

# NUTRI-SCORE FREQUENTLY ASKED QUESTIONS

## SCIENTIFIC & TECHNICAL



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# Scientific and Technical FAQ

The latest modifications are shown in the document in blue.

## I. Calculating the Score

### HOW IS THE NUTRITIONAL SCORE CALCULATED?

The nutritional score is calculated using the data from the nutritional declaration for 100 g of the product as sold.

*Note: see the special rubric for reconstituted products*

### WHAT REFERENCE IS USED TO CALCULATE THE CONTENT OF "FRUIT, VEGETABLES, PULSES, NUTS, AND RAPESEED, WALNUT AND OLIVE OILS" IN PROCESSED PRODUCTS?

A guidance document on quantifying the fruit, vegetable, pulse, nuts, and rapeseed, walnut and olive oils content of a processed product is attached in Appendix 1.

It is based on the following reference document: *'Application of the Nutrient profiling model: Definition of 'fruit, vegetables and nuts' and guidance on quantifying the fruit, vegetable and nut content of a processed product - Peter Scarborough, Mike Rayner, Anna Boxer and Lynn Stockley - British Heart Foundation - Health Promotion Research Group, Department of Public Health, University of Oxford - December 2005'*.

### DO CONCENTRATED JUICES COUNT WHEN WORKING OUT "FRUIT, VEGETABLE, PULSES, NUTS, AND RAPESEED, WALNUT AND OLIVE OILS" CONTENT?

With regards to concentrated fruits and vegetables:

**Can be counted:** fruit juices made from 100% concentrates

E.g. orange juice made from 100% concentrate that is rehydrated to 100% (or coconut juice when rehydration results in 100% juice)

**Cannot be counted:** concentrated fruit juices or fruit puree that have not been rehydrated to 100%

E.g. juice/concentrated lemon syrup used in a sorbet cannot be counted as fruit

The classification of fruit juices and their related products regarding the calculation of the Fruit, vegetable, pulses, nuts, and rapeseed, walnut and olive oils component is described in Appendix 1.

### WHICH METHOD SHALL BE USED FOR ASSESSING FIBRE CONTENT?

All methods for determination of the fibre content declared on the nutritional declaration, listed in the European guidance document<sup>1</sup>, published in December 2012, are valid for the calculation of the score.

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<sup>1</sup> GUIDANCE DOCUMENT FOR COMPETENT AUTHORITIES FOR THE CONTROL OF COMPLIANCE WITH EU LEGISLATION WITH REGARD TO METHODS OF ANALYSIS FOR DETERMINATION OF THE FIBRE CONTENT DECLARED ON A LABEL

## WHAT COUNTS AS A SIMPLE SUGAR?

Simple sugars include mono and disaccharides.

## HOW IS THE FINAL SCORE DETERMINED?

The overall score for a food is found by **subtracting the total number of favourable points from the total number of unfavourable points**.

In addition, the level of unfavourable points (up to 11) can cause the favourable points to vary depending on whether points for protein have been counted (see special rules).

The score calculation method is detailed in Appendix 2.

## WHEN CALCULATING THE SCORE, SHOULD THE RESULTS BE ROUNDED?

Points are assigned **according to the values indicated on the mandatory nutritional declaration**.

To determine number of decimals needed, we recommend the use of the European guidance document with regards to the settings of tolerances for nutrient values for labels. For optional nutrients, in accordance with Article 30-2 of the INCO regulation 1169/2011, such as fibre, rounding guidelines from the previous document are also recommended<sup>2</sup>.

## HOW IS THE SALT - SODIUM CONVERSION CALCULATED?

The sodium content corresponds to the salt content listed in the mandatory declaration divided by a **conversion coefficient of 2.5**.

When the salt value is expressed in centigrams (2 decimal places if expressed in grams), then the rounding rule described in the 'When calculating the score, should the results be rounded?' section of this FAQ apply.

To avoid the rare but conceivable discrepancies in points assigned to the 'sodium' component in the score calculation process resulting from converting the amount of salt listed in the nutritional declaration into sodium, the solution is to privilege salt content expressed in mg (3 decimal places if expressed in grams) and include it in the nutritional declaration on the package. The declared value is calculated according to the methods described in Article 31-4 of EU regulation no. 1169/2011.

## HOW ARE COMPOSITE PRODUCTS CALCULATED?

The nutritional score is calculated **using the nutritional data listed on the package for 100 g of the product**, whose nutrients form part of the **mandatory nutritional declaration** or are included as supplemental information, in accordance with Article 30 of the INCO regulation no. 1169/2011.

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<sup>2</sup> GUIDANCE DOCUMENT FOR COMPETENT AUTHORITIES FOR THE CONTROL OF COMPLIANCE WITH EU LEGISLATION WITH REGARD TO THE SETTING OF TOLERANCES FOR NUTRIENT VALUES DECLARED ON A LABEL

In the case of a prepared dish sold with a sauce packet that displays the nutritional values of the dish + sauce, the Nutri-Score should also be calculated for the dish + sauce.

If two nutritional statements are provided, two Nutri-Scores may be displayed on the front – there is a graphic charter available for displaying 2 Nutri-Scores on the front of the packaging.

### DOES THE PRODUCT'S NUTRI-SCORE NEED TO BE CALCULATED BASED ON AS IT'S SOLD OR ONCE IT'S PREPARED?

The INCO regulation stipulates that the nutritional declaration may be based on the nutritional values of the product as sold, when appropriate, as prepared. In any case, the Nutri-Score's calculation has always to be based on the energy and the nutrients indicated on the corresponding nutritional declaration. In addition, the calculation of the Nutri-Score on the prepared product can only be considered if there are sufficient details on the preparation method.

An example of product that is covered by this modality of calculation is dehydrated powdered soups.

For these products, we recommend to calculate the Nutri-Score **for the product as prepared**, to allow consumers to be able to compare the Nutri-Score on the same basis. To be eligible for this calculation method, **the packaging must affix the nutritional declaration for 100 g or 100mL of prepared product and the food's preparation method has to be described in detail.**

In this case, the operator is asked to add an indication on the packaging to inform the consumer that the Nutri-Score has been calculated on the product as prepared (principle of transparency). This information may be added either on the front-of-pack next to the logo (the white space around the logo may be used in this regard) or on the back of the packaging next to the nutritional declaration.

*Clarification: for reconstitutions with milk, if the type of milk is not indicated, then **semi-skimmed milk** will be considered **the default**.*

### WHAT IS THE NUTRI-SCORE FOR FRIED PRODUCTS?

Pre-packaged fried products (such as chips or breaded fish) are usually given a Nutri-Score of A or B. These products will normally have undergone an industrial pre-frying process that has a low impact on the amount of fat in the product.

Some products may be designed for cooking in an oven or frying pan, whereas other packaging may mention that it can be cooked in a fryer, which leads to a far greater quantity of oil in the final consumed product. **As a result, cooking in a fryer translates to a Nutri-Score that is one or two bands higher, depending on the type of oil used.**

In the exclusive case of fried products that cannot be eaten as sold and where the packaging indicates a fryer as a cooking method, it is recommended that the producer inform consumers of the changes such a preparation method would cause in terms of the product's Nutri-Score, by adding the following generic sentence to the packaging: **"When cooking in a fryer, the product's Nutri-Score may vary by one letter if the frying oil is low in saturated fatty acids (sunflower or peanut oil), or by two letters if the frying oil used is very rich in saturated fatty acids (coconut, palm kernel or palm oil)."**

### IS THE NUTRI-SCORE CALCULATED FOR THE PRODUCT WITH THE COVERING LIQUID?

The nutritional score is calculated **using the nutritional data listed on the package for 100 g of the product**, whose nutrients form part of the **mandatory nutritional declaration** or are included as supplemental information, in accordance with Article 30 of the INCO regulation no. 1169/2011.

If the covering liquid is taken into account in the mandatory nutritional declaration, the Nutri-Score should also be calculated for the product + the covering liquid and vice versa. To calculate the percent of “fruits, vegetables, pulses, nuts and oils », you have to use the same basis as the table of nutritional values. If the covering liquid is taken into account, the calculation should include it. If the nutritional values do not take the covering liquid into account, then it should be recalculated without the covering liquid.

