

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## EU-28

**Post:** Brussels USEU

### **EU Bans Use of Artificial Sweeteners in Dietetic Bakery Products**

**Report Categories:**

FAIRS Subject Report

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**Report Highlights:**

As a result of the EU's new rules on dietetic foods, applicable since July 2016, a whole range of products carrying dietetic suitability statements needed to be re-labeled and/or reformulated. In addition, [Commission Regulation 2018/97](#), published on January 23, 2018, bans the use of artificial sweeteners in fine bakery products aimed at people with special dietary needs. It becomes applicable on February 13, 2018 but products already on the market can be sold until stocks are exhausted.

## **EU Bans Use of Artificial Sweeteners in Dietetic Bakery Products**

EU [Commission Regulation 2018/97](#), published on January 23, 2018, in Official Journal L 17, bans the use of artificial sweeteners in fine bakery products aimed at people with special dietary needs. The EU's Food Additive regulation 1333/2008 did not permit the use of sweeteners in fine bakery wares with the exception of sweeteners in "fine bakery products for special nutritional uses." Following the 2013 revision of the EU's rules on food for particular nutritional uses, the European Commission concluded that the authorization of artificial sweeteners in "fine bakery products for special nutritional uses" is no longer justified and that those products may no longer be marketed. As a result of the EU's new rules on dietetic foods, applicable since July 2016, a whole range of products carrying dietetic suitability statements needed to be re-labeled and/or reformulated.

Commission Regulation 2018/97 removes the category "fine bakery products for special nutritional uses" from the food additives regulation, which means that the following sweeteners may no longer be used in bakery products in the EU:

- E 950 Acesulfame K
- E 951 Aspartame
- E 952 Cyclamic acid and its Na and Ca salts
- E 954 Saccharin and its Na, K and Ca salts
- E 955 Sucralose
- E 959 Neohesperidine DC
- E 961 Neotame
- E 962 Salt of aspartame-acesulfame
- E 969 Advantame

Commission Regulation 2018/97 becomes applicable on February 13, 2018 but products already on the market can be sold until stocks are exhausted.

## **Legal Framework**

The EU's [Food for Specific Groups \(FSG\) regulation 609/2013](#), adopted in 2013, became applicable in July 2016. It abolished the concept of "dietetic food" by repealing Directive 2009/39, which set out general rules for "food for particular nutritional uses." In addition, Regulation 2018/97 removes dietetic fine bakery wares from the additives regulation. The scope of the FSG regulation 609/2013 is limited to infant and follow-on formula, processed cereal-based and other baby food, food for special medical purposes and total diet replacement for weight control. Products no longer falling within the scope of this regulation, such as dietetic fine bakery products, are regarded as regular food and must comply with existing EU legislation on labeling and nutrition and health claims.

## Products Affected

A [Commission report on foods for diabetics](#), published in 2008, concluded that there are no scientific grounds for developing specific compositional requirements for this category of foods because diabetics can choose a healthy diet from normal foods. This means that food for diabetics are excluded from the scope of the FSG regulation 609/2013. By removing the category “fine bakery goods for special nutritional uses” from the additives regulation, the use of the aforementioned artificial sweeteners is no longer allowed in any “fine bakery products” including low-calorie and reduced-sugar bakery products. Bakery products with “energy-reduced” or “with no added sugars” claims, must comply with the criteria set out in the EU’s [Nutrition and Health Claims regulation 1924/2006](#).

## Related Reports

- [EU-28 Food and Agricultural Import Regulations and Standards \(FAIRS\) report](#)
- [The Skinny on New EU Rules for Weight Loss Products](#)
- [New EU Rules on Dietetic Foods](#)
- [New EU Rules on Sports Foods](#)

## Useful Links

- FAS/USEU website: <http://www.usda-eu.org/trade-with-the-eu/eu-import-rules/eu-labeling-requirements/dietetic-foods/>
- European Commission website: [https://ec.europa.eu/food/safety/labelling\\_nutrition/special\\_groups\\_food\\_en](https://ec.europa.eu/food/safety/labelling_nutrition/special_groups_food_en)