

The Health Food Manufacturers' Association  
CLEAR CHECK  
1 Wolsey Road, East Molesey  
Surrey KT8 9EL



t: +44(0)20 8481 7100  
e: CLEARCHECK@hfma.co.uk  
www.hfma.co.uk/CLEARCHECK

## Health Food Manufacturers' Association (HFMA) CLEAR CHECK Service Level Agreement

**Between**

**Health Food Manufacturers' Association (HFMA)**

**and**

**Customers of the HFMA CLEAR CHECK Service**

**Agreement Date: Jan 2024**

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**What is CLEAR CHECK?**

CLEAR CHECK is a business-to-business service which provides manufacturers and suppliers of specialist health products a review of labels and communication material to achieve compliance while maximising commercial advantage.

**Contact**

CLEAR CHECK is available to call on 020 8481 7100 and to email: [clearcheck@hfma.co.uk](mailto:clearcheck@hfma.co.uk)

**Our Service**

Comprehensive reviews of labels, marketing materials, and promotional content and any business-to-consumer communication materials intended for use in the public domain.

CLEAR CHECK will Sign and Stamp all approved copy to indicate compliance with the HFMA Code of Advertising Practice, which is assured by our Trading Standards Primary Authority. A product-specific Certificate of Compliance can also be issued, upon request.

**Service Fees**

<b>Telephone Enquiries</b>	The first 10 minutes (5 minutes for non-members) of initial enquiries are not chargeable. After that, the hourly rate applies.
<b>HMFA Member</b>	£86.00 per hour + VAT
<b>HFMA Non-Member</b>	£165.00 per hour + VAT
<b>Certificates of Compliance</b>	£50.00 per certificate + VAT (additional certificates requested at the same time are charged at a rate of £10 per certificate + VAT)
<b>Urgent Surcharge</b>	35% of the Net invoice amount + VAT.
<b>CLEAR CHECK stamp renewal review</b>	20% discount on previously submitted Labelling and Marketing literature which has received a CLEAR CHECK stamp within the last two years.

**Payment Terms**

Invoices are issued monthly. Payment terms are 30 days from the date of the invoice.

**Conditions**

First-time users of the service must pre-pay via pro-forma invoice from an estimate of work via the CLEAR CHECK team.

Non-members must pre-pay via pro-forma invoice from an estimate of work via the CLEAR CHECK team.

Invoices are based on the amount of time estimated for the completion of the review.

All proforma payments are non-refundable. Any remaining prepaid time may be utilized at the company's discretion at any point within the same financial year.

The client has a responsibility to return materials at every stage of the review so that the agreed job can be completed end-to-end by CLEAR CHECK

Pending Members (defined as companies who have submitted a complete application form and are waiting for Council Membership approval) can utilise the CLEAR CHECK Member rates providing that the Subscription Fee has been paid and cleared. Reviews are required to be pre-paid via Proforma from an estimate of work via the CLEAR CHECK team until full membership status is confirmed.

<b>Service, Description and Target</b>		
<b>Service</b>	<b>Description</b>	<b>Target</b>
Telephone calls or messages	Calls made to telephone number: 020 8481 7100. We will answer any small queries on the phone, otherwise, you will be asked to email in with your work request.	We aim to call you back within three working days if we are unavailable.
Emails to CLEAR CHECK	Emails sent to CLEARCHECK@hfma.co.uk	We aim to acknowledge your email within 24 hours
Labelling and Marketing Reviews	Compliance review following the UK regulations and HFMA's Codes of Advertising Practice	We aim to complete the review within 10 working days.
Urgent Surcharge	Faster turnaround of the Compliance review	We aim to complete the review within 3 working days.
Certificate of Compliance Requests	Users of the CLEAR CHECK service can request a Certificates of Compliance if their literature has been stamped by CLEAR CHECK	We aim to get this certificate to you within 10 working days.
CLEAR CHECK stamp renewal review	20% discount on a previously submitted Labelling and Marketing literature which has received a CLEAR CHECK stamp within the last two years.	We aim to complete the review within 10 working days.
Technical Manager Support	Questions answered by the Technical Manager are not subject to charges for HFMA members, provided they are	We aim to complete the review within 10 working days but some subjects will require further research and

	submitted via the CLEAR CHECK email address. For HFMA non-members, such inquiries will incur a charge at the standard non-member rate. See <a href="#">Service Fees</a> for more information.	discussions through Technical Committees and/or Working Groups
External Advisor and Consultant Support	Questions addressed by HFMA External Advisors are chargeable and must be submitted via the CLEAR CHECK email address. A minimum charge of 30 minutes applies to all inquiries. This service is available exclusively to HFMA Members	We aim to complete the review within 10 working days but some subjects will require further research and discussions through Technical Committees and/or Working Groups

#### Review Procedure Information

The material submitted is reviewed by a Regulatory Advisor for compliance with the principles of the HFMA Code of Advertising Practice, with reference to:

- the relevant labelling or advertising regulations
- government and industry guidelines
- other relevant codes of practice

Advice on any required/recommended amendments is then provided. Where available, the Regulatory Advisor will provide additional guidance on subjects relevant to the material submitted. In the case of issues not clearly defined in the regulations, current industry practice and the current approach of the authorities are taken into account to determine the suitability of a proposal.

Note that the following areas are outside the scope of the Code and are not routinely considered as part of the review:

- accuracy and efficacy of formulation, except in relation to the appropriateness of claims
- the safety of ingredients and finished product
- the accuracy of declared quantities in final product
- the accuracy of GM status claims and other negative-presence claims
- the determination of novel ingredient/food status
- the content of any referenced websites, publications or similar [separate review of these materials can be carried out]

#### Agreement and the review stamp

When agreement has been reached on a suitable copy, the copy is returned stamped with a reference number.

The review stamp conveys compliance with the principles of the HFMA Code of Advertising Practice and is provided based on current scientific opinion and current regulatory and industry practice. Until a body of case law has been built up to form the

basis of an authoritative statement, advice on the law and application of the regulations can be given as informed opinion only.

The copy should be resubmitted for review every two years if it is still in use. At times, changes in the law, codes of practice or interpretation may necessitate an earlier review.

The review stamp does not constitute an endorsement or approval of the product or services offered, nor should it be regarded as a guarantee of the legality of the product. It remains the responsibility of the manufacturer/supplier/importer to ensure that the product placed on the market meets its claims.

If you would like more information, please do not hesitate to [Contact us](#).

CLEAR CHECK liaises with other EHPM member Secretariats and constantly scans the regulatory horizon for any upcoming changes that might impact the industry. Their broad and up-to-date knowledge can also benefit companies in the following ways:

- Regulatory advice by telephone or email
- Training sessions tailored to the needs of companies
- Regular mailouts, updates and webinars (HFMA members only)

### **Consumer Conduct**

The consumer of this service shall not engage in, nor permit any conduct that may, in the sole discretion of the HFMA, be deemed inappropriate, distressing, disrespectful, obscene, embarrassing, or otherwise offensive towards any HFMA staff, HFMA consultant, or any third-party individual or entity engaged by or on behalf of the HFMA, or closely associated with the HFMA. HFMA reserves the right to refuse to work with any consumer who fails to adhere to this statement

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