

CONTENTS

1. Introduction	7
2. Scope	7
3. Nutrition claims	8
3.1 Requirements	8
3.2 Case law	9
4. Health claims	12
4.1 General aspects	12
4.2 Case law	14
4.2.1 Beauty	14
4.2.2 Brain	14
4.2.3 Digestion	15
4.2.4 Female health	15
4.2.5 Heart and cardiovascular system	16
4.2.6 Immune System	16
4.2.7 Joints and Bones	17
4.2.8 Mood and psyche	18
4.2.9 Sports	18
4.2.10 Weight loss and weight control	18
4.2.11 Other health claims	19
4.2.12 Multiple claims	20
4.2.13 not health claims	22
4.3 The discussion surrounding 'bekömmlich'	23
5. Specific health claims	26
5.1 General aspects	26
5.2 Case law	27
5.2.1 Art. 13 NHCR from A to Z	27
5.2.2 Art. 14 NHCR	29
5.2.3 from A to Z with comments	29
5.3 Beauty claims	32
5.3.1. German Federal Court	32
5.3.2 Decision by the Higher Regional Court Hamm	33

5.3.3 Previous verdicts on Beauty Claims	34
5.3.4 Meaning of the BGH verdict	35
5.3.5 Summary and outlook	35
6. Unspecific health claims, “health-related well-being”	36
6.1 General aspects	36
6.2 Case law	38
6.2.1 unspecific health claims from a to Z	38
6.2.2 from A to Z with comments	38
6.3 The issue of “accompanying” health claims	40
7. Right of permission	43
7.1 Registration procedure	43
7.2 Authorisation procedure	43
7.2.1 Art. 13, para. 5 procedure	43
7.2.2 Art. 14 cases	44
7.2.3 Data privacy	44
8. Scientific requirements for health claims	44
9. Labelling requirements	46
9.1 Wording	46
9.2 Mandatory labelling requirements	48
9.3 Nutrition labelling	48
10. Conditions of use	49
11. Traditional claims	49
12. Pharmaceuticals	50
13. Complete prohibitions	51
14. Transitional rules	52