

## CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Item 6

CX/FL 17/44/6-Add.1

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FOOD LABELLING**

**44<sup>th</sup> Session**

***Asunción, Paraguay, 16 – 20 October 2017***

**Proposed draft guidance for the labelling of non-retail containers**

**Comments at Step 3 (Replies to CL 2017/71-FL)**

*Comments of Argentina, Chile, Costa Rica, Ecuador, Egypt, Jordan, Malaysia, New Zealand, Paraguay, Thailand, Trinidad and Tobago, International Council of Beverages Associations (ICBA), International Council of Grocery Manufacturers Association (ICGMA), International Dairy Federation (IDF), International Fruit and Vegetable Juice Association (IFU)*

**Background**

1. This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2017/71-FL issued in July 2017. Under the OCS, comments are compiled in the following order: general comments are listed first, followed by comments on specific paragraphs.

**Explanatory notes on the appendix**

2. The comments submitted through the OCS are, hereby attached as **Annex I and Annex II** and are presented in table format.

## ANNEX I

## Comments on the proposed draft guidance for the labelling of non-retail containers

GENERAL COMMENT	MEMBER/ OBSERVER
<p>Chile is in general agreement with the structure of the document; however, there are terms that create confusion in the text presented and we would like to make the following comments: Regarding the consultation made in point IV ii) of conclusions and recommendations, we request that reference be made to the same terms expressed in the CODEX STAN 1-1985 referred as:</p> <ul style="list-style-type: none"> <li>- The use of a “coined”, “fanciful”, “brand” name or “trade mark” is allowed.</li> <li>- The same regarding heat treatments to which the food products has been submitted .</li> <li>- Exemption of date marking for those that will be used within 24 hours. It would be useful to add some examples for better interpretation.</li> </ul> <p><i>Category: SUBSTANTIVE</i></p>	<b>Chile</b>
<p>Ecuador appreciates the work done and considers welcoming and supporting the referred draft revision, taking into account the observations described below.</p> <p><i>Category: TECHNICAL</i></p>	<b>Ecuador</b>
<p>Egypt approves the “PROPOSED GUIDANCE FOR THE LABELLING OF NON-RETAIL CONTAINERS OF FOODS” to be adopted at Step 3.</p>	<b>Egypt</b>
<p>New Zealand has provided comments as track changes to the proposed draft guidance (see Appendix I). Differences in terminology from the General Standard for the labelling of prepackaged Foods (CODEX STAN 1-1985) (GSLPF) should be minimised, and in cases where it is necessary to use a different term this should be clearly set out and explained in order to avoid confusion.</p> <p>The stated purpose of this guidance (see section 2) is to harmonise labelling requirements. The current drafting leaves a number of significant areas to the discretion of the competent authority in the country of import, which defeats this stated purpose. New Zealand therefore suggests that the essential elements to be on the label of a non-retail package are agreed and that this minimum information always be required physically on the label. Other information may be voluntarily provided on the label, but where this is not on the label it must be provided in the accompanying documentation. This accompanying documentation could be provided in a number of ways including electronically.</p> <p>Clause 5.8 of the current drafting, (in my comments clause 5.6) appears to identify these minimum requirements for information to be on the label. This clause identifies only ‘name of the food’, ingredients of hypersensitivity and a</p>	<b>New Zealand</b>

statement that it is a non-retail container as requirements to be on the label where a competent authority permits an identification mark to replace the other mandatory labelling information. New Zealand does not support leaving this decision to the competent authority. New Zealand recommends as per below comments that 'ingredients of hypersensitivity' be removed from that list (for reasons stated below) and that lot identification, net contents and any special storage conditions required to support the integrity of the food in the non-retail container be added. Therefore, New Zealand recommends that the minimum information that should always be required on a label for a non-retail container be:

- Name of the food;
- Statement that it is a non-retail container;
- Lot identification; and
- Net weight.
- Any special storage conditions required to support the integrity of the food

Other information (ingredients of hypersensitivity, date marking, name and address of supplier) may be voluntarily provided on the label or an identification mark may be used that links to this information, but where this is not on the label it must be provided in the accompanying documentation. This accompanying documentation could be provided in a number of ways including electronically.

In line with this position, New Zealand recommends that information on ingredients of hypersensitivity (allergenic ingredients), date marking and name and address of supplier is removed from section 5 "INFORMATION REQUIREMENTS ON LABEL" and moved to section 6 "INFORMATION REQUIREMENTS BY MEANS OTHER THAN LABEL" subsection 6.1 which includes mandatory information that must be provided in accompanying documents if not on the label.

Allergen information is provided on a label to ensure the consumer of the food can identify the presence of common allergens in foods to enable them to avoid consuming foods containing these allergens. The non-retail container by definition is not intended to reach a consumer and therefore it would be more appropriate for this information to be provided in accompanying documents to allow the consumer package to be labelled with the appropriate information once any further processing and/or packaging has occurred.

With regard to date marking, by definition the contents of the non-retail container will be further processed or packaged prior to sale to the consumer. Processing and repackaging both influence the shelf life of the product that is ultimately provided for sale to the consumer, therefore a new date mark will be needed for the consumer package. Date marking requirements for non-retail containers should be separate from the requirements for the final consumer package.