### WITH LIQUID FOODS, IS THE SCORE CALCULATED FOR 100 G OR 100 ML?

With liquid foods such as soups, oils or milk, the value used is the one given as a unit on the nutrition label, and not a unit that is not written on the packaging (to ensure transparency for the consumer). If two values are mentioned (per 100 g and per 100 ml), the one per 100 g is to be taken into account.

### WHY THE “FRUITS, VEGETABLES, PULSES, AND NUTS” COMPONENT HAS BEEN MODIFIED AND WHAT IS THE TIME FRAME FOR ACHIEVING COMPLIANCE WITH THE NEW PROVISIONS?

The “fruits, vegetables, pulses, and nuts” component has been modified in October 2019 to better take into account the nutritional recommendations for oils in Europe.

The percent of rapeseed, walnut and olive oils in the products is now included in the positive component “fruits, vegetables, pulses, and nuts” for the score calculation. Following this modification, the rapeseed, walnut and olive oils are all ranked as “C-yellow” in order to reflect the public health recommendations that advocate to favour these oils compared to other fats.

The Conditions of Use state that “The Industry actor has a reasonable time frame determined, if required, by Santé publique France for achieving compliance with the new provisions in the Conditions of Use. “ To date, this time frame has not been defined yet, in order to allow the committed companies to make the necessary changes. Thus, during this period, it is possible that an oil (for example olive oil) have different scores “C-yellow” or “D-orange” for a same product, the time that the new labels “C-yellow” are put in place.

## II. Modifying the Score for Foods and Beverages

### WHICH ADDED FATS ARE COVERED BY THE MODIFIED NUTRI-SCORE?

'Added fats' refer to fats sold as finished products, not to fats used as ingredients in a composite product. For instance, the following are considered **added fats: vegetable oils, margarines, butter, cream or dairy products used as added fats**.

Plant-based preparation for cooking (for instance made of soja, coconut...), as well as whipped cream should be considered as added fats.

Cold-emulsified sauces, such as mayonnaise or cocktail sauce, are not covered by the Added Fats adaptation.

Besides, cream used in a composite product (or butter, sunflower oil, etc.) will be included in the overall score for the product, using the information from the nutritional declaration for 100 g of the food. Composite products are considered in their entirety as a mixture of ingredients, including any fats. The score applies to the final mixture. As is the case for fats, cheeses (which, like fats, are also excepted when calculating the score) are not considered separately when included in a recipe.

### WHICH CHEESES ARE COVERED BY THE NUTRI-SCORE MODIFICATION?

The following are considered cheeses, as defined by Decree 2007-628, when calculating the modified score:

- **Cheeses**
- **Processed cheeses**
- **Cheese specialties**

However, ***is not considered*** cheese for the purposes of calculating the Nutri-Score.

- ***Quark.*** Calculations for this product category are performed the same way whether it is cheese or not, as products rarely have a score higher than 11 for their 'negative' component, which means their protein content is counted.
- ***Spreadable plant-based foods.***

### WHICH BEVERAGES ARE COVERED BY THE NUTRI-SCORE MODIFICATION?

The Nutri-Score modification applies to the following beverages **if they include a nutritional declaration**, except bottled waters for which a Nutri-Score A / dark green can be displayed without mandatory nutritional declaration:

- **Mineral water and spring water** (score A – dark green)
- **Flavoured water (with and without added sugars).** This category is different from mineral water and spring water and cannot be scored A – dark green ;
- **Fruit juices, nectars and smoothies**
- **Vegetable juices;**
- **Drinks with added sugar and/or sweeteners**
- **Teas, infusions or coffee reconstituted exclusively with water**

The energy, energy density, sugars and fruit and vegetables columns in the conversion grid for drinks replaces those used for other food categories. The other columns (saturated fatty acids, salt, proteins, fibre) remain similar and must be taken into account.

However, *milk, drinkable yoghurt, flavoured or chocolate milk beverages containing more than 80% milk, soups and gazpacho, and plant-based drinks* are not considered beverages for the purposes of calculating the Nutri-Score.

Calculating the score and attributing a Nutri-Score for milk products is based on the calculation for solid products, so that the nutritional value of these products can be better taken into account (the presence of proteins and calcium especially). As such, it seems essential to differentiate between products that contain milk as main ingredient and those that contain less and are closer related to sugary drinks. To reinforce this

distinction, a threshold of 80% milk is necessary for the product to be classified as a solid product when calculating the Nutri-Score. This threshold has been defined by expert consensus, to ensure a clear distinction between milk products (especially compared to beverages such as café au lait) while also continuing to allow a certain degree of innovation within this product sector.

#### DOES IT APPLY TO ALCOHOLIC DRINKS?

The Nutri-Score **does not apply** to alcoholic drinks containing more than 1.2% alcohol.

Conversely, dealcoholized beverages (e.g. alcohol-free beers, or beverages such as alcohol-free Mojitos) must include a mandatory nutritional declaration in a similar way to non-alcoholic beverages (e.g. soft drinks, or fruit juices). As such, as soon as a manufacturer decides to display the Nutri-Score on one of its products, it must also do likewise for its dealcoholized beverages.

### III. Foods Covered by the Nutri-Score

#### WHICH PRODUCTS ARE COVERED BY THE NUTRI-SCORE?

The food products covered by the Nutri-Score are those with a mandatory nutritional declaration in accordance with regulation no. 1169/2011, known as the INCO regulation. Except for very specific cases discussed elsewhere in this FAQ, the available data on the mandatory nutritional declaration is that which must be used to calculate the Nutri-Score.

Although infant food for children aged 0-3 has a mandatory nutritional declaration, it is not recommended to apply the Nutri-Score to these products. This is because children have specific nutritional needs, particularly in terms of lipid intake, for which the Nutri-Score is unsuitable.

Similarly, we do not recommend to use the Nutri-Score on products usually known as sport nutrition products. The underlying nutrient profiling system of the Nutri-Score was developed in regard to the needs of the general population, whereas sport nutrition must meet particular needs.

Moreover, given the specificities in terms of the nutritional composition, supervision and purpose of food products designed for special diets covered by the regulation UE n°609/2013, it is not recommended to apply the Nutri-Score to these products. This includes:

- preparations for infants and follow-on formula;
- cereal-based preparations and food products for babies;
- food products designed for special medical purposes;
- meal substitutes for weight control and substitutes to the total daily ration for weight control, etc.

The use of the Nutri-Score on meal replacement products, which do not have a goal of weight control, is also not recommended.

#### WHICH PRODUCTS ARE NOT COVERED BY THE NUTRI-SCORE?

Food products that are not covered by the mandatory nutritional declaration are listed in Appendix V of regulation no. 1169/2011. They are:



1. Unprocessed products that comprise a single ingredient or category of ingredients (such as fresh fruits or vegetables, cut raw meat, honey, etc.)
2. Processed products where the only processing they have been subjected to is maturing and that comprise a single ingredient or category of ingredients  
*Note: here the products in question are mainly meat products*
3. Waters intended for human consumption, including those where the only added ingredients are carbon dioxide and/or flavourings
4. Herbs, spices or mixtures thereof
5. Salt and salt substitutes
6. Table top sweeteners
7. Products covered by Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts, whole or milled coffee beans, and whole or milled decaffeinated coffee beans
8. Herbal and fruit infusions, tea, decaffeinated tea, instant or soluble tea or tea extract, decaffeinated instant or soluble tea or tea extract, which do not contain other added ingredients than flavourings which do not modify the nutritional value of the tea
9. Fermented vinegars and substitutes for vinegar, including those where the only added ingredients are flavourings
10. Flavourings
11. Food additives
12. Processing aids
13. Food enzymes
14. Gelatine
15. Jam setting compounds
16. Yeasts
17. Chewing gums
18. Food in packaging or containers the largest surface of which has an area of less than 25 cm<sup>2</sup>
19. Food, including handcrafted food, directly supplied by the manufacturer of small quantities of products to the final consumer or to local retail establishments directly supplying the final consumer

*To this point, it should be noted that the exemption criteria are considered cumulatively, meaning that the concept of 'small quantities' must be considered alongside all the other criteria.*

- *With regard to 'local retail establishments directly supplying the final consumer'*

