



FPC NEWS RELEASE

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ASA rejects frozen veg claims for nutritional benefits

The Fresh Produce Consortium (FPC) has welcomed the Advertising Standards Agency's confirmation that advertisers cannot claim that frozen vegetables have more nutrients than fresh produce.

The Advertising Standards Agency (ASA) has published its adjudication on advertisements run by Birds Eye which claimed that frozen vegetables had 30 per cent more vitamins than their fresh equivalents. The ASA's assessment concluded that Birds Eye should not make comparative nutrition claims between frozen vegetables and fresh vegetables, and that the company must ensure that it had substantiation for future claims.

"Thanks to an efficient supply chain most fresh products are available for the consumer to enjoy soon after harvest, ensuring that consumers can enjoy the ultimate convenience food at its very best. The greatest loss of nutrients in fresh produce occurs in the home during preparation and cooking," said Nigel Jenney, Chief Executive of FPC. "The food industry faces an immense challenge of encouraging people to eat 5 a day. It was a shame that Birds Eye felt it had to resort to knocking the benefits of fresh produce in order to promote its frozen products."

As well as conducting its own research Birds Eye had referred to a D J Favell study 1998 as a basis for its claims. The Favell report indicated that some frozen produce can have the same vitamin C content as fresh, stating: *This study, using vitamin C (ascorbic acid) as 'marker', allowed a direct comparison of the nutritional quality of fresh vegetables at various stages of distribution and storage, with the same vegetable commercially quick-frozen and stored deep frozen for up to 12 months. The nutrient status of frozen peas and broccoli was similar to that of the typical market-purchased vegetable and was superior to peas that have been stored in-home for several days. Fresh peas and broccoli retained their quality for up to 14 days when*



stored under chill conditions. The nutrient status of frozen whole green beans and frozen carrots, with no loss on freezing, was similar to the fresh vegetable at harvest. Frozen spinach also compared reasonably well with the harvested fresh vegetable and was clearly superior to all market produce.

The ASA's assessment commented:

- 'For vitamins which were less vulnerable to chemical oxidation and less water soluble than vitamin C, the rate of retention in fresh vegetables could be greater than that for vitamin C, and therefore the percentage difference between frozen and fresh vegetables in relation to other vitamins could be less than the 30% claimed'... 'Because the evidence related only to vitamin C and because it was not always the case that frozen vegetables had 30% more vitamins than the fresh equivalent, we considered the claim "30% more vitamins than fresh vegetables" had not been substantiated and was misleading'.
- 'Under EC Regulation 1924/2006 on Nutrition and Health Claims made on Foods such claims could only be made where the food being compared to the advertiser's product was of the same food category and did not have a composition which allowed it to bear a nutritional claim. We understood, however, that in this instance the comparator food, fresh vegetables, could bear a nutritional claim, in particular that they were a source of vitamin C. We therefore also understood that the claim '30% more vitamins than fresh vegetables' made in the ads was not a permitted nutrition claim under the Regulation.'

Notes for editors:

- The Fresh Produce Consortium (FPC) is the UK's fresh produce trade association and is based in Peterborough. The FPC has represented the fresh produce sector for many years and is recognised across the UK and EU as the voice of the industry.
- Extensive membership covers the complete spectrum of industry businesses including growers, importers, wholesalers, retailers, distributors, processors, packers, food service companies and other allied organisations.
- For details of the ASA's adjudication visit: http://www.asa.org.uk/ASA-action/Adjudications/2011/8/Birds-Eye-Ltd/SHP_ADJ_152488.aspx For information about the D J Favell Study 1998 see: <http://www.sciencedirect.com/science/article/pii/S0308814697001659>
- Eat In Colour website: <http://www.eatincolour.com>