New Zealand supports the voluntary use of a "best before" or "use-by" date as appropriate physically on a non-retail container. Where this is not provided on the label date marking must be provided in accompanying documents. This date should relate to the shelf life of the food product in the unopened non-retail container. Where neither a "best

<p>before” or a “use-by” date is required for the food in the non-retail container, a “date of manufacture” or “date of packaging” may be a useful inclusion.</p> <p>At the point where the product is packaged for the end consumer new date marking applicable to that food product (and all other applicable labelling requirements) from the GSLPF will apply.</p> <p><i>Category: SUBSTANTIVE</i></p>	
<p>Paraguay would like to thank the Electronic Working Group chaired by India and co-chaired by the United States and Costa Rica, for the excellent work done.</p> <p>Regarding the recommendations of the eWG to decide if the orientations of the document "Proposed Draft Guidance for the Labelling of Non-Retail Containers” may constitute a stand-alone document or if they should be inserted within the Codex General Standard for the Labelling of Prepacked Foods (CODEX STAN 1-1985), we believe that this document should be established as a Codex Guideline, separate from the standard, since its purpose is to advise the competent national authorities on the establishment of proper requirements for the labelling of non-retail containers and the way in which the relevant information will be available</p> <p>Regarding what would be the best approach between the orientation being developed in the present document and the existing provisions for the labelling of non-retail containers that are included in the commodity standards (CX/FL 16/43 (/ 6), we consider that since the guidelines currently in development contain more detailed specifications, the aforementioned standards listed in ANNEX 3 of the CX/FL 16/43/6, should be amended so that the section where the requirements for the for the labelling of non-retail containers are described makes a direct reference to the present document, which in our opinion should be a Guideline.</p> <p><i>Category: SUBSTANTIVE</i></p>	<b>Paraguay</b>
<p>TTO recommends that the word “or “be deleted from the “and/or” in paragraph 7.2.1. “.....It should be that the company has to provide the necessary documents to support the amendments “ If the language in the original labelling is not acceptable to the competent authority in the country in which the product is sold, an official translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents, if it meets the requirements of the country in which the product is sold.</p> <p><i>Category: TECHNICAL</i></p>	<b>Trinidad and Tobago</b>
<p>The United States would like to thank the Chair of the electronic working group (eWG), India, as well as Co-chair Costa Rica, for working with the United States on the eWG. The United States would also like to recognize all of the members of the eWG for their hard work and valuable input. Since the 43rd session of CCFL, much progress has been made in drafting text which outlines guidelines on the labeling of non-retail containers. The United States believes that this draft is suitable to be discussed by the full committee at Step 3</p>	<b>USA</b>
<p>Following are responses to specific sections of the Proposed Draft Guidance.</p>	<b>ICGMA</b>

<p>1. SCOPE: ICGMA supports the use of the term “guidelines” throughout the document.</p> <p>5.2 Allergenic Foods: ICGMA recommends that allergen information should be permitted on the non-retail container (NRC) or other documentation accompanying the NRC. Allergen information is intended to be used by consumer of the finished product and is not related to worker safety. Furthermore, allergen labelling requirements are not globally harmonized. A mandatory requirement to include allergen information on the NRC is overly burdensome. Therefore, we recommend that this information be placed back in Section 6.1 (information requirements by means other than the label).</p> <p>6.1: The NRC is not a consumer facing package. ICGMA recommends that the reference to section 4.2 of the General Standard for Labelling of Prepackaged Foods (CODEX STAN 1-1985) be removed from “List of Ingredients” to eliminate the burden of needing to structure an ingredient declaration on a NRC the same as what is required on consumer facing packaging (i.e. prepackaged food). This recommendation will provide flexibility to manufacturers, a continued harmonized approach to ingredient lists for NRCs, and facilitate international trade.</p> <p>7.1 General: ICGMA recommends that the requirement in 7.1.3 be removed for the following reasons:</p> <ul style="list-style-type: none"> <li>• In the case of multiple non-retail containers of food, of similar or different items, packaged and wrapped together on a pallet or similar conveyance information about the wrapped and secured containers may be conveyed through such means as indicated in section 6.2 provided the individual non-retail containers of food carry sufficient labelling according to sections 5 and 6 of this guidance.</li> <li>• Non-retail containers of food involved in business to business transactions may be shipped to one location by grouping different items on a pallet and wrapping the pallet to prevent container collapse and/or spillage. This type of shipment would not be confused with containers of food to be sold directly to consumers. Packaging multiple items on one wrapped pallet is a way to enhance shipping effectiveness, downstream manufacturing efficiency, and help ease of handling by workers while also contributing to safety protocols.</li> </ul> <p><i>Category: SUBSTANTIVE</i></p>	
<p>Guidance for Labelling of Non-Retail Containers should be separate from the General Standard for Labelling of Prepackaged Foods (GSLPF), to ensure that the difference in labelling approach is clear (i.e. that the GSLPF as a whole does not apply to Non-Retail Containers) and the risk of confusion over which sections of the Standard apply to non-retail containers is reduced. Where the Proposed Draft Guidance for the Labelling of Non-Retail Containers and the GSLPF do align directly (for example sections pertaining to Date Marking and the name of the food) we support either referencing or copying the wording from the GSLPF, unless there is a substantiated reason why this is not appropriate. This will provide consistency and clarity between the two documents.</p> <p><i>Category: SUBSTANTIVE.</i></p>	<p><b>IDF</b></p>

SPECIFIC COMMENTS	
Section / paragraph	Member/Observer/rationale
<b>Scope</b>	
[These Guidelines] / [This Standard] [apply] /[applies] to the labelling of non-retail containers of food not intended to be sold directly to the consumer <sup>1</sup> , including the information provided in the accompanying physical/digital documents or by other means, and the presentation thereof.	<p><b>Thailand</b> Thailand is of the opinion that this text could be a stand-alone document in order not to complicate the Codex Stan 1-1985. However, in that case, those text the refer to Codex Stan 1-1985, should be repeated in this document to make it clear and more user-friendly.</p> <p>In addition, if this document is to be a stand-alone document, it should be a “standard” which is the same as Codex Stan 1-1985. <i>Category: SUBSTANTIVE</i></p>
[These Guidelines] / [This Standard] [apply] /[applies] to the labelling of non-retail containers of food not intended to be sold <del>directly as such</del> to the consumer <sup>1</sup> , <del>including the information provided in the accompanying physical/digital documents or by other means, and the presentation thereof.</del> <u>or for catering purposes, including the information provided in the accompanying physical/digital documents or by other means, and the presentation thereof.</u>	<p><b>Thailand</b> To be clear that the scope of this document includes any container used in containing food except those that already covered in the scope of Codex Stan 1-1985.</p> <p>For the last sentence regarding the accompanying documents, it may not be necessary since the definition of labelling has already included it. However, if this sentence is here to make the scope clearer, then we do not have any objection. <i>Category: SUBSTANTIVE</i></p>
[These Guidelines] / [This Standard] [apply] /[applies] to the labelling of non-retail containers of food not intended to be sold directly to the consumer <u>[This Standard] [apply] to the labelling of non-retail containers of food not intended to be sold directly to the consumer<sup>1</sup></u> , including the information provided in the accompanying physical/digital documents or by other means, and the presentation thereof.	<p><b>Jordan</b> <i>Category: SUBSTANTIVE</i></p>
[[These Guidelines] / [This Standard] [apply] /[applies] to the labelling of non-retail containers <sup>1</sup> of food not intended to be sold directly to the consumer, including the information provided in the accompanying physical/digital documents or by other means, and	<p><b>Paraguay</b> <i>Category: EDITORIAL</i></p>