*'Retail shops' include large and medium-sized shops and supermarkets as well as convenience stores that sell food.*

- *With regard to the concept of 'local'*

*A radius of around 100 km at the departmental and regional level seems acceptable. This distance could be extended for producers located in less densely populated areas that develop distribution channels with consumers and retailers (gourmet shops, cheese shops, etc.) in the closest urban centres (such as the Paris metropolitan area for the Burgundy and Centre regions). This analysis applies to cross-border trade when compliant with the recommendations of the member state in question.*

- *With regard to the 'directly supplying the final consumer' criterion*

*A producer directly supplying the final consumer includes producer sales through farms, markets, short supply chains, CSAs, and production shops such as those run by artisans (butchers, delicatessens,*

*fishmongers, bakeries, etc.), and also internet sales, as long as these sales do not constitute the sole source of revenue for the producer.*

*Products displayed during trade fairs in order to promote regional products may also be included.*

*In the vast majority of cases, when the above criteria are fulfilled the producer to whom this measure applies de facto satisfies the criterion of 'small quantities' as understood by the law.*

*In addition to the criteria listed above, the amount of foodstuffs produced by operators that meet the national definition of a microenterprise as described in Article 3 of Decree no. 2008-1354 from 18 December 2008 relating to the criteria that determine whether a company belongs to the category for statistical and economic analysis purposes can be considered as falling under the definition of 'small quantities'; these companies employ fewer than ten people and have a total annual sales revenue or total assets of no more than 2 million euros.*

**Food supplements** are also not eligible for the application of the Nutri-Score.

### **CAN THE NUTRI-SCORE BE DISPLAYED ON PRODUCTS THAT ARE NOT SUBJECT TO MANDATORY NUTRITIONAL DECLARATION?**

In case of **food products that are not subject to mandatory nutritional declaration**, (i.e. Appendix V of INCO regulation no. 1169/2011), **if the nutritional declaration is presented, the manufacturers can choose** whether they want or not to display the Nutri-Score on their products. However, the choice should be applied to all products of a same food category (and not for each product separately).

Notably, with products that are packaged on-site in stores, the Nutri-Score may be added if there is a nutritional declaration on the product.

### **IS IT POSSIBLE TO APPLY THE NUTRI-SCORE TO RECIPES?**

*This remains a grey area, and the answer is subject to change depending on the outcome of the work planned by PNNS4.*

In the case of recipes, for example in magazines, applications or in promotional material, the calculation is based on the quantities and nutritional values of the various ingredients that constitute the dish, once the ingredients that require cooking have been cooked. In the event that an ingredient's nutritional values are unavailable because there are not covered by the INCO regulation (raw products, for example), the values listed in the National food composition database shall be referred to instead. Nutritional values of such ingredients shall then be calculated using a rule of proportionality based on data found in the composition database.

The list of ingredients used in the recipe, and their respective quantities, must be clearly indicated. A table of the recipe's nutritional values must be presented.

Pre-packaged food products are not concerned by this modality of calculation.

### **IF THERE IS A BUSINESS RELATIONSHIP BETWEEN A CLIENT COMPANY AND ITS SUPPLIER, CAN THE NUTRI-SCORE OF A RECIPE'S "INGREDIENTS" BE USED WITHOUT SIGNING UP TO NUTRI-SCORE?**

Where there is a business relationship between two companies, the technical datasheet of the "ingredient", intended for the manufacturer and not the final consumer, may include the Nutri-Score label without the manufacturer having to apply it for the involved brand and therefore it is not required to register with authorities in this case.

### **FOR ASSORTMENTS, MUST MULTIPLE NUTRI-SCORES BE DISPLAYED?**

For assortments:

- When the nutritional values are different, one Nutri-Score for each nutritional declaration must be displayed; Santé publique France offers a graphic charter that makes it possible to display several Nutri-Scores on the front.
- In the event that the nutritional tables produce the same Nutri-Score result, a single Nutri-Score can be displayed on the front (in the case of a compote with different flavours or products with one average nutritional statement)
- If this is an assortment where each person is expected to consume the entire product, an average Nutri-Score can be calculated (such as a 'dessert sampler' assortment comprising a crème brûlée, a macaroon and a chocolate cake for each person, which are consumed as a single product). If components of an assortment belongs to groups with different calculation rules (for example a solid food with a beverage), this modality of calculation cannot be used.

## **IV. Legal Issues Pertaining to the Nutri-Score Plan**

### **WHO MAY DISPLAY THE NUTRI-SCORE LOGO ON THEIR BRANDS AND PRODUCTS?**

Use of the Nutri-Score trademark is reserved for producers and distributors of products marketed in France and/or Europe.

### **HOW TO OBTAIN THE RIGHT TO USE THE NUTRI-SCORE? (REGISTRATION PROCESS)**

- We particularly emphasize on the reading of the Conditions of Use, which describes the conditions and terms of engagement, and the Q&A, which gives clarifications on how to correctly use and calculate the score.
- When ready to register, you can use one of the following links to register depending on your case:
  - For brands distributed **exclusively on the French market**, operators must register on the following website:  
[https://www.demarches-simplifiees.fr/commencer/nutri-score\\_enregistrement\\_france](https://www.demarches-simplifiees.fr/commencer/nutri-score_enregistrement_france)

- For brands distributed in **several territories** (including France possibly) or in **a territory for which the regulator has not established its own Application procedure** (Germany, Belgium, Luxembourg), operators must register on the following website:  
[https://www.demarches-simplifiees.fr/commencer/ns\\_international\\_registration\\_procedure](https://www.demarches-simplifiees.fr/commencer/ns_international_registration_procedure)

Once the registration is completed, you will receive a **receipt**. In this receipt, you will find useful documents and particularly the logos to use on your packaging. The registration procedure is purely declarative. Thus, you do not need any further validation from Santé Publique France or other regulators and **as soon as you receive the validation e-mail, you can start to use the Nutri-Score on your packaging**. Please have in mind that you will also have to fill out and send files with information regarding products references. The documents and the procedure to be followed are indicated in the Conditions of Use.

- For brands distributed **only in Switzerland** :  
[Lebensmittelproduzenten \(admin.ch\)](https://www.lebensmittelproduzenten.admin.ch)

## HOW CAN THE DOCUMENTS REQUIRED TO USE THE NUTRI-SCORE BE OBTAINED?

As explained above (question “HOW TO OBTAIN THE RIGHT TO USE THE NUTRI-SCORE? (REGISTRATION PROCESS)”, to receive these documents, the operator must first sign up to one of the websites:

They will then provide their contact information and details about their company (SIRET number, VAT number, etc.) as well as information about which product segments will receive the Nutri-Score.

Once all the required information has been provided and the application has been submitted, the applicant will receive an email containing a link to the documents required to use the Nutri-Score (as a .zip file).

## HOW ARE THE NUTRI-SCORE SCORES CALCULATED?

An english table for professionals who would like to take part in the scheme can be downloaded [from the English version of the Santé publique France website: https://www.santepubliquefrance.fr/en/nutri-score](https://www.santepubliquefrance.fr/en/nutri-score)

In addition, software publishers that have developed programs for calculating the Nutri-Score must comply with all the calculation guidelines laid out in the Nutri-Score Conditions of Use and obtain a licence from Santé Publique France.

For more information, consult the note on the nutritional information system from the High Council of Public Health (HCSP) (French only): <http://www.hcsp.fr/explore.cgi/avisrapportsdomaine?clefr=519> .

## IS IT POSSIBLE TO CONDUCT A TEST PHASE BEFORE COMMITTING?

To obtain the required documents for using the logo, **you must register on one of the the following sites, depending on your case:**

- For brands distributed **exclusively on the French market** :  
[https://www.demarches-simplifiees.fr/commencer/nutri-score\\_enregistrement\\_france](https://www.demarches-simplifiees.fr/commencer/nutri-score_enregistrement_france)

- For brands distributed in **several territories** (including France possibly) or in **a territory for which the regulator has not established its own Application procedure** (Germany, Belgium, and Luxembourg) :  
[https://www.demarches-simplifiees.fr/commencer/ns\\_international\\_registration\\_procedure](https://www.demarches-simplifiees.fr/commencer/ns_international_registration_procedure)
- For brands distributed **only in Switzerland** :  
[Lebensmittelproduzenten \(admin.ch\)](https://www.lebensmittelproduzenten.admin.ch)

Businesses have 24 months to put the logo on all the categories of food products that they market under their own brands. They could thus decide to put it only on products sold online at first. But the ultimate goal – that aligns with the use of the collective mark – is to display the Nutri-Score logo on the packages of every product a brand sells, for every format, mode or point of sale.

