SELF-AMENDMENT

to Parliamentary Draft Act

ACT

of _____ 2012

changing the Act on safety of food and nutrition

Article 1. The following changes shall be introduced into the Act of 25 August 2006 on safety of food and nutrition (uniform text Journal of Laws of 2010 No. 136, item 914, as amended[1]):

1) **after chapter 12, a new part IIa shall be added, reading as follows:**

"PART IIA

Food in schools

Article 52c. 1. On the area of kindergartens, primary schools, lower secondary schools and other school and education and care and education institutions and centres, it shall be prohibited to sell or serve the following foodstuffs:

a) sweets, confectionery and bakery products with sugar content exceeding 10g of added sugars[2] per 100g of product;
b) quickly prepared foodstuffs of the *fast food* type and the *instant* type, served after a short waiting time, with a sodium content exceeding 300mg of Na per 100g of product;
c) snacks with the addition of salt with a sodium content exceeding 300mg of Na per 100g of product;
d) diary products with an added sugar[3] content of over 15g per 100g/ml of product;
e) cereals with added sugar content over 25g per 100g of product;
f) jams, marmalades, high-sugar syrups with an added sugar content of over 50g per 100g of product;
g) carbonated and non-carbonated beverages with an addition of sugar[4] and synthetic colours;

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1 Changes to the uniform text of the Act were announced in Journal of Laws of 2010, No. 21, item 105, No. 182, item 1228 and No. 230, item 1511, and of 2011, No. 106, item 622, No. 122, item 692 and No. 171, item 1016.

2 "Added sugar(s)" as defined in EU legal regulations, i.e. Regulation of the European Parliament and of the Council 1169/2011 of 26 October 2011 and the definition included in Annex to Regulation of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods.

3 As defined in EU legal regulations, i.e. Regulation of the European Parliament and of the Council 1169/2011 of 26 October 2011 and the definition included in Annex to Regulation of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods.

h) energy and isotonic drinks;

2. On the area of kindergartens, primary schools, lower secondary schools and other school and education and care and education institutions and centres, it shall be prohibited to advertise, display or promote purchasing the foodstuffs referred to in section 1 letters 1-h.

3. The principal of a kindergarten, primary school, lower secondary school and other school and education and care and education institutions and centres, in the event of discovering an infringement of the prohibition referred to in section 1, may terminate, without a notice period, the agreements that are in place between the kindergarten, primary school, lower secondary school or other school and education or care and education institution or centre and the entity that infringes the prohibition through fault of that entity, without compensation.

Article 52d. The Minister competent for issues of health shall present the Sejm every two years, until 31 March of the subsequent year after the two-year period, with a detailed report on the implementation of the provisions of Division IIa of the Act, in particular the number of detected infringements of the Act."

2) **in Article 103.1, point 8 shall be added, reading as follows:**

"8. fails to comply with the prohibition stipulated in Article 52c.1;"

Article 2

The Act shall become effective upon its announcement on 1 January 2014.

4 As stipulated in the definition included in Annex to Regulation of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods

1. SUGARS:

Sugars (mono- and disaccharides) are a part of a larger group of compounds – carbohydrates, which are divided according to various criteria. Adopting the criterion of chemical composition, we can distinguish simple (monosaccharides) and complex sugars, which comprise two or more molecules of simple sugars. Complex carbohydrates include: disaccharides, oligosaccharides and polisaccharides. From the viewpoint of metabolism of carbohydrates in the body – they are divided into assimilable and non-assimilable. Assimilable carbohydrates may be digested, absorbed and metabolised in the human organism. Digestive enzymes of the alimentary tract metabolise complex carbohydrates into disaccharides, and then monosaccarides, which are absorbed in that form. They include: simple sugars, disaccharides, and of the polisaccharides – starch and glycogen. On the other hand, non-assimilable carbohydrates are elements of the dietary fibre: cellulose, hemicellulose and pectins, which cannot be absorbed because of lack of appropriate enzymes in the organism, but still have a significant impact on human health, fulfilling important physiological functions.

Assimilable carbohydrates in the human body fulfil various functions:

3) they are the basic and easily available source of energy for every living cell, needed for the functioning of the brain and muscles, to maintain body temperature, for the functioning of internal organs and for making a physical effort,
4) they regulate metabolic processes that occur in the organism: they influence the level of glucose in the blood serum and production of insulin, they are substrates in the process of protein glycosylation, they participate in metabolism of cholesterol and triglycerides, as well as bile acids,
5) they constitute the building material for making cell structural elements, e.g. cell membranes and biologically active substances (ribose, galactose, amino sugars, etc.),
6) they take part in the water and mineral transformation in the organism.

It is assumed that the organism needs more than 100g of assimilable carbohydrates per day for the proper course of metabolic processes. With an average, not very high consumption, the basic way in which they are transformed is by oxidisation related energy supply. In feeding healthy people, 45% to 65% of the total daily caloric needs should come from carbohydrates. **From the perspective of nutrition, it is recommended to eat more complex carbohydrates and reduce the amounts of mono- and disaccharides in the diet. The amount of recommended minimum consumption of carbohydrates by children, boys and girls, as well as adults, regardless of age, is 130g/day**, for pregnant women – 175g/day, and for breastfeeding women – 210g/day. **The results of epidemiological studies show that both the type and the quantity of consumed carbohydrates in the diet play an important role in aetiology of many illnesses related to metabolic disorders, such as: overweight and obesity, diabetes, arteriosclerosis, cardiovascular diseases, tumours, and many others. Excessive consumption of carbohydrates is connected mainly with too high consumption of sugar added – mono- and disaccharides – to food in the production process. The added sugars can come from: sucrose, glucose, glucose-fructose syrups, corn syrup, etc. Products made with the addition of sugar are usually characterised by lower content of other nutrients, such as vitamins, mineral elements, in comparison to natural food containing simple sugars, such as fruit, vegetables and milk and dairy products**. It is also indicated that consumption of 25% of energy coming from added sugars causes low consumption of some nutrients, including: folic acid, vitamins E, C, B6, calcium, magnesium, iron, or zinc. On the other hand, it is pointed out that too low consumption of mono- and disaccharides (less than 4% of total calories) reduces the consumption of sugars naturally occurring in food, thus lowers the availability of valuable nutrients, which are provided by products which are the source of natural sugars in the diet.