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
the presentation thereof.	
[[These Guidelines] / [This Standard] [apply] / [applies] to the labelling of non-retail containers of food not intended to be sold directly to the consumer, including the information provided in the accompanying physical/digital documents or by other means, and the presentation thereof.	<b>Ecuador</b> Ecuador suggests that the draft proposal being analyzed be considered as a STANDARD, as its content has that purpose <i>Category: TECHNICAL</i>
<b>2. PURPOSE</b>	
The purpose of [these Guidelines] / [this Standard] is to <u>protect the health of consumer</u> , facilitate appropriate harmonized labelling requirements for non-retail containers of food, with an intention to avoid hindrance to international trade of such containers and promote fair trade practices. [These Guidelines] / [This Standard] outline what information must be on the label and what information, while not required on the label, must be provided with a non-retail container. [The document will guide the national competent authorities in laying down appropriate labelling requirements for non-retail containers of foods and the manner in which the relevant information is made available].	<b>Thailand</b> Consumer's health protection should be mentioned in the purpose. Although non-retail container is not intended to be sold directly to consumers, we recognize the need for label allergens present in the food, which is about protecting consumer's health. Moreover, consumer's health protection is the main objective of Codex, all of their documents are aimed to achieve that. <i>Category: SUBSTANTIVE</i>
The purpose of <del>[these Guidelines] / [this Standard]</del> is to facilitate appropriate harmonized labelling requirements for non-retail containers of food, with an intention to avoid hindrance to international trade of such containers and promote fair trade practices. <del>[These Guidelines] / [This Standard]</del> <u>This Standard</u> outline what information must be on the label and what information, while not required on the label, must be provided with a non-retail container. [The document will guide the national competent authorities in laying down appropriate labelling requirements for non-retail containers of foods and the manner in which the relevant information is made available].	<b>Jordan</b> <i>Category: TECHNICAL</i>
<b>3. DEFINITION OF TERMS</b>	

SPECIFIC COMMENTS	
Section / paragraph	Member/Observer/rationale
<p><b>“Business”</b> means any undertaking carrying out any of the activities related to any stage of production, processing, packaging and distribution (including trade) of food<sup>3</sup>.</p>	<p><b>Thailand</b></p> <p>We note that the definition of business is quite broad. However, in our opinion, it should only cover the activities related to food, not raw materials to make food. Therefore, we would like to mention that it excludes the primary production, i.e. the stage of raw material supply, e.g. raw milk or paddy or fruits and vegetables, into processing plants or packing house. The labelling requirements should not be required for the primary producers.</p> <p>Category: <i>TECHNICAL</i></p>
<p><b>“Business” “Food Company”</b> means any undertaking company carrying out any of the activities related to any stage of production, processing, packaging and distribution (including trade) of food<sup>3</sup><b>Error! Bookmark not defined.</b></p>	<p><b>Paraguay</b></p> <p>We propose substituting the term “Business” by “Food company”, as it is a more specific term and less wide in scope than “Business”.</p> <p>Category: <i>TRANSLATION</i></p>
<p><b>“Non-retail container”</b>: means any container<sup>3</sup> that is not intended to be offered for direct sale to consumer<sup>3</sup>. The food<sup>3</sup> in such containers is of same kind, prepackaged<sup>3</sup> or not, and intended for further business operations or processing activities.</p>	<p><b>Thailand</b></p> <p>In our opinion, the definition is very broad and not so clear. Therefore, we like to seek clarification if “non-retail container” include “shipping container” of which inside contain prepackaged foods that already have all the required information on their labels. In case the intention of this document to include “shipping container” then under the requirements for information should be less for this type of container as all the prepackages inside are already labelled. There may be a new section for “shipping container” or specifically mention in each requirement that this is not applied for “shipping container”.</p> <p>Category: <i>TECHNICAL</i></p>
<b>4. GENERAL PRINCIPLES</b>	

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
<b>4.1</b>	
The general principles established in <u>section 3</u> of the General Standard for the Labelling of Prepackaged foods (GSLPF) apply [ <i>mutatis mutandis</i> ] / [equally as appropriate] to the labelling of non-retail containers of foods.	<b>New Zealand</b> <i>Category: EDITORIAL</i>
The general principles established in the General Standard for the Labelling of Prepackaged foods (GSLPF) apply [ <i>mutatis mutandis</i> ] / [equally as appropriate] to the labelling of non-retail containers of foods.	<b>Thailand</b> The general principles that applies in this document should be clearly mentioned here, reference should not be made to Stan 1. This is to make the document more user-friendly. <i>Category: EDITORIAL</i>
The general principles established in the General Standard for the Labelling of Prepackaged foods (GSLPF) apply [ <del><i>mutatis mutandis</i></del> ] / [equally, as appropriate] to the labelling of non-retail containers of foods	<b>Paraguay</b> Paraguay considers that the most appropriate term to use would be "equally, as appropriate", in order to establish that the CODEX STAN 1-1985 would also apply to the labelling of non-retail containers, when appropriate. <i>Category: EDITORIAL</i>
Malaysia is of the view that the use of term "mutatis mutandis" is more appropriate as compared to the term "equally as appropriate".	<b>Malaysia</b>
The general principles established in the General Standard for the Labelling of Prepackaged foods (GSLPF) apply [ <del><i>mutatis mutandis</i></del> ] / [equally as appropriate] to the labelling of non-retail containers of foods.	<b>IDF</b> <i>Category: EDITORIAL</i>
<b>4.2</b>	
<del>Both the</del> <u>The</u> labelling requirements <del>and for</del> non-retail containers of foods itself should be differentiated clearly from the labelling requirements <del>and containers for</del> prepackaged <sup>3</sup> <del>foods respectively</del> <u>foods</u> .	<b>Thailand</b> There are some cases that the business produce food in the same container but serve different purposes, i.e. for both further processing and for catering. Therefore, the non-retail container and the containers for prepackaged foods sometimes cannot be differentiated. However,

