

# Health Claims: Science & Science-ability

by Risa Schulman, Ph.D.

**N**ot a day goes by without some news about health claims dominating the headlines. Whether it is the newest class action suit, the potentially game-changing developments coming out of POM Wonderful v. FTC, or the latest controversial EFSA ruling, the regulatory environment is wild and woolly these days. It's the continued evolution of a channel that has undoubtedly come a long way, but is still in the process of establishing its position in the world. Suppliers and manufacturers are forced to operate in the midst of this fiery birthing process, which means dealing with ambiguity and the sometimes crippling limitations both from within and without.

Whatever the mature industry comes to look like, it has always been clear that when it comes to health claims, the most important driver is having good science and Using it Well (read: scientifically accurate, legally compliant and compelling claims—the three keys). Notwithstanding, and indeed because of, the push-pull that is currently playing itself out on this aspect, there is a strong ethic that is emerging more and more. In the early days after the Dietary Supplement Health & Education Act (DSHEA) was passed in 1994, it was a struggle to point to good studies that substantiated the claims everyone was used to using. It's gratifying to see the number of companies that now take research very seriously and want to do it right. Whether it is a supplier providing support to help develop the claims, or the manufacturer that puts in the time to design and back their labels and messaging points properly, across the industry there is a focus on generating good science, understanding what it is saying, and Using it Well.

But in the same way that the big picture is evolving, knowing how to go from science to claim is also an evolving competency within companies. It's a combination of scientific research acumen, regulatory expertise and marketing savvy. Sometimes it is difficult to get all of these

talents together in a room, or certain pieces are missing overall. When they do come together, each piece pulls for its own interests. The outcome is always the product of compromise, which is not always a bad thing. But there is often doubt as to whether the science is being communicated well, or the wording could be stronger, or even that there are claims being left on the table that no one discussed.

A practice that can assist with all of the above is a simple but powerful tool: Writing it Down. That is, getting onto paper in an organized, informed way, the science you have, the specific data that are claim-generating, and the wording of the claims that comply with the three keys. Writing it Down forces each piece to be thought through and connected. This has many benefits, not only for the health of your health claim, but for the health of your product or ingredient concept, and ultimately for your bottom line. This is where science becomes science-ability.

Check back over the next month as we'll explore why it is important to have a written dossier, the nuts and bolts of taking science into a claim, and the importance of including claim analysis in your early work. □

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