

Healthy Food Trend Grows

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Product Regulation & Liability Turkey

Many countries are becoming increasingly concerned about the issue of obesity, which by definition is:

“a condition in which the natural energy reserve, stored in the fatty tissue of humans and other mammals, is increased to a point where it is associated with certain health conditions or increased mortality.”(1)

Although obesity is an individual clinical condition, the fact that it has been observed as a serious and growing public health problem has pushed many countries to take a variety of precautions, such as:

- banning junk food advertisements;
- regulating junk food advertisements on the Internet;
- forbidding the use of cartoon characters on junk food packaging; and
- limiting junk food in school cafeterias.

The establishment of Canada’s Children’s Clearance Committee, which is empowered to examine and ban junk food advertisements for children, is just one example of worldwide governmental efforts to ensure the implementation of these precautions.

Research conducted by the Turkish Ministry of Health in 2004 revealed that 30% of the Turkish population is obese. This statistic prompted the Ministry of Health to declare that all advertisements for confectionery, chocolate, chips, wafers and fizzy drinks must be aired after 9:30pm. However, in the absence of any enacted regulation, the ministry and the Advertising Board were prevented from taking any legal action to enforce this campaign.

In 2007 legislative efforts to alleviate and prevent the obesity problem were eventually made in respect of school cafeterias and product packaging. Further to a recently issued Ministry of Education circular, a mandatory article was introduced into every school cafeteria lease agreement deterring the vending of:

- energy drinks;
- fizzy drinks;

- flavoured drinks;
- fried food; and
- chips.

Instead, the article encourages the vending of:

- milk;
- ayran (a drink made of yoghurt and water);
- yoghurt;
- fruit juice;
- vegetable juice;
- fruit; and
- vegetables.

In addition, advertisements, announcements, presentations, posters and brochures promoting unhealthy food have been banned from school cafeterias. Instead, school managements have consented to the display of material that promotes healthy nutrition and diet. According to the School Cafeterias Chamber chairman's speech assessing the effect of the circular, consumption of chips and fizzy drinks has decreased by 75% following the establishment of a food education programme through communication between parent-teacher associations and students.

Another regulation concerning trans-fats and packaging inscriptions was enacted by the Ministry of Agriculture. According to the ministry's newly released communiqué, a declaration stating "no trans-fats" can be included only on packaging for products with a trans-fat ratio of less than 1%.

As a result of these new regulations and the healthy food trend in the market, Turkish producers have also started using new expressions to promote the healthy character of their products. This has led to the emergence of new marketing strategies - for example, many advertisements now emphasize whether the product is baked or fried. In addition, consumer preferences are changing - parents are now looking for healthier foods for their children and minimizing their purchase of foods with limited nutritional value (ie, foods rich in fat, salt or sugar).

It is hoped that legislative enactments and changing consumer attitudes will continue with the entry into force of the new EU Television without Frontiers Directive (which includes new provisions on junk food) and the harmonization of Turkish law with EU legislation.

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