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
	we support that the labelling requirements should be able to differentiate. <i>Category: TECHNICAL</i>
<del>Both the labelling requirements and non-retail containers of foods itself should be differentiated clearly from the labelling requirements and containers for prepackaged<sup>3</sup> foods respectively.</del>	<b>IDF</b> The non-retail containers of food should be clearly distinguishable from the food containers or prepackaged <sup>1</sup> foods intended for direct sale to consumer <i>Category: SUBSTANTIVE</i>
<b>4.4</b>	
The labelling requirements for non-retail containers should be established taking into account the information requirements and implementation capabilities of the relevant stakeholders (business and competent authorities).	<b>Thailand</b> This sentence may be not necessary as this is the general principle of Codex Text. Moreover, if any flexibility needed in specific requirement, then we should make it clear under the specific section. <i>Category: TECHNICAL</i>
<b>4.5</b>	
Where appropriate, the information requirements in respect of non-retail containers of food may be met through appropriate means other than on a label (including accompanying documents or other globally acceptable innovative practices, for example, electronic transfer of information), as allowed for by the competent authority in the country in which it is sold.	<b>Thailand</b> We do not object this statement and the phrase “globally acceptable innovative practices” giving that the example of electronic transfer is provided. <i>Category: EDITORIAL</i>
<b>5. INFORMATION REQUIREMENTS ON LABEL</b>	
The following minimum mandatory information shall appear on the label of non-retail containers of food:	<b>Thailand</b> The name of the section should be in line with of CODEX STAN 1-1985, which is “Mandatory Labelling of Prepackaged Food”. Therefore, this Section heading should be changed to “Mandatory Labelling of non-retail containers” <i>Category: EDITORIAL</i>
<del>The following minimum mandatory information shall appear on the label of non-retail containers of food:-</del>	<b>IDF</b> IDF believes that provisions 5.1 till 5.5 should be deleted as the GSLPF

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
	<p>should be referenced with the addition of the following statement for the date marking section: However, if the container is being sold directly or indirectly onto another business ultimately responsible for date marking of the final product, the label may only reference the date of manufacture if this is in line with business to business agreements and is approved by the relevant national competent authority.</p> <p><i>Category: SUBSTANTIVE</i></p>
<del>The name shall indicate the true nature of the food and normally be specific and not generic. -</del>	<p><b>IDF</b></p> <p><i>Category: SUBSTANTIVE</i></p>
<del>Where a name or names have been established for a food in a Codex standard, at least one of these names shall be used. -</del>	<p><b>IDF</b></p> <p><i>Category: SUBSTANTIVE</i></p>
<del>In other cases, the name prescribed by national legislation shall be used. -</del>	<p><b>IDF</b> <i>Category: SUBSTANTIVE</i></p>
<del>In the absence of any such prescribed name, either a common or usual name existing by common usage as an appropriate descriptive term which is not misleading or confusing in the country in which the food is intended to be sold shall be used. -</del>	<p><b>IDF</b></p> <p><i>Category: SUBSTANTIVE</i></p>
<del>A "coined", "fanciful", "brand" name or "trade mark" may be used provided it accompanies one of the names provided in Subsections 5.1.1.1 to 5.1.1.3. -</del>	<p><b>IDF</b></p> <p><i>Category: SUBSTANTIVE</i></p>
A "coined", "fanciful", "brand" name or "trade mark" may be used provided it accompanies one of the names provided in Subsections 5.1.1.1 to 5.1.1.3.	<p><b>Paraguay</b></p> <p>Paraguay considers that the additional requirement of including a "fanciful name, etc." on the label of a non-retail containers, does not constitute a relevant information, as the "product name" must be compulsory declared in the label, which is the reason why we propose that the "fanciful name, etc.", if its use is desired, could be optionally included on the label or in the documents accompanying the non-retail containers.</p> <p><i>Category: TECHNICAL</i></p>

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, specific information related to processing or treatment it has undergone <u>the physical condition of the food</u> ; for example: dried, concentrated, reconstituted, smoked.	<b>New Zealand</b> <i>Category: EDITORIAL</i>
There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, specific information related to processing or treatment it has undergone; for example: dried, concentrated, reconstituted, smoked	<b>Paraguay</b> Paraguay considers that the information about the treatment that the food has undergone is an important information from the technical point of view, because depending on the treatment received, the storage and conservation conditions for the product are established. Also, in many cases, the treatment to which the product has been subjected is part of its denomination or name, which is the reason why we consider it should be declared on the label of non-retail containers. <i>Category: TECHNICAL</i>
There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, specific information related to processing or treatment it has undergone; for example: dried, concentrated, reconstituted, smoked, <u>irradiated</u>	<b>Ecuador</b> Our country suggests that irradiation be included in paragraph 5.1.2 as an example of a treatment. The reason is that, as irradiated foods have a special treatment in regards to labelling (similar to allergen ingredients), it is important that this procedure not be overlooked at the time of being declared in the name of the product. <i>Category: TECHNICAL</i>
<del>There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, specific information related to processing or treatment it has undergone; for example: dried, concentrated, reconstituted, smoked. -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<b>5.2 Allergenic Foods</b>	
Costa Rica considers that this point should be included in Section 6.1 (INFORMATION REQUIREMENTS BY MEANS OTHER THAN LABEL).	<b>Costa Rica</b> Although relevant, this information is intended for the final consumer of a finished product. The presence of such a requirement in the Codex