According to the recommendations of the World Health Organisation, the volume of energy coming from added sugars should not exceed 10% of daily caloric needs. It means that, in a diet supplying 2000 kcal, there should be not more than 50g of added sugars. **The research conducted in the recent years, especially in the United States, draw attention to the correlation between a**

growth in the consumption of fructose – commonly used to sweeten, among others, soft drinks, sweets – and an increase in overweight and obesity. It is explained by a different metabolism of fructose than glucose in the human organism. In the liver, larger amounts of fructose, in comparison to glucose, are transformed into lactic acid and still intensify liver synthesis of triglycerides, which may result in the development of hypertriglyceridemia. The direct impact of high consumption of fructose on the development of insulin resistance, hyperinsulinemia, glucose intolerance, hypertriglyceridemia and arterial hypertension has been demonstrated in research on animals. **The American research demonstrated also an increase in overweight and obesity caused by higher consumption of added sugars, a significant source of which were sweetened soft drinks. It was found that the probability of occurrence of overweight is about 10-20% higher for people who drink at least one portion of a soft drink with sugar added in comparison to people who consume less than one portion of such a beverage.**

High consumption of sucrose and glucose may also lead to distortion of lipid metabolism, an exces of carbohydrates, which may not be immediately burned, is transformed into triglycerides, which collect in the adipose tissue. Nor should one forget about the impact of the consumption of food rich in mono- and disaccharides, especially sweetened products, **on the development of caries**.

The analyses and research commissioned by the creators of the draft that, with regard to sugars (mono- and disaccharides), their greatest proportions, about 100%, are contained in honey and refined sugar. In fruit and vegetables occur natural mono- and disaccharides, mainly glucose and fructose, with smaller quantities of sucrose (the sugar content in fresh fruit ranges from 7% to 24%). In vegetables, there is less of them, from 0.2% to 7.1%. As regards milk and dairy products, they contain lactose from 0.1% in matured rennet cheese to 51% in milk powder. Milk contains, on average, about 5% of lactose, yoghurt, due to the fermentation process, less, about 3%. In other products, natural sugars exist in small quantities.

Moreover, the research showed that addition of sweetening substances – sucrose, glucose-fructose syrups, corn syrup – is quite commonly used in the food production process. While simple products, such as kefir, plain yoghurt, cottage cheese, fruit juice, fruit and vegetable juice, vegetable juice, frozen fruit and vegetables contain mostly natural sugars, **complex food can be found to contain a significant addition of sugars**. More and more often, even in products that are associated with a small simple sugar content, such as cereals (100g of cornflakes contains 7g of sucrose, whereas 100g of sweetened cornflakes contains as much as 37.6g of sucrose). **Another example is offered by dairy products addressed to children, where, due to the content of sugars and fat, the difference between products, which may be eaten for breakfast or snack, and sweets becomes obliterated**. For instance, 100g of strawberry fromage frais contains 17.2g of sugars, a milk drink about 11g of sugars, vanilla flavoured cottage cheese 12.8g of sugars, and milk, chocolate and nut flavoured dessert 14.1g of sugars and as much as 13.3g of fat. Products containing large quantities of mono- and disaccharides include also sweetened soft drinks, sweets, jams, fruit in syrup, etc. Sweetened soft drinks contain, on average, 10g of sugars in 100ml. The content of sucrose in sweets is usually high and varies within the range of: caramels – 62.4-97.8g/100g, chocolate and chocolate products – 28.2-57.1g/100g, biscuits – 18.9-51.2g/100g, cookies and cakes – 3.3-51.0g/100 g. As regards low-sugar jams, they contain about 38g of sugars/100g, while high-sugar ones – about 63g/100g.

In view of the foregoing, the authors of the draft propose that **fresh fruit and vegetables, dry fruit and vegetables, seeds, nuts without addition of salt, fat and sugars, fruit, vegetable and fruit and vegetable juice without addition of sugar be available in school shops without limitations**, due to the fact that they are the basic source of many vitamins, mineral elements and bioactive substances in the diet. Similarly, we propose that **milk and dairy products, with the exclusion of fromage frais and desserts with a sugar content above 15g, be available in school shops without limitations**. Milk and dairy products are a valuable source, among others, of animal protein, calcium or B2 and B12 vitamins – components necessary for proper development of children and teenagers. The proposed limitation with regard to sugars concerning selected dairy

products is aimed at prevention of consumption of products which might bring into the diet significant quantities of simple sugars. On the other hand, due to the **need to limit the consumption of simple sugars (mono- and disaccharides), excessive consumption of which leads to synthesis of triglycerides, their deposition in the liver and adipose tissue, which leads to hyertriglyceridemia, as well as obesity, which is a significant risk factor for many diet-related illnesses, it is proposed to exclude from the sale in school shops soft drinks (both carbonated and non-carbonated) with the addition of sugars and sweets.**