

NATCOL Position on the Definition of the term ‘Natural Colour’

There is an increasing consumer preference for the use of natural colours; however the average consumer is unable to determine the nature of a colour from the ingredient list on the food product without having clear information as to the type of colour used. The aim of this NATCOL position paper is to establish common definitions to help consumers make a fair and informed choice, based on clear and informative labelling.

EU regulations provide no definition of the term “natural” in relation to food colours. The use of the term “natural” or similar terms in relation to the marketing of food colours are considered as marketing terms which shall be true and not misleading (Article 16 of Regulation (EC) N° 178/2002 and Article 2 of Directive 2000/13/EC). National regulatory bodies have issued national guidelines on this subject, e.g. The UK’s Food Standard Agency (Criteria for the use of the terms fresh, pure, natural etc. in food labelling, Revised July 2008) and the Danish Food Administration.

Any addition of a colorant to a food to impact its colour is an “artificial” action, irrespective of the identity of the colorant. Therefore we propose to relate the use of marketing terms (such as “natural”) solely to the substance used as colorant (i.e. the colorant as specified in Directive 2008/128/EC).

One way of identifying which attributes could be used to define “natural colours” in a way that does not mislead consumers is to look for existing definitions of the term ‘natural’ which are applied to other food ingredients. In this context, Regulation (EC) N° 1334/2008, relating to flavourings for use in food, includes the following specific requirement for the use of the term “natural” [Article 16.2]:

The term ‘natural’ for the description of a flavouring may only be used if the flavouring component comprises only flavouring preparations and/or natural flavouring substances.

Flavouring preparations are defined as [Article 3(d)]

‘flavouring preparation’ shall mean a product, other than a flavouring substance, obtained from: (i) food by appropriate physical, enzymatic or microbiological processes either in the raw state of the material or after processing for human consumption by one or more of the traditional food preparation processes listed in Annex II; and/or (ii) material of vegetable, animal or microbiological origin, other than food, by appropriate physical, enzymatic or microbiological processes, the material being taken as such or prepared by one or more of the traditional food preparation processes listed in Annex II;

Natural Flavouring Substances are defined as [Article 3(c)]

‘natural flavouring substance’ shall mean a flavouring substance obtained by appropriate physical, enzymatic or microbiological processes from material of vegetable, animal or microbiological origin

either in the raw state or after processing for human consumption by one or more of the traditional food preparation processes listed in Annex II. Natural flavouring substances correspond to substances that are naturally present and have been identified in nature;

Appropriate physical process is defined as [Article3(k)]
'appropriate physical process' shall mean a physical process which does not intentionally modify the chemical nature of the components of the flavouring, without prejudice to the listing of traditional food preparation processes in Annex II, and does not involve, inter alia, the use of singlet oxygen, ozone, inorganic catalysts, metal catalysts, organometallic reagents and/or UV radiation.

Traditional food preparation processes are listed in Annex II [Annex II]

List of traditional food preparation processes	
Chopping	Coating
Heating, cooking, baking, frying (up to 240°C at atmospheric pressure) and pressure cooking (up to 120°C)	Cooling
Cutting	Distillation/rectification
Drying	Emulsification
Evaporation	Extraction, incl. solvent extraction in accordance with Directive 88/344/EEC
Fermentation	Filtration
Grinding	
Infusion	Maceration
Microbiological processes	Mixing
Peeling	Percolation
Pressing	Refrigeration/Freezing
Roasting/Grilling	Squeezing
Steeping	

“Nature identical flavours” and “Artificial flavours” are no longer defined within this Regulation.

It is therefore clear from this Regulation that the three main criteria enabling the use of the term “natural” are:

- 1. Occurrence of the substance in nature**
- 2. Origin of the substance in nature (mineral, animal, vegetal or microbiological)**
- 3. Processing by traditional food preparation processes.**

It should be pointed out that products obtained from fermentation of microorganisms and extracted from the fermentation broth may be referred to as “natural” according to this Regulation.

It is the NATCOL position that applying these criteria by analogy to food colours will identify those that can be described as “natural” for labelling purposes. This is in line with the UK FSA guideline for the term “natural colour”:

55. The term “natural” without qualification should be used only in the following cases (see table for further explanation):

c) To describe permitted food additives that are obtained from natural sources (e.g. food or plant) by appropriate physical processing (including distillation and solvent extraction) or traditional food preparation processes.

Following publication of Regulation (EC) N°1333/2008 it is now incumbent on manufacturers to apply a specific labelling requirement for foods containing certain food colorants.

In order to clearly inform consumers that the six artificial colorants, detailed in Annex V of this Regulation, are not present in a particular food it is necessary to classify food colours in such a way that simple marketing phrases can be used to identify the types of colorant present.

However, when applying the term “natural” as defined in the new flavours Regulation by direct analogy to food colorants, consumers may be misled in all those cases where the colorants used are those formerly described as “nature-identical”. These colorants are neither “natural” within the above definition nor “un-natural” or “artificial” since they occur in nature. Thus we have classified colorants in such a way that a clear distinction can be made between artificial colours and those that are not artificial (i.e. those that occur in nature). The proposal for voluntary labelling below takes account of this differentiation.

Labelling:

The labelling of consumer food must comply with the requirements of Regulation (EC) N° 178/2002 and Directive 2000/13/EC. This Directive requires that the labelling, presentation and advertising of foodstuffs must not be such as could mislead a consumer to a material degree, particularly

- as to the characteristics of the food and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production;
- by attributing to the food effects or properties that it does not possess;
- by suggesting the food possesses special characteristics when in fact all similar foods possess such characteristics

It is also required that colours are listed in the ingredient list by its function “**colour**” followed by its specific name or E-number.

For the description of an added food colour additive on product labels intended for sale to the ultimate consumer, the term “natural” may be used by analogy to its definition in the flavourings Regulation. Furthermore, the terms “does not contain artificial colour(s)” and “free from artificial colour(s)” are proposed for voluntary use to cover a category of colorants which are all likely to be perceived by consumers as not being “artificial”. This category needs to be sufficiently broad such that it encompasses all those colorants which contain colour substances that occur in nature (i.e. those that are not artificial) thus ensuring that consumers are not misled by the use of such claims.