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
	<p>General Standard for the Labelling of Prepacked Foods (CODEX STAN 1-1985), already aims at the protection of the final consumer. Furthermore, allergen labelling requirements are not globally harmonized. Many countries do not share the same list of common allergens that must be labeled. That information would be an unnecessary mandatory requirement on the label of non-retail food containers, increasing the cost of labelling and becoming a potential obstacle to trade.</p> <p>However, Costa Rica points out that this information must necessarily be included in the additional documents that must be provided by the supplier through means other than labels.</p>
<b>Allergenic Foods<sup>2</sup></b>	<p><b>New Zealand</b> <i>Category: SUBSTANTIVE</i></p>
<p>ICBA appreciates the work of the eWG in arriving at this stage of the drafting process. The proposed mandatory inclusion of allergenicity information on the label of a non-retail container of food presents an increase in complexity well above and beyond that already required for ensuring worker safety and followed by the food and beverage industry. Further, such information is intended for those consuming a finished product and is not related to worker safety. As such, allergen information on the label of a non-retail container of food is not necessary, provides no information related to worker safety or product identification, and adds a heavy burden to the labelling process due to the unharmonized nature of allergen labelling around the globe. ICBA strongly recommends placing this requirement back in Section 6.1 (INFORMATION REQUIREMENTS BY MEANS OTHER THAN LABEL) for the following reasons:</p> <p>1. Key information for the label of a non-retail container of food is to ensure worker safety. The United Nations Global Harmonized</p>	<p><b>ICBA</b> <i>Category: SUBSTANTIVE</i></p>

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
<p>System ensures such labelling with respect to potential sensitivities, which industry currently includes as needed on labels of non-retail containers of food.</p> <p>2. Allergenicity information is based on potential consumption. The presence of such a requirement in the General Standard for the Labelling of Pre-packaged Foods (Codex Stan 1-1985) is intended to promote consumer safety. Non-retail containers of foods are not intended for consumers or for consumption and should not be burdened with such requirements.</p> <p>3. Allergen labelling requirements are not globally harmonized. In fact, many countries do not share the same list of common allergens that must be labelled. Making such unneeded and unnecessary information a mandatory requirement on a label for non-retail containers of food will increase the labelling burden and cost for no reason related to worker safety or container identification.</p>	
<p>Paraguay considers that the declaration of food allergens must comply with the provisions established in the CODEX STAN 1-1985, i.e. must be part of the item which corresponds to the "List of ingredients". We believe that the declaration of allergens is an extremely important information for consumers. However, taking into account the scope of the document, which excludes foods intended to be sold to consumers, we believe suitable that the declaration of allergens should be included in the documents accompanying the containers not intended for retail sale, as that the lack of uniform requirements between countries to declare allergens on the label could eventually generate problems for the trade in products which are not intended to be sold to the consumer.</p> <p>Taking into account the aforesaid, we consider that point 5.2</p>	<b>Paraguay</b>

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"Food allergens", should be removed from section 5 and be included in point 6.1, after the ``ingredients list`` with footnote 2. <i>Category: TECHNICAL</i>	
<b>5.3 Net Contents</b>	
<b>Net Contents:-</b>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
The net <sup>3</sup> contents should be declared in either the metric system (The International System of Units, SI) or avoirdupois weight system or both the systems of measurement as required by the competent authority in the country in which the food is intended to be sold. This declaration shall be made in the following manner:	<b>Thailand</b> Net content should be declared only in the metric system in order to be in line with Codex Stan 1-1985. <i>Category: TECHNICAL</i>
<del>The net<sup>3</sup> contents should be declared in either the metric system (The International System of Units, SI) or avoirdupois weight system or both the systems of measurement as required by the competent authority in the country in which the food is intended to be sold. This declaration shall be made in the following manner:-</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>(a) for liquid foods, by volume or weight;-</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>(b) for solid foods, by weight;-</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>-(b) for solid foods, by weight;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>(c) for semi-solid or viscous foods, either by weight or volume;-</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<b>5.4 Lot identification</b>	
<b>Lot identification<sup>2</sup></b>	<b>Paraguay</b> <i>Category: EDITORIAL</i>
The container should provide marking sufficient to identify	<b>New Zealand</b>

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production lot and, if not included in the lot marking, <u>the</u> production site <u>factory</u> .	Consistent terminology with GSLPF <i>Category: EDITORIAL</i>
<del>The container should provide marking sufficient to identify production lot and, if not included in the lot marking, production site.</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>The container should provide marking sufficient to identify production lot and, if not included in the lot marking, production site.</del>	<b>Paraguay</b> Paraguay considers that the declaration of the lot in the non-retail containers must be in line with what has been established for this issue in the CODEX STAN 1-1985 that indicates that the lot must identify the production factory, which is the reason we propose to eliminate point 5.4.1, keeping only point 5.4." Lot identification", with footnote 2. <i>Category: TECHNICAL</i>
The container should provide marking sufficient to identify production lot and, if not included in the lot marking, production site.	<b>Chile</b> Chile does not agree that the place of production should be labelled, supplementing the lot identification. Identification of the lot itself may individualize the production establishment, so it should be aligned with CODEX STAN 1-1985. <i>Category: TECHNICAL</i>
<b>5.5 Date Marking</b>	
<del>[If not otherwise determined in an individual Codex standard, the following date marking shall apply, unless clause 5.5.1 (vii) applies:</del>	<b>IDF</b> replace with the following statement: However, if the container is being sold directly or indirectly onto another business ultimately responsible for date marking of the final product, the label may only reference the date of manufacture if this is in line with business to business agreements and is approved by the relevant national competent authority. <i>Category: SUBSTANTIVE</i>
<del>When a food must be consumed/utilized before a certain date to ensure its safety and quality the "Use-by Date" or "Expiration</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>

