

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 3

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Forty-fourth Session

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(Comments from United States of America on document CX/FL/17/44/3)

1. The United States wishes to comment on the Discussion Paper on Alcoholic Beverage Labelling (CX/FL 17/44/3 Add1) prepared by the World Health Organization (WHO). The paper proposes that the Codex Committee on Food Labelling (CCFL) undertake new work on alcoholic beverage labelling. We note that although the *Codex Procedural Manual* states that documents shall be furnished to those attending the session “*in principle at least two months prior to the session at which they are to be discussed,*” (Section 1: Basic Texts and Definitions, Rule VII.7), this document was posted in English less than 3 weeks before the session, in Spanish less than 2 weeks before the beginning of the meeting, and the French version was posted within 1 week of the session. While we recognize countries have not had time to study the document and consult fully in order to formulate country positions on this complex subject, we believe it is necessary to put forth our concerns about the discussion paper proposal.
2. The United States believes that the misuse of alcohol is a serious social and public health problem and has required warning labels on alcoholic beverages sold in the United States for almost 20 years, as one element of a multifaceted approach to combat the misuse of alcohol. The U.S. alcohol warning label is based on the U.S. Surgeon General’s findings and we believe that this label is most suited for U.S consumers. We would have significant concerns with attempts to replace it with an alternative label that would not be based on country-specific research and could be misinterpreted by U.S. consumers.
3. The development of policy options to influence consumer behavior, such as combatting the misuse of alcohol, is properly within the purview of national governments. Competent national authorities can determine the most effective means of communication and education for their consumers and are responsible for the enforcement of relevant regulations.
4. While the United States strongly supports the efforts to combat the misuse of alcohol, we cannot support the WHO proposal that the CCFL undertake new work on alcohol labelling, for the reasons explained below.

Inconsistent with past practices and approaches to work in CCFL

5. The proposed new work on alcoholic beverages would represent a significant departure from the scope of work traditionally undertaken by CCFL. WHO has proposed a paradigm shift for the Committee suggesting that one class of products should be singled out by Codex to discourage consumption through the development of a specialized Codex labeling standard. The CCFL mandate explicitly states, among other things, that the committee draft provisions on labeling applicable to all foods. CCFL has traditionally taken on work which encourages provision of objective, truthful and non-misleading information to enable consumers to make food choices as part of a healthy diet.
6. Additionally, the United States believes the proposed work would run contrary to the language and approach in the Guidelines for the use of Nutrition and Health Claims, which defines claims that pertain to positive effects on the diet and the General Guideline on Claims which prohibits “claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.”
7. Current Codex labeling text does not assign particular categories of products as requiring warning labels, nor suggest that such label statements should be required or developed. Assigning such a designation to certain foods/beverages would set an inappropriate precedent.

Lack of scientific basis and expertise

8. Codex standards, including those for labeling, must be supported by science (which may include consumer studies). Supporting studies which take into account country-specific and regional differences in attitudes towards alcohol use and consumption patterns are necessary to create label statements that are effective for the target population. On-label messaging about alcoholic beverages and the enforcement of alcohol regulations, are properly within the purview of national governments.

9. The work proposed by WHO is not appropriate for CCFL to undertake because the committee does not possess the expertise required, and there is little likelihood that the committee could reach consensus on the major issues. For example, the WHO proposal cites the definition of alcoholic beverages as something that the committee would undertake in the development of warning labels. CCFL does not have the expertise to develop a definition for alcoholic beverage, their ingredients, or standard drinks. A simple Google search reveals a list of more than 90 countries and their unique national drinks. Attempts to standardize alcoholic beverage ingredients across the globe would be difficult, and there is no clear need or benefit to doing so. Most countries already have domestic mechanisms for defining their own class and type designations for alcoholic beverages important in that nation and it is not appropriate for an international body to take on that role.

Little likelihood of reaching consensus

10. The development of alcohol warning labels must take into consideration national, religious and cultural differences. From a global perspective, these differences are many and vary greatly. Countries have tailored their approaches based on these factors. The WHO's Global Strategy to Reduce the Harmful Use of Alcohol itself recognizes this premise, noting that the policy options selected by countries "should be equitable and sensitive to national, religious and cultural contexts." It is unrealistic to believe that the CCFL would reach consensus on a label that would meet the unique concerns of all populations while respecting the differences in attitudes toward alcohol.

Conclusions

11. In recent discussions of the relationship between Codex work and WHO programs and policies, the Commission has consistently concluded that there is a need to respect the different mandates of the two organizations. Both organizations have public/consumer health missions. The WHO mandate is broader, and may encompass initiatives that are aimed at behavioral change. Codex is a scientific and technical organization whose standards are intended to ensure the food that is consumed is safe and trade practices are fair. (Thus, it is consistent with the mandate of Codex to undertake work on contaminants in wine to ensure it is safe for consumption, or to promote accurate label information on nutrient content of foods, but this is fundamentally different from the kind of work proposed in the discussion paper.)
12. In summary, the United States does not believe the CCFL should undertake new work on the development of labels for alcoholic beverages because: (1) the proposal is outside the scope of the traditional work and mandate of Codex (2) it is inconsistent with past practices and work of CCFL; (3) CCFL does not have the expertise to undertake this work, and (4) there is little chance of achieving consensus because of the many different cultural, religious and national attitudes.