### **MUST OPERATORS PUT THE NUTRI-SCORE ON ALL THEIR BRANDS AND ON ALL THE PRODUCTS FOR THE SAME BRAND?**

Decree no. 2016-980 from 19 July 2016 on additional nutritional information for food products stipulates that 'the commitment made by the producers and distributors as part of the voluntary initiative to use the complementary form of presentation applies to all categories of food products that they market under their own brands'.

As a result, a company that owns several brands could choose to only put the Nutri-Score on one or some of its brands, but when used for a brand, it must be used for all categories of food products for that brand.

However, if some or all of a brand's products are not subject to the INCO regulation, the operator is not obligated to display the Nutri-Score on all of its brand's products.

### **WHAT IS THE SCOPE OF ENGAGEMENT FOR A BRAND THAT WISHES TO USE THE NUTRI-SCORE LABEL?**

**A brand** is a distinctive sign that enables consumers to distinguish the product or service of one company from those offered by competitors. The brand may be embodied by a proper noun, a word, an expression or a visual symbol. It acts as a benchmark for the consumer, and perhaps even a "guarantee" of quality.

If there are **separate brands**, the producer or distributor **may choose to register one or more of its brands**. However, if a **brand, range or clientele is extended**, the producer or distributor **must affix the Nutri-Score to both the parent brand and any affiliated sub-brands**.

The definitions of:

- **brand extension**: the use of an existing brand to launch a product in another market
- **range extension**: a product extension in the same category or that meets the same type of need offered by the same brand or producer in the same market
- **clientele extension**: an extension strategy under the same brand (for example, expanding a brand originally targeted at professionals to include the general public)

- **parent/sub brand:** a sub-brand is a product brand or product line that complements a parent brand, the latter of which acts as a guarantee for the former.

### **ARE CO-BRANDED PRODUCTS INCLUDED IN THE SCOPE OF ENGAGEMENT?**

By co-branding, it is meant an arrangement that associates a single product with two separated brands.

To affix the Nutri-Score on co-branded products, the following cases are to be considered:

- Both brands are not engaged: it is not possible to use the Nutri-Score on the co-branded product;
- Only one brand is engaged: it is possible to use the Nutri-Score on the co-branded product but not mandatory;
  - The non-engaged brand owner consent to use the Nutri-Score on the co-branded products. In this case, the non-engaged brand will not have to use the Nutri-Score on its other products.
  - The non-engaged brand owner does not consent to use the Nutri-Score on the co-branded products. In this case, such products are exempted to use the Nutri-Score even if an engaged brand appear on the packaging.
- Both brands are engaged: it is required to affix the Nutri-Score on the co-branded product.

### **WHAT ARE THE RULES OF USE OF THE NUTRI-SCORE BY JOINT-VENTURES?**

By joint-ventures, it is meant a business entity created by two or more parties, characterized by shared governance and ownership.

For using the Nutri-Score, joint-ventures are considered independent and distinct from the companies behind the joint venture. Therefore, joint-ventures can apply for the Nutri-Score on brands under their responsibility without implying any registration for the brands owned by the companies behind the joint-venture.

### **MUST THE NUTRI-SCORE ALSO BE PUT ON PRODUCTS MADE FOR THE FOODSERVICE INDUSTRY?**

Companies commit to using it for all the ranges they sell under a brand, whatever the final destination of the product may be, as the INCO regulation also applies to products that will be used by communities. So, if the products for use by the foodservice industry are sold under the 'Alpha' brand, they must include the Nutri-Score

On the other hand, if the brand name is different (something other than 'Alpha'), the company is not obligated to put the Nutri-Score on a foodservice-only brand.

This rule is applicable when the products are visible to consumers. When the products are intended for professionals, it is possible not to affix the Nutri-Score even if the brand is engaged in the Nutri-Score.

### **WHAT ARE THE SPECIFICS FOR APPLYING THE NUTRI-SCORE OVERSEAS?**

The Nutri-Score order is applied directly in the overseas French departments (DOMs) of Martinique, Guadeloupe, Réunion and French Guiana, as well as in Mayotte and the overseas French collectivities (COMs) of Saint-Martin, Saint-Barthélemy and Saint-Pierre-et-Miquelon: overseas territories where health

laws apply directly. However, the order does not apply to the COMs of Wallis and Futuna, New Caledonia and French Polynesia.

## DOES THE NUTRI-SCORE APPLY OUTSIDE OF FRANCE?

The commitment made by producers and distributors as part of the voluntary initiative to use the recommended complementary form of presentation applies to all categories of food products that they sell on the French market under their own brands. The abovementioned Decree no. 2016-980 and the order from 31 October 2017 determining the complementary form of presentation for the nutritional declaration recommended by the government (pursuant to Articles L. 3232-8 and R. 3232-7 of the Public Health Code) form part of the French regulation.

Thus, there is no obligation to put the Nutri-Score logo on products exported outside of France.

However, if a business also wishes to put the Nutri-Score on the market in one or more European Union member states, it is possible to do so while complying with the Conditions of Use.

The Nutri-Score brand is protected within the European Union and has been registered with the WIPO (World Intellectual Property Organization) in the following countries: *Australia, Brazil, Canada, Switzerland, Morocco, Mexico, Turkey, Ukraine, USA, Benin, Burkina Faso, Cameroon, Central African Republic, Republic of Congo, Ivory Coast, Gabon, Guinea, Guinea-Bissau, Equatorial Guinea, Mali, Mauritania, Niger, Senegal, Chad, Togo, Comoros.*

For any use outside the European Union, the Operator must ensure that the logo does not contravene national law.

For any use in one or more countries where the Nutri-Score has not been registered with the WIPO, the Operator must notify Santé Publique France in order to consider a possible deposit.

## CAN A REPRESENTATIVE COMPLETE THE NUTRI-SCORE REGISTRATION PROCESS?

Any eligible person who wishes to use the 'Nutri-Score' trademark notifies Santé Publique France or the Regulators on the Territories of their intention by registering on one of these websites:

- For brands distributed **exclusively on the French market** :  
[https://www.demarches-simplifiees.fr/commencer/nutri-score\\_enregistrement\\_france](https://www.demarches-simplifiees.fr/commencer/nutri-score_enregistrement_france)
- For brands distributed in **several territories** (including France possibly) or in **a territory for which the regulator has not established its own Application procedure** (Germany, Belgium and Luxembourg) :  
[https://www.demarches-simplifiees.fr/commencer/ns\\_international\\_registration\\_procedure](https://www.demarches-simplifiees.fr/commencer/ns_international_registration_procedure)
- For brands distributed **only in Switzerland** :  
[Lebensmittelproduzenten \(admin.ch\)](https://www.lebensmittelproduzenten.admin.ch)

A duly authorised representative would be fully capable of completing the registration process on behalf of a principal. Santé Publique France cannot be involved in handling and structuring the portfolio of brands for a producer or distributor wishing to use the Nutri-Score.

It is thus entirely possible to use the services of a representative, if the operator wishes. The representative must however complete one separate registration for each different principal.

### **WHY ARE THERE PENALTIES IN THE NUTRI-SCORE CONDITIONS OF USE?**

Regarding the penalties mentioned by the Conditions of Use, it is important to remember that the Conditions of Use are concerned with protecting the Nutri-Score collective mark. This protection is thus grounded in intellectual property and industrial property rights (the trademark was registered with INPI and EUIPO).

As with any trademark, the purpose of the Conditions of Use are to protect industrial products and ensure the 'Nutri-Score' collective mark is used properly by businesses to prevent illegal behaviours, fraud and/or unfair competition. Thus, penalties are only invoked if businesses are using Nutri-Score incorrectly, for instance, displaying a false score, as this would be dishonest.

### **HOW CAN A COMPANY STOP USING THE NUTRI-SCORE?**

After registering, the Operator has 24 months to put the Nutri-Score logo on all product categories available on the market.