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<del>Date” shall be declared<sup>4</sup>.</del>	
<del>Where a “Use-by Date” or “Expiration Date” is not required, the “Best-Before Date” or “Best Quality Before Date” shall be declared<sup>4</sup>.</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>The date marking should be as follows: -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>On products with a durability of not more than three months; the day and month shall be declared and in addition, the year when competent authorities mandate it. -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>On products with a durability of more than three months at least the month and year shall be declared. -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>The date shall be introduced by the words: -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>“Use-by &lt;insert date&gt; “or “Expiration Date &lt;insert date&gt; “or “Best before &lt;insert date&gt; “or “Best Quality Before &lt;insert date&gt; “as applicable where the day is indicated; or” -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>“Use-by end &lt;insert date&gt; “or “expiration date &lt;insert date&gt; “or “Best before &lt;insert date&gt; “; or “Best Quality Before &lt;insert date&gt; “as applicable in other cases.” -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>The words referred to in paragraph (iv) shall be accompanied by: -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>either the date itself; or-</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>a reference to where the date is given. -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>The day and year shall be declared by uncoded numbers with the year to be denoted by 2 or 4 digits, and the month shall be declared by letters or characters or numbers. Where only numbers</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>

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are used to declare the date or where the year is expressed as only two digits, the competent authority should determine whether to require the sequence of the day, month, year, be given by appropriate abbreviations accompanying the date mark (e.g. DD/MM/YYYY or YYYY/DD/MM). <del>—</del>	
The day and year shall be declared by uncoded numbers with the year to be denoted by 2 or 4 digits, and the month shall be declared by letters or characters or numbers. Where only numbers are used to declare the date or where the year is expressed as only two digits, the competent authority should determine whether to require the sequence of the day, month, year, be given by appropriate abbreviations accompanying the date mark (e.g. <del>DD/MM/YYYY</del> <u>DD/MM/YYYY, YYYY/DD/MM or YYYY/DD/MM</u> , <u>YYYY/MM/DD</u> ).	<b>Ecuador</b> We request that in point (vi) the nomenclature according to the International System be included, on the grounds that the whole regulatory body makes reference to this system: <i>Category: TECHNICAL</i>
Notwithstanding 5.5.1 (i) and 5.5.1 (ii), a date mark shall not be required for a food if one or more of the following criteria apply:	<b>Thailand</b> The criteria and the examples for date marking exemptions from CODEX STAN 1-1985 may not all be applicable to non-retail container, e.g. those related to the “24 hour of its manufacture”. Careful consideration should be taken before applying these criteria and examples from CODEX STAN 1-1985. <i>Category: SUBSTANTIVE</i>
<del>Notwithstanding 5.5.1 (i) and 5.5.1 (ii), a date mark shall not be required for a food if one or more of the following criteria apply: —</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>1. Where safety is not compromised and quality does not deteriorate because of the preservative nature of the food is such that it cannot support microbial growth (e.g. alcohol, salt, acidity, low water activity) <u>under stated storage conditions</u>;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
Where safety is not compromised and quality does not deteriorate because of the preservative nature of the food is such that it	<b>Ecuador</b> Ecuador considers that point 5.5.1 (vii), paragraph 1 must delimit, in

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cannot support microbial growth (e.g. alcohol, salt, acidity, low water activity) <u>under stated storage conditions</u> ;	numerical ranges, which are the values that the food should have according to the activity of water or storage conditions, in order to avoid ambiguous interpretations. <i>Category: TECHNICAL</i>
<del>2. Where deterioration is evident to the purchaser; -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>2. Where deterioration is evident to the purchaser;</del>	<b>Paraguay</b> Paraguay considers that this point would not be applicable for foods to be sold in non-retail containers, as they are not intended for consumers. <i>Category: TECHNICAL</i>
<del>3. Where the key/organoleptic quality aspects of the food are not lost; -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>4. Where the food is intended to be consumed within 24 hours of its manufacture. -</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>Where the food is intended to be consumed within 24 hours of its manufacture.</del>	<b>Paraguay</b> Paraguay considers that this point would not apply to foods intended to be sold in non-retail containers. We also believe the relevance of certain examples of foods that are mentioned in this point (vii) should be evaluated. <i>Category: TECHNICAL</i>
<del>For example, foods such as:</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>fresh fruits and vegetables, including tubers, which have not been peeled, cut or similarly treated;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>alcoholic beverages containing at least 10% alcohol by volume; -</del>	<b>IDF</b>

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	<i>Category: SUBSTANTIVE</i>
<del>bakers' or pastry-cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>vinegar;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>non-iodized food grade salt;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>non-fortified solid sugars;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>confectionery products consisting of flavoured and/or coloured sugars;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>chewing gum;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
Chewing gum. <u>Bee honey</u>	<b>Ecuador</b> We further request that bee honey be included under numeral vii) of the list of examples. <i>Category: TECHNICAL</i>
<del>In such cases, the "Date of Manufacture" or the "Date of Packaging" may be provided;</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>A "Date of Manufacture" or a "Date of Packaging" may be used in combination with 5.5.1 (i) or (ii). It shall be introduced with the words "Date of Manufacture" or "Date of Packaging", as appropriate, and use the format provided in clause 5.5.1 (vi);</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
<del>Any special conditions for the storage of the food where they are required to support the integrity of the food and, where a date</del>	<b>IDF</b> <i>Category: SUBSTANTIVE</i>

