scientific assessment of the highest possible standard carried out by the European Food Safety Authority (EFSA). Nutrition and health claims may be used in the labelling, presentation and advertising of foods placed in the EU only if they comply with the conditions of use accompanying them, the provisions of Regulation (EC) No 1924/2006 and any other relevant EU law.

The advertisement of beneficial effects to human health of a food product or one of its components through claims, for example of acemannan in aloe vera juice as described in the request, is prohibited unless the concerned health claim is included in the Union list of permitted health claims. There are currently no authorised health claims on aloe vera and acemannan.

Food business operators may submit at any time applications for authorisation of claims and inclusion in the list of permitted health claims (pursuant to Article 13(5) or Article 14(1)), in accordance with Commission Regulation (EC) No 353/2008<sup>4</sup>, to the competent authority of a Member State, which forwards the application to EFSA. The Commission takes a decision to authorise, or not, the claim in question taking into account the opinion delivered by EFSA, any relevant provisions of Union law and other legitimate factors relevant to the matter.

Kindly also note that Commission Regulation (EU) 2021/468<sup>5</sup> of 18 March 2021 prohibits the addition to foods and the use in the manufacture of foods of preparations from the leaf of Aloe species containing hydroxyanthracene derivatives, because of the severe harmful effects on health associated with their use.

## Conclusion

The current EU food labelling rules ensure that consumers are provided with information

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<sup>2</sup> See Article 9 of the FIC Regulation.

<sup>3</sup> Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods, OJ L 404, 30.12.2006, p. 9–25.

<sup>4</sup> Commission Regulation (EC) No 353/2008 of 18 April 2008 establishing implementing rules for applications for authorisation of health claims as provided for in Article 15 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council, OJ L 109 19.4.2008, p. 11

<sup>5</sup> Commission Regulation (EU) 2021/468 of 18 March 2021 amending Annex III to Regulation (EC) No 1925/2006 of the European Parliament and of the Council as regards botanical species containing hydroxyanthracene derivatives, OJ L 96, 13.3.2011, p. 6-8.

enabling them to make informed food choices. The use of nutrition and health claims on food products is permitted only if it is based on generally accepted scientific evidence and health principles. The Commission considers that there is no need to adopt specific rules on the labelling of Aloe Vera juices.