The Operator may stop using the Nutri-Score for one or all of their brands at any time, provided Santé Publique France is informed of this change.

### **HOW CAN SOMEONE OBTAIN THE TRANSLATION OF THE NUTRI-SCORE CONDITIONS OF USE?**

Unofficial translations of the Conditions of Use are available in several languages. The French or English versions of the Conditions of Use on the website of Santé publique France remains binding. The other language versions can be downloaded from the website of the respective national competent authorities:

- France : <https://www.santepubliquefrance.fr/determinants-de-sante/nutrition-et-activite-physique/articles/nutri-score>
- Germany : [https://www.bmel.de/SharedDocs/Downloads/DE/Ernaehrung/Lebensmittel-Kennzeichnung/markensatzung.pdf?\\_\\_blob=publicationFile&v=3](https://www.bmel.de/SharedDocs/Downloads/DE/Ernaehrung/Lebensmittel-Kennzeichnung/markensatzung.pdf?__blob=publicationFile&v=3)
- Belgium : [nutriscore.be](https://nutriscore.be)
- Switzerland : <https://www.blv.admin.ch/blv/de/home/lebensmittel-und-ernaehrung/ernaehrung/nutri-score/nutri-score-lebensmittelproduzenten.html>
- Luxembourg : <https://mpc.gouvernement.lu/fr/le-ministere/consodur/consommateurs.html>



### **IS IT POSSIBLE TO MODIFY THE NUTRI-SCORE CONDITIONS OF USE?**

The Conditions of Use may not be modified by unilateral amendment: all the prerogatives must therefore be complied with in order to use the 'Nutri-Score' logo.

Article 9 of the Conditions of Use stipulates the methods by which modifications can be made.

### **IS IT POSSIBLE TO MODIFY THE NUTRI-SCORE GRAPHIC CHARTER?**

As an integral part of the Conditions of Use to which it is appended, the graphic charter may not be unilaterally modified.

### **IS THERE A GRAPHIC CHARTER THAT LAYS OUT THE RULES FOR USING THE LOGO ON E-COMMERCE SITES?**

For this application, the size of the logo is not set and it is not subject to the proportionality rules for packages. However, it is important to ensure the logo is perfectly legible.

The other conditions for using the logo on e-commerce sites are the same as those required when products are sold in shops.

### **IS IT POSSIBLE FOR MANUFACTURERS TO REGISTER FOR AN EXCLUSIVELY DIGITAL USE OF THE NUTRI-SCORE LOGO?**

It is not possible to use the logo on digital formats as long as the involved brand is not engaged to affix the Nutri-Score on its packaging.

In case of retailers having engaged their own private label, a digital use is authorized on other brands distributed by the retailer (in compliance with article 7.2 of the Conditions of Use).

### **CAN THE LOGO BE USED FOR PROMOTIONAL PURPOSES?**

Article 6 of the Conditions of Use covers these provisions.

For generic communication regarding the Nutri-Score logo, the Operator can put the following on its communication media:

1. The Neutral Logo,
2. And/or at least 3 of the 5 Classifying Logos arranged in such a way as not to mislead the consumer regarding the classification of the brand's Products, in particular by implying that all of the brand's products have the same classification.

Communications regarding a Product must use the appropriate Classifying Logo in compliance with the provisions of Article 6.2 of the Conditions of Use.

### **WHAT ARE THE RULES FOR USING THE NUTRI-SCORE FOR PROMOTIONAL PURPOSES?**

The rules for using the Nutri-Score for sales communications and promotions are detailed in the graphic charter.

In these cases, the producer can choose to include the communication logo only (without emphasis on one of the letters) and/or 3 to 5 Nutri-Score modules, all the same size and in full colour.

However, if the brand's entire engaged product range has only one or two colours, it is possible to only display the colours that match those of the brand.

The use of the Nutri-Score logo on catalogues, flyers, etc. is optional; only its use on packaging is mandatory. As soon as the logo is displayed on the front of the packaging, it is possible to add an explanation of the logo at the back of the packaging. The information provided there must only mention elements related to the score calculation. It should not mention other information related to additives or preservatives for instance, that could give the impression that these components are part of the calculation.

### **HOW CAN THE NUTRI-SCORE LOGOS BE OBTAINED FOR EDUCATIONAL, SCIENTIFIC OR JOURNALISTIC PRESENTATIONS?**

Certain logos can be obtained by writing to the [nutriscore@santepubliquefrance.fr](mailto:nutriscore@santepubliquefrance.fr) address and including a description of the intended use.

### **CAN THE NUTRI-SCORE MARK BE REPRODUCED WITHOUT PERMISSION FROM SANTÉ PUBLIQUE FRANCE?**

Wherever the Nutri-Score is used as a trademark in business, prior written permission must be obtained from Santé publique France.

## Appendix 1: Guidance on quantifying the fruit, vegetable, pulse, nut, and rapeseed, walnut and olive oils content of a processed product

**Prior comment:** only the fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils that belong to the groups mentioned in this appendix (as per the foundational works of Scarborough et al.) are used to calculate the quantity of fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils in a processed product.

*By Peter Scarborough, Mike Rayner, Anna Boxer and Lynn Stockley. British Heart Foundation Health Promotion Research Group, Department of Public Health, University of Oxford. December 2005<sup>3</sup>.*



The fruit, vegetables, pulses and nuts component of the Food Standard Agency (FSA) score was initially developed in the 2000s and was based on a food classification named Eurocode 2. An English version is available online<sup>1</sup>.

The purpose of this document is to clarify certain points in order to standardise the **manner in which the quantity of 'fruit, vegetables, pulses, nuts and rapeseed, walnut and olive oils' in a food is evaluated** so that the score can be calculated. The points covered are:

1. Which foods are included in the vegetables category when calculating the 'fruit, vegetables, pulses, nuts, and rapeseed, walnut and olive oils' component for the score calculation?
2. Should pureed, concentrated, dried or powdered fruits, vegetables and pulses, as well as fruit and vegetable juices, be included when calculating the quantity of fruits and vegetables in a product to determine the score? If so, how are the amounts of these processed fruits and vegetables calculated?
3. Should the quantities of fruits, vegetables, pulses and nuts in a product be calculated before or after cooking?

### 1. DEFINING FRUITS, VEGETABLES, PULSES AND NUTS AND RAPESEED, WALNUT AND OLIVE OILS

The Eurocode 2 classification<sup>4</sup> (in English) defines the food groups. Under this system 'Fruits' are defined as products in Group 9, 'Vegetables' as products in Group 8, 'Pulses' as products in Group 7.10, 'Nuts' as products in Groups 7.20 and 7.40. The groups are defined according to this classification:

- i. Group 7.10 (Pulses);

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<sup>3</sup> accessed from

[https://www.researchgate.net/publication/267194254\\_Application\\_of\\_the\\_Nutrient\\_profiling\\_model\\_Definition\\_of\\_'fruit\\_vegetables\\_and\\_nuts'\\_and\\_guidance\\_on\\_quantifying\\_the\\_fruit\\_vegetable\\_and\\_nut\\_content\\_of\\_a\\_processed\\_product](https://www.researchgate.net/publication/267194254_Application_of_the_Nutrient_profiling_model_Definition_of_'fruit_vegetables_and_nuts'_and_guidance_on_quantifying_the_fruit_vegetable_and_nut_content_of_a_processed_product)

<sup>4</sup>accessed from

<http://www.danfood.info/eurocode/>

ii. Group 8.10 (Leaf vegetables); 8.15 (Brassicas); 8.20 (Stalk vegetables); 8.25 (Shoot vegetables); 8.30 (Onion-family vegetables); 8.38 (Root vegetables); 8.40 (Fruit vegetables); 8.45 (Seed vegetables and immature pulses); 8.50 (Edible fungi); 8.55 (Seaweeds and algae); 8.60 (Vegetable mixtures)

iii Group 9.10 (Malaceous fruit); 9.20 (Prunus species fruit); 9.25 (Other stone fruit); 9.30 (Berries); 9.40 (Citrus fruit); 9.50 (Miscellaneous fruit); 9.60 (Fruit mixtures).

iv Group 7.20 (underground pulses); 7.40 (nuts)

**A list of the various foods in these codes is found in the abstract at the end of this appendix.**

**Herbs**, listed in group 12.20 of the Eurocode 2 classification, are also included in the component as well as **olive, walnut and rapeseed oil**.