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<del>mark is used, the validity of the date depends thereon.]</del>	
<b>5.6 Statement for identification of a non-retail container</b>	
<b>Statement for identification of a non-retail container</b>	<p><b>Chile</b> Chile believes this identification is no necessary as non-retail containers are not easily confused with those that are intended for retail, given their size, package format and labelling. In general terms, we consider that it should be eliminated and, if not, at least harmonized, meaning to establish a single sentence. <i>Category: TECHNICAL</i></p>
Costa Rica considers important to establish one single sentence for a harmonized declaration.	<p><b>Costa Rica</b> Justification: The use of several sentences should be avoided as it may create confusion.</p>
The non-retail containers of foods shall bear a <del>statement</del> <u>statement, where appropriate,</u> to indicate that the food is not intended to be sold directly to consumer or to clearly identify it as a non-retail container unless Section 6.2 applies. Examples of such statements are:	<p><b>IDF</b> <i>Category: SUBSTANTIVE</i></p>
The non-retail containers of foods shall bear a statement to indicate that the food is not intended to be sold directly to consumer or to clearly identify it as a non-retail container unless Section 6.2 applies. Examples of such statements are:	<p><b>Paraguay</b> Paraguay considers appropriate that food sold in non-retail containers should carry at least a statement that clearly identifies them as such. In this sense, it agrees with the following statement: "NON-RETAIL CONTAINER", which does not include the word "Consumer", considering that the legislation of some countries defines not only persons or families as consumers, but also legal persons. <i>Category: TECHNICAL</i></p>
<b>5.7</b>	
<del>Name and address of the manufacturer packer, distributor, importer, exporter or vendor of the food etc. (Approval number of</del>	<p><b>New Zealand</b> Entire point 5.7 to be deleted.</p>

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establishments, where applicable).	<i>Category: SUBSTANTIVE</i>
Name <del>and</del> and/or address of the manufacturer packer, distributor, importer, exporter or vendor of the food etc. (Approval number of establishments, where applicable).	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
Name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food etc. (Approval number of establishments, where applicable). [TN: Paraguay's comment is only applicable to the Spanish text]	<b>Paraguay</b> Paraguay suggests that, in the Spanish version, the term " <i>empacador</i> " be substituted by " <i>envasador</i> " <i>Category: TRANSLATION</i>
<b>5.8</b>	
<del>Notwithstanding. Any special conditions for the above in the present Section on Information Requirements on Label and if permitted by the competent authority in the country in which it is sold, an identification mark may replace the information on the label except the name <u>storage</u> of the product (Section 5.1), ingredients <u>non-retail container where they are required to support the integrity of hypersensitivity</u> (Section 5.2) and the statement <u>food contained in that it is a non-retail container</u> (Section 5.6) and, provided such <u>where a date mark is clearly identifiable with used</u>, the accompanying documents or other means <u>validity of information exchange where all such the date depends thereon</u> information shall be provided.</del>	<b>New Zealand</b> <i>Category: SUBSTANTIVE</i>
Notwithstanding the above in the present Section on Information Requirements on Label and if permitted by the competent authority in the country in which it is sold, an identification mark may replace the information on the label except the name of the product (Section 5.1), ingredients of hypersensitivity (Section 5.2) and the statement that it is a non-retail container (Section 5.6), provided such mark is clearly identifiable with the accompanying documents or other means of information exchange where all such information shall be provided.	<b>Thailand</b> We are not so clear in which from of "identification mark" that this context is referring to. If it is a mark that can only be read by a tool or an equipment, not by naked eye, then it should be considered "information on the label" or "information provided by other means". <i>Category: SUBSTANTIVE</i>

<b>SPECIFIC COMMENTS</b>	
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Notwithstanding the above in the present Section on Information Requirements on Label and if permitted by the competent authority in the country in which it is sold, an identification mark may replace the information on the label except the name of the product (Section 5.1), <del>ingredients of hypersensitivity (Section 5.2)</del> and the statement that it is a non-retail container (Section 5.6), provided such mark is clearly identifiable with the accompanying documents or other means of information exchange where all such information shall be provided.	<p><b>Paraguay</b> In line with the comment raised for point 5.2 Allergenic foods, the repeated mention of this should be eliminated from this point. <i>Category: TECHNICAL</i></p>
Notwithstanding the above in the present Section on Information Requirements on the Label, and if permitted by the competent authority in the country in which it is sold, an identification mark may replace the information on the label except the name of the product (Section 5.1), ingredients of hypersensitivity (Section 5.2) and the statement that it is a non-retail container (Section 5.6), provided such mark is clearly identifiable with the accompanying documents or other means of information exchange where all such information shall be provided.	<p><b>Ecuador</b> Our country suggests that examples of accompanying documents should be included, such as: technical datasheets or technical specifications, among others, and indicate which would be the means of identification. <i>Category: TECHNICAL</i></p>
Notwithstanding the above in the present Section on Information Requirements on Label and if permitted by the competent authority in the country in which it is sold, an identification mark may replace the information on the label except the name of the product (Section 5.1), ingredients of hypersensitivity (Section 5.2) and the statement that it is a non-retail container (Section 5.6), provided such mark is clearly identifiable with the accompanying documents or other means of information exchange where all such information shall be provided.	<p><b>Ecuador</b> Ecuador suggests that, on the label, it must be compulsory declared if the food is considered irradiated. <i>Category: TECHNICAL</i></p>
<b>6. INFORMATION REQUIREMENTS BY MEANS OTHER THAN LABEL</b>	
<b>6.1</b>	

