Food, Food Supplements & Health Claims

You need to be careful when you're advertising a food, drink or a food supplement. The <u>Food Rules</u> will apply to any health claims you make.

A 'specific health claim' is a claim like 'this supplement helps with your immune system' or 'supplement X contains Y, which speeds up your metabolism'. In order to make these claims, they need to be authorised on the <u>GB nutrition and health claims (NHC) Register</u>. If the claim is not authorised, you can't make it.

A 'general health claim' is something like 'good for you', 'healthy', 'superfood' etc. A general health claim needs to be accompanied by an authorised specific health claim to be acceptable. If you don't accompany a general health claim with a specific authorised health claim, you may be breaching the Code. You can find out more here.

Do

- Remember that you are responsible for the claims that you are making.
- Only make a specific health claim if it is authorised.
- Only make a general health claim if it's accompanied by an authorised specific health claim.
- Stick closely to the authorised wording on the register.
- Think about where your MLM brand is from. The UK has strict rules on this kind of advertising—what is acceptable in another country might not be acceptable here.
- Focus on factual or subjective claims about the products in your advertising:
 - The quality, popularity and heritage of the brand.
 - The flavour/texture/smell of the products.
 - Any interesting and unique ingredients found in the products.
 - If you use the products yourself, how much you love them.
 - Share what customers have to say about the products (without referencing health benefits).
- Seek out further help if you are unsure— we have lots of guidance on our website, www.asa.org.uk.

Don't

- Make or imply health claims that are unauthorised or misleading.
- Exaggerate health benefits of products.
- Make <u>medicinal claims</u> without a licence (such as 'this product can help with X illness') all medicines have to be licenced by the <u>MHRA</u>.
- Use <u>testimonials</u>, reviews etc. where the person who gave it makes a health or medicinal claim – you're responsible for these claims, too.
- Assume what you are saying is acceptable because others make the same claim—
 they could be in breach of the advertising rules as well.

Need more help?

Lots more advice articles can be found on our website <u>here</u>.

Although it is given in good faith, this advice does not bind CAP or the ASA, both of which may require you to provide evidence to substantiate your claims at a later date. The ASA and CAP have a regulatory role for many types of marketing communications. Our independence would be compromised if we were to endorse products or services and our advice should never be used for such purposes. You should be aware that, although it is designed to reflect the law, the Code does not cover marketers' legal or other obligations, which remain their responsibility.

