



GLOBAL ORGANIZATION FOR EPA AND DHA OMEGA-3S

7 September 2022

Ms. Sabine Pelsser [sabine.pelsser@ec.europa.eu](mailto:sabine.pelsser@ec.europa.eu)  
European Commission - Directorate General Health and Food Safety  
Head of Unit E1 – Food Information and Composition  
Rue Breydel 4 / Breydelstraat 4 • 1040 • Bruxelles / Brussel • Belgium

RE: Request to Reactivate Discussion on Substantiation of Health Claim Related to DHA and Contribution to Normal Brain Development

Dear Ms. Pelsser:

GOED, the Global Organization for EPA and DHA Omega-3s, represents the worldwide EPA and DHA omega-3 industry, with a mission to increase consumption of EPA and DHA omega-3s around the world. The membership is built on a quality standard unparalleled in the market and members must comply with quality and ethics guidelines that ensure members produce quality products that consumers can trust. Our 160+ members represent the entire supply chain of EPA and DHA omega-3s, from fisheries and crude oil suppliers to refiners, concentrators and finished product brands.

I write to request the reactivation of a discussion on EFSA's [Scientific Opinion on the substantiation of a health claim related to DHA and contribution to normal brain development pursuant to Article 14 of Regulation \(EC\) No 1924/2006](#). While EFSA's opinion was positive, it was never used to authorize a health claim and the opinion remains listed under "[Claims being processed](#)." GOED understands this claim was on hold due to the discussions regarding what has been adopted as [Commission Delegated Regulation \(EU\) 2016/127 of 25 September 2015 supplementing Regulation \(EU\) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding](#). Since the regulation is now published, we believe that it's time to restart the discussion with the Member States.

In its opinion, EFSA indicated the following:

The Panel concludes that a cause and effect relationship has been established between the consumption of DHA and contribution to normal brain development. The following wording reflects the scientific evidence: "DHA contributes to normal brain development". In order to bear the claim, foods for older infants and young children below the age of 24 months should provide a daily intake of 100 mg DHA in one or more servings, while foods for children from 2 to 18 years should provide a daily intake of 250 mg DHA in one or more servings.



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Given that health claims are forbidden on infant formula, we believe the following conditions of use are appropriate for the claim based on the EFSA opinion and align with the conditions of use set in other DHA claims:

- Information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 100 mg of DHA **for children from 6 months to 2 years** in one or more servings.
- When the claim is **for children from 2 to 18 years**, the claim may be used only for food which contains at least 40 mg of DHA per 100 g and per 100 kcal. In order to bear the claim, information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 250 mg of DHA.

We look forward to further discussion on this issue. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harry B. Rice".

Harry B. Rice, Ph.D.  
Vice-President, Regulatory & Scientific Affairs