#### Clarifications:

- **Coconut** presents particular issues because it is eaten in a different way to other nuts.

Depending on how it is eaten, it can be included in the following groups:

- fresh coconut **flesh** should be scored as **fruit**

- the **water of the coconut** (or “coconut water”, defined as the liquid extracted from the centre of the unripe green coconut, without extracting or pressing the coconut flesh) should be scored as **beverage**. The coconut water can be counted as **fruit** (when it is sold as such or used as an ingredient).

- the coconut milk (obtained by extracting or squeezing the coconut flesh of a ripe coconut) should be scored as **food**. Ingredients coming from coconut (e.g. coconut extract) can be considered as **fruit**. However, any additional water should not be taken into account.

- the **coconut cream** should be scored as **added fat**. Ingredients coming from coconut (e.g. coconut extract) can be considered as fruit. However, any additional water should not be taken into account.

- **desiccated** and **dried** coconut are equivalent to **dried fruit**. **Dried shredded coconut** is considered as **dried fruit**.

- coconut which is processed beyond the original product should not be included.

- **Pickles** are a variety of CUCUMIS SATIVUS, like cucumber. In light of the botanical name, they are listed as vegetables.
- **Capers** are not listed, they are not included in vegetable calculations.



#### The following are not counted:

✗ **Tubers**, particularly potatoes and **other starchy vegetables** (such as yams or manioc from Group 8.34) are excluded from the calculations.

✗ **Pulse and maize flours** are not counted for the fruit and vegetables calculations either.

✗ **Quinoa**, the nutritional composition of which is similar to that of cereals, is not considered a vegetable.

✗ **Spices**: do not belong to generic Eurocode group 8 (which contains vegetables), but to group 4 instead.

✗ **Chia, poppy, sunflower, flax seeds and pine nuts** that belong to Eurocode group 7.30 not covered by the FSA document.

× Other foods that do not belong to Eurocode groups 9, 8, 7.10, 7.20, 7.40 and 12.20.

## 2. CALCULATING THE QUANTITY OF FRUITS, VEGETABLES AND PULSES IN PROCESSED PRODUCTS

- **Acceptable levels of processing for inclusion in the calculation**

The health benefits of fruits and vegetables are associated with the whole product, **including the vitamins they provide.**

Processing can result in loss of fibre and vitamins. Therefore, it would not be appropriate for ingredients such as concentrated fruit juice sugars that are added to foods to increase sweetness to count for the purpose of calculating a score in the same way as intact fruit and vegetables.

**Intact fruits and vegetables (including those that are cooked and dried) and minimally processed fruit, vegetables and pulses (peeled, sliced, tinned, frozen, purees, pulp, grilled, roasted or marinated) count for the purpose of calculating a score. Roasted nuts can be also counted.** Remember that fruits, vegetables, pulses and nuts only count when their content exceeds 40%.

**However, fruits, vegetables and pulses that are subject to further processing (e.g. concentrated fruit juice sugars, powders, freeze-drying, candied fruits, fruits in stick form, flours leading to loss of water) do not count.** As an example, corn in the form of popcorn or soy proteins cannot be considered as vegetables. Regarding the frying process, fried vegetables which are thick and only partially dehydrated by the process can be taken into account, whereas crisps which are thin and completely dehydrated are excluded.

**Any addition of external ingredients that are not classified as Fruits, Vegetables, Pulses and Nuts cannot be counted** (with exception of reconstitution with water to 100% concentrated fruit juices and dehydrated vegetable). For example, in the case of addition of sugars/ honey on fruits or nuts, only the fruits or nuts proportion is included in the fruit and vegetable component. Similarly, as detailed previously, additional water added to dilute coconut in coconut milk is not included in the fruit and vegetable component.

Fruits and vegetable juices can be taken into account for the following categories, based on the Directive n° 2001/112/CE:

- Fruit juice (as described in Annex I.I.1.a)
- Fruit juice from concentrate (as described in Annex I.I.1.b)
- Fruit nectar (as described in Annex I.I.4). However, added sugars are not included in the fruit and vegetable component.

Other categories are excluded for the Fruit and Vegetable component:

- Concentrated fruit juice (as described in Annex I.I.2). Only 100% reconstitution shall be taken into account.
- Concentrated fruit purée for use in the manufacture of fruit nectar (as described in Annex I.I.4). Only 100% reconstitution shall be taken into account.
- Powdered/ Dehydrated fruit juice (as described in Annex I.I.3)

**Water extracted fruit juices** cannot be counted in the Fruit and Vegetable component.

Fruit or vegetable content in beverages that go through a process aiming at removing alcohol from the beverage cannot be counted.

### **Methods for calculating processed fruits, vegetables and pulses**

Previous work has found that:

- 15-20 g of dried fruit and 25-30 g of ready-to-eat (semi-hydrated) fruit are equivalent to 80 g of fresh fruit.
- 40 g of dried pulses are equivalent to 80 g of fresh pulses.
- 20 g of tomato concentrate and 25 g of tomato ketchup are equivalent to 80 g of fresh tomato.

This would suggest that, for the purposes of calculating nutrient profiling scores, the amount of dried fruit or vegetables/pulses or concentrated vegetable present in a food should be multiplied by a standard factor when calculating the amount per 100 g of a product. However, this procedure could result in anomalous results. For example, if the amount of dried fruit in a 'fruit and cereal bar' were to be multiplied by 2, then a bar weighing 75 g and containing 50 g dried fruit would appear to have a fruit content of  $100/75 = 133\%$ , despite there being 25 g of non-fruit constituents.

That is why the decision was made to multiply the amount of fresh or concentrated fruit or vegetables/pulses by an agreed amount and divide by the weight of the non-fruit/vegetable constituents, plus that of the fruit or vegetable multiplied by the agreed amount. A multiplier of 2 was viewed as optimal.

Therefore, so as not to over-emphasise their importance to a healthy diet, the weight of dried fruit and vegetables/pulses and concentrated vegetables/pulses should be **multiplied by 2** when calculating the amount of fruit and vegetables/pulses in 100 g of food.

For reminder, concentrated fruit juices and puree that have not been rehydrated to 100% cannot be taken into account.

*In the above example, using a multiplier of 2, the fruit content of the fruit and cereal bar would be:*  
 $(50 \times 2) / (25 + (50 \times 2)) = 100/125 = 80\%$ .

The factor of 2 applies, regardless of the concentration factor. It is not possible to use the reconstitution factor in accordance with the 2012/122/EC directive. Moreover, even if the grammage or percentage of tomato is given in the list of ingredients once reconstituted in accordance with the 2012/122/EC directive, the score must be calculated based on the concentrated product (before reconstitution) by applying the factor of 2. The multiplier of 2 should only be applied to prepared concentrated purees such as tomato puree. For a triple-concentrated tomato puree, the same multiplier of 2 is applied.

### **3. WHICH AMOUNT OF FRUITS, VEGETABLES, PULSES AND NUTS AND RAPESEED, WALNUT AND OLIVE OILS TO CONSIDER WHEN CALCULATING THE SCORE?**

The proportion of fruits, vegetables, pulses and nuts and rapeseed, walnut and olive oils should be aligned with values considered when elaborating the list of ingredients (even though they are not explicitly indicated on the packaging).

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## SUMMARY OF RECOMMENDATIONS

The **percentage of fruits, vegetables, pulses, nuts and rapeseed, walnut, and olive oils** in 100 g of food is calculated as follows:

**The % of f, v, p n & o\* in a product =**

**(Weight of f, v, p, n & o) + (2 x weight of dried f, v & p)**

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**(Weight of f, v, p, n & o) + (2 x weight of dried f, v, p) + (Weight of non-f, v, p, n & o ingredients)** **x 100**

*f, v, p, n & o: fruits, vegetables, pulses, nuts, and oils, including juices and purees;*

*Dried f, v, p: includes vegetable concentrates*

- **List of food products considered when calculating scores**

**'Fruit, vegetables, and pulses' include products from the following families:**

**Fruits:**

- *Prunus* species fruit
- Apple, pear, quince, medlar
- Date, lychee, persimmon
- Berries, grapes, cherries, blackcurrants, strawberries, red currants, blackberries, cranberries, bilberries, etc.
- Citrus fruit: lemon, orange, grapefruit, kumquat, tangerine, etc.
- Banana, kiwi fruit, pineapple, melon, fig, mango, passionfruit, guava, papaya, pomegranate, cashew fruit, carambola, durian, rambutan, sweetsop, prickly pear, sapodilla, breadfruit, tamarillo, tamarind

**Vegetables:**

- Leaf vegetables: endive, lettuce (all types: leaf lettuce, arugula, escarole, etc.), spinach, lamb's lettuce, dandelion greens, nettle, beet greens, sorrel, etc.
- Brassicas: cabbage (all types: cauliflower, red cabbage, Brussels sprouts, curly kale, green cabbage, Chinese cabbage, watercress, radish, broccoli, etc.)
- Stalk vegetables: celery, fennel, rhubarb
- Shoot vegetables: asparagus, chicory, globe artichoke, palm hearts, bamboo shoots, taro shoots, etc.
- Onion, shallot, leek, garlic, chive, parsley, other herbs
- Root vegetables: carrot, salsify, celeriac, radish, parsnip, beetroot, chicory root
- Fruit vegetables: tomato, aubergine, cucumber, courgette, sweet pepper, chilli pepper, squash,

- various gourds, green banana, plantain, avocado, olive, pickle
- Flower-head vegetables: pumpkin flower
- Sprouted vegetables: pea, broad bean, sweet corn, soya bean
- Edible fungi
- Seaweeds and algae

**Pulses:**

- Peas (various types: chickpea, green pea, pigeon pea, etc.)
- Beans (various types: Lima, red, etc.)
- Lentils (various types: green, yellow, French, etc.)
- Cowpea, soya bean, carob bean, broad bean, etc.

**Nuts include:**

- Walnut, hazelnut, pistachio, Brazil nut, cashew, pecan, coconut (see clarifications above), peanut, almond, chestnuts

**Oils include:**

- Rapeseed, walnut and olive oils

Elements that are **not counted** in the score calculation are detailed in the previous section.

- **Calculating the amount of fruit, vegetables, pulses and nuts in a processed product**

Only intact and minimally processed fruits, vegetables and pulses should count for the purpose of calculating a score. Fruits and vegetables that have been subject to further processing should not count (see details of processing above).

Nuts count, whether they are whole, dried, light-dried, roasted, chopped, grated or ground.

- **Calculating score before or after cooking**

The amount of fruits and vegetables in the product (g per 100 g) can be calculated before or after cooking. However, when calculating the quantity of fruits and vegetables in a composite food, all the ingredients should be in the same state – either raw or cooked.



## EXAMPLES

Two examples of application of the generic formula:

The % of f, v, p, n & o\* in a product =

$$\frac{(\text{Weight of f, v, p, n \& o}) + (2 \times \text{weight of dried f, v \& p})}{(\text{Weight of f, v, p, n \& o}) + (2 \times \text{weight of dried f, v, p}) + (\text{Weight of non-f, v, p, n \& o ingredients})} \times 100$$

*f, v, p, n & o: fruits, vegetables, pulses, nuts, and oils, including juices and purees;*

*Dried f, v, p: includes vegetable concentrates*

### 1. Suppose a portion of fruit cake weighing 150 g consists of

- 15 g of cherries,
- 25 g of raisins,
- 15 g of mixed nuts,
- 95 g of other non-fruit, vegetable, pulse or nut ingredients

The percentage of fruits, vegetables, pulses, nuts, and oils is:

$$\frac{15 (\text{cherries}) + 15 (\text{nuts}) + (2 \times 25 (\text{raisins}))}{15 + 15 + (2 \times 25) + 95 (\text{other ingredients})} \times 100 = 46\%$$

### 2. Suppose a pizza weighing 320 g consists of

- 50 g of cooked vegetables
- 20 g of tomato concentrate
- 250 g of other ingredients

The percentage of fruits, vegetables, pulses, nuts, and oils is:

$$\frac{50 (\text{vegetables}) + (2 \times 20 (\text{concentrate}))}{50 + (2 \times 20) + 250 (\text{other ingredients})} \times 100 = 26\%$$

## Appendix 2: Methods for calculating the nutritional score

The nutritional score is distinct from the Nutri-Score:

- The nutritional score uses the nutrients and ingredients within the food that have a significant impact on health to derive a unique estimated value of the nutritional value of the food on an ordinal scale ranging from "negative fifteen" -15 (more nutritious) to "positive forty" +40 (less nutritious).
- **The Nutri-Score** is a graphic scale that divides the nutritional score into 5 classes (expressed by a colour and a letter), the purpose being to help the consumer better see, interpret and understand the nutritional value. The point is not to separate 'good' foods from 'bad' foods, but rather to use the 5 classes to distinguish foods that are healthier from those that are less healthy. This also helps food producers to decide how to reformulate their products so they can move to a higher class and helps consumer think about their health as they are making choices about food.

The nutritional calculation algorithm as described in the order notified to the Commission and the method for determining Nutri-Score classification thresholds are publicly available; this was done to make the system more transparent and reproducible.

The nutritional score is calculated using the nutritional data listed on the package for 100 g of the product, whose nutrients form part of the mandatory nutritional declaration or are included as supplemental information, in accordance with Article 30 of the INCO regulation no. 1169/2011:

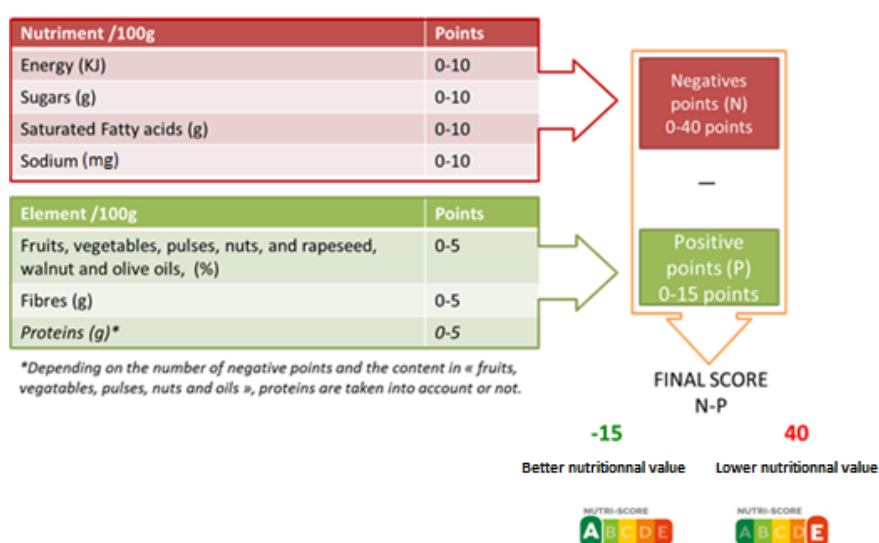
- Calories (Kcal/KJ)
- Amount of fat (g)
- Amount of saturated fatty acids (g)
- Amount of carbohydrates (g)
- Amount of sugars (g)
- Amount of protein (g)
- Amount of salt (mg)
- Fibre (g)

Through the vitamins they contain, fruits, vegetables, pulses and nuts are major contributors to public health and help ensure that the information provided is consistent with nutritional guidelines. They are also counted for the FSA score. As the food must contain at least 40% fruits, vegetables pulses and nuts, the information is available in the ingredient list, to the extent that for these products, the fruits and vegetables are mentioned in the legal name of the product (Article 9 of INCO regulation no. 1169/2011, (Europa Summary of EU legislation 2012)).

- **Score Calculation Methods: General**

The score comprises two dimensions: negative points (corresponding to the 'unfavourable' components, an excess of which is considered unhealthy: calories, sugars, sodium and saturated fatty acids<sup>5</sup>) and positive points (corresponding to 'favourable' components: fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils, protein and fibre, an adequate amount of which is considered healthy).

- Between 0 and 10 points are awarded for each of these 4 'unfavourable' components, based on the amount in 100 g of the food. Points are assigned based on the reference intake for the nutrient in question. First, the 'unfavourable' components are totalled, resulting in a number of positive points (maximum of +40).
- Between 0 and 5 points are awarded for the 3 'favourable' components (0 to 10 points for beverages), based on the amount in 100 g of the food (maximum of -15).

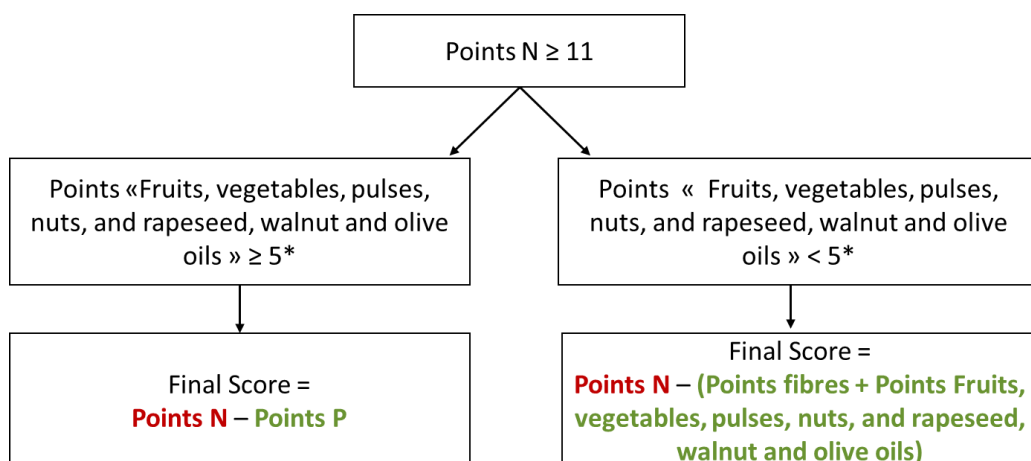


Depending on the number of positive points, either all of the 'favourable' components are subtracted, or only the fibre and, the “fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils” components, according to the following rules.

- If the total for the N component is less than 11 points, then the nutritional score is equal to the total N component points minus the total for the P component.
- If the total for the N component is greater than or equal to 11 points and
  - If the total for “Fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils” is equal to 5 (10 for beverages), then the nutritional score is equal to the total N component points minus the total for the P component.
  - If the total for “Fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils” is less than 5 (10 for beverages), then the nutritional score is equal to the total N component points minus the sum of the points for “fibres” and “Fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils”. In this case, the protein content is therefore not taken into account in the calculation of the nutritional score.

<sup>5</sup> See: EU framework for national initiatives on selected nutrients (salt, energy and saturated fatty acids, added sugars (2008, 2011, 2015)

The diagram below summarises the formula to be applied in the listed scenarios.



*\*the score may be 10 for beverages (see the specific attribution table below)*

The point table generally used to calculate the nutritional score is as follows:

- Points assigned for nutrients that have a negative impact on the nutritional score (N)

Points	Energy density (kJ/100g)	Sugars (g/100g)	Saturated fatty acids (g/100g)	Sodium (mg/100g) <sup>1</sup>
0	≤ 335	≤ 4.5	≤ 1	≤ 90
1	> 335	> 4.5	> 1	> 90
2	> 670	> 9	> 2	> 180
3	> 1005	> 13.5	> 3	> 270
4	> 1340	> 18	> 4	> 360
5	> 1675	> 22.5	> 5	> 450
6	> 2010	> 27	> 6	> 540
7	> 2345	> 31	> 7	> 630
8	> 2680	> 36	> 8	> 720
9	> 3015	> 40	> 9	> 810
10	> 3350	> 45	> 10	> 900

<sup>1</sup>: the sodium content corresponds to the salt content listed in the mandatory declaration divided by 2.5.

- Points attributed for nutrients that have a positive impact on the nutritional score (P)

Points	Fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils (%)	Fibre (g/100g)	Protein (g/100g)
0	≤ 40	≤ 0.9	≤ 1.6
1	> 40	> 0.9	> 1.6
2	> 60	> 1.9	> 3.2
3	-	> 2.8	> 4.8
4	-	> 3.7	> 6.4
5	> 80	> 4.7	> 8.0

- **Methods for calculating the score: adaptations**

The main purpose of the Nutri-Score is to help the consumer determine what the nutritional composition of a given food product will contribute to a balanced diet. For each product category, the Nutri-Score helps reveal the degree to which product compositions vary in terms of the selected nutrients: depending on the category, products can be divided into 3 to 5 classes. **This is not true for added fats** (oils, butter or cream), which are almost entirely made up of fatty acids or **cheeses** which are grouped into only 1 or 2 classes (ANSES 2015a). For **beverages**, due to the lack of a significant quantity of the majority of the components used to calculate the nutritional score and due to the liquid nature of the products, it is necessary to count the category-specific components (sugar and calories) when calculating the nutritional score. Thus, modifications were made to improve the consistency of Nutri-Score and nutritional guideline classifications (Haut Conseil de la Santé Publique 2015).

#### **Cheeses**

Cheeses are included under the definition of dairy products, which should be consumed several times a day. The guidelines encourage consumers to take note of the amount of fat (to be avoided) and calcium (to be encouraged).

There is a strong correlation between the protein and calcium content of dairy products (Rayner et coll. 2005). Calcium is not one of the nutrients subject to mandatory declaration. That is why the score modification consists solely of ensuring that the amount of protein in cheeses is always counted (which would otherwise be precluded by their salt, calorie and saturated fatty acid content, as these result in a total N value that exceeds 11). This ensures that their relative calcium content is accounted for.

Thus, the protein content is counted, whether the N point total is <11 or not, and the thresholds for the other food categories remain the same. Cheeses are divided into three Nutri-Score classes.

**Cheese nutritional score = Total N points – Total P points**

### **Added fats**

The French national nutrition health programme (PNNS) recommends privileging plant-derived fats and limiting animal fats (butter and cream). The classification obtained with the original FSA score calculation that put all added fats in the 'dark orange/E' category does not seem consistent with nutritional guidelines. Thus, the FSA score algorithm must be optimised to better account for saturated fatty acid contents<sup>6</sup>. The points table for fatty acids is calculated based on the total saturated fatty acid/lipid component (as a percentage) with the table for assigning points starting at 10% and increasing by steps of 6%.

The total saturated fatty acids/lipids calculation replaces the saturated fatty acids column, but the other columns must be used.

Points	Ratio total saturated fatty acids/lipids (%)
0	<10
1	<16
2	<22
3	<28
4	<34
5	<40
6	<46
7	<52
8	<58
9	<64
10	≥64

### **Beverages:**

For beverages, the nutritional composition specific to this category must be accounted for, especially the sugar content. Modifications have been made in order to improve consistency between the Nutri-Score classification and nutritional guidelines (Haut Conseil de la Santé Publique 2015). Water is the only beverage recommended by international bodies. That is why water is always kept distinct from all other beverages (including those with 0 calories). Furthermore, the latest scientific research suggests that drinking sweetened (calorie-free) beverages has a negative impact on health (Fowler et coll. 2008; Narain et coll. 2017) or at least that there is no benefit from consuming these products (ANSES 2015b).

Scores for drinks are calculated using the following tables:

The calculation of the energy, total sugars and fruit and vegetables columns replaces the previous columns, but the other columns must be used.





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<sup>6</sup> EU framework for national initiatives on selected nutrients saturated fatty acids (2011)

Points	Energy density (kJ/100g or 100mL)	Sugars (g/100g or 100mL)	Fruits, vegetables, pulses, nuts, and rapeseed, walnut and olive oils (%)
0	≤0	≤0	≤40
1	≤30	≤1.5	
2	≤60	≤3	>40
3	≤90	≤4.5	
4	≤120	≤6	>60
5	≤150	≤7.5	
6	≤180	≤9	
7	≤210	≤10.5	
8	≤240	≤12	
9	≤270	≤13.5	
10	>270	> 13.5	>80

- **Assigning Colours**

The Nutri-Score logo is attributed based on the score obtained (see table below).

Points		Logo
Solid foods	Beverages	
Min to -1	Waters	
0 - 2	Min - 1	
3 - 10	2 - 5	
11 - 18	6 - 9	
19 - max	10 - max	