<b>SPECIFIC COMMENTS</b>	
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<p>The following additional mandatory information, if not provided on the label, shall be provided in the accompanying documents or through appropriate other means (e.g. electronically between businesses), provided such documents or information is effectively traceable to the food in non-retail container:</p> <p><u>Ingredients of Hypersensitivity - Information to be provided as per the guidance in the relevant section of the General Standard for the Labelling of Pre-packaged Foods (CODEX STAN 1-1985)</u></p> <p><u>6.1.3 Date Marking...</u></p> <p><u>6.1.4 Name and address of the manufacturer packer, distributor, importer, exporter or vendor of the food etc. (Approval number of establishments, where applicable).</u></p>	<p><b>New Zealand</b></p> <p>New Zealand recommends that allergen information is more appropriately included in section 6.1 than in section 5.</p> <p>New Zealand recommends that the terminology used in the GSLPF be used where possible.</p> <p>New Zealand recommends that date marking information is more appropriately included in section 6.1 than in section 5</p> <p>New Zealand recommends that information on name and address of the manufacturer etc. is more appropriately included in section 6.1 than in section 5</p> <p><i>Category: SUBSTANTIVE</i></p>
<p>6.1 The following additional mandatory information, if not provided on the label, shall be provided in the accompanying documents or through appropriate other means (e.g. electronically between businesses), provided such documents or information is effectively traceable to the food in non-retail container:</p>	<p><b>Paraguay</b></p> <p><i>Category: TECHNICAL</i></p>
<p>The following additional mandatory information, if not provided on the label, shall be provided in the accompanying documents or through appropriate other means (e.g. electronically between businesses), provided such documents or information is effectively traceable to the food in non-retail container:</p>	<p><b>Paraguay</b></p> <p>In line with the comment raised for point 5.2 Allergenic Foods, Paraguay proposes to include this point in the declaration of “Allergenic Foods”, including the footnote 2 reference, after the “ingredients list” mention.</p> <p><i>Category: SUBSTANTIVE</i></p>
<p>Malaysia would like to propose that the information for country of origin should be under Section 5 Information Requirements on Label. Considering that these products are meant for business to business, this information should be made available on the product label for traceability purposes. This requirement also in line with current Malaysia Food Regulations 1985.</p> <p>Bullet 4: Information on “Any other information required by the</p>	<p><b>Malaysia</b></p>

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<p>importing country such as Halal Certification, Kosher Certification, Vegetarian/Non-Vegetarian logo etc.”.</p> <p>Malaysia has participated in CCFL Electronic Working Group (e-WG) on the Development of Proposed Draft Guidance for the Labelling of Non-Retail Containers of Foods and recalled that there is no discussion on this para during the eWG. Thus, Malaysia would like to seek clarification on the above statement which is now put in the square bracket.</p>	
<p><del>List of Ingredients</del> List of Ingredients<sup>4</sup></p> <p>ICBA appreciates that the eWG, in referencing Codex Stan 1-1985 with respect to the labelling of non-retail containers of food, noted that this guidance, where necessary, should be separate from that for labelling of containers for retail sale. This distinction is important, since the nature of labelling information and what it is used for differ for the two mediums. One aspect that should be distinguished between the two labelling methods is that of ingredient declarations.</p> <p>ICBA proposes that “list of” be deleted and that reference to section 4.2 of Codex Stan 1-1985 be avoided to eliminate complexity and labelling burden to manufacturers and food processors.</p> <p>As the nature of the food in a non-retail container differs from that in a container for retail sale, the ingredient declaration requirements for the latter should not be applied to the former because conventions for doing so, and executing in a harmonized manner, do not exist. Ingredient designations on labels/accompanying documents of non-retail containers of food may be more general in nature given the food is intended for processing and is not in its final state. Further, to promote harmonization, more general terminology such as that associated</p>	<p><b>ICBA</b></p> <p><i>Category: SUBSTANTIVE</i></p>

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<p>with customs declarations may be utilized. Thus, the method of ingredient declaration for a non-retail container of food should be firmly separate from that in Codex Stan 1-1985.</p> <p>ICBA requests that the eWG consider this modification to provide flexibility and a continued harmonized approach in designating ingredients of non-retail containers of foods to facilitate international trade.</p>	
<b>6.2</b>	
<p>In case of loose/unpackaged food in tankers, barges or similar containers that are not amenable to possess a label, and are not likely to be confused with the containers for direct sale to consumers, the labelling information may be exclusively provided in the accompanying documents or exchanged through other means as agreed among the competent authorities, provided the identity of such containers is unambiguously traceable in the accompanying documents.</p>	<p><b>Thailand</b></p> <ol style="list-style-type: none"> <li>1. the definition of non-retail container does not clearly reflect this type of container.</li> <li>2. If the intention of the document to also include loose/unpackaged food in tankers, etc., then it should be made clear what information is to be provided in the accompanying document. Since this section is under Section 6, it is not clear if only 6.1 is required to be provided or both in Section 6.1 and all information in Section 5.</li> </ol> <p><i>Category: TECHNICAL</i></p>
<p>In case of <del>bulk loose</del> bulk loose/unpackaged food in tankers, barges or similar containers that are not amenable to possess a label, and are not likely to be confused with the containers for direct sale to consumers, the labelling information may be exclusively provided in the accompanying documents or exchanged through other means as agreed among the competent authorities, provided the identity of such containers is unambiguously traceable in the accompanying documents</p>	<p><b>Paraguay</b></p> <p>Paraguay proposes to change the term "loose" for ``bulk``, as we consider that it would be a more specific description.</p> <p><i>Category: EDITORIAL</i></p>
<b>6.3 Other information</b>	
<p>Additional information may be exchanged through supporting documents or means other than labelling of the non-retail container (e.g. electronically between businesses).</p>	<p><b>New Zealand</b></p> <p>It is not clear whether this is the information in section 6.1 or something else</p>

<b>SPECIFIC COMMENTS</b>	
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	<i>Category: EDITORIAL</i>
<b>7. Presentation of information:</b>	
<b>7.1 General</b>	
Costa Rica considers that point 7.1.3 must be eliminated.	<b>Costa Rica</b> Non-retail food containers carry labelling that sufficiently complies with sections 5 and 6 of this guidance. In addition, these food containers, involved in commercial transactions may be shipped to one location by grouping different items on a pallet and wrapping the pallet to prevent container collapse and/or spillage
Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not obscured by it.	<b>IDF</b> Text should be kept as stated here. <i>Category: SUBSTANTIVE</i>
Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not obscured by it. In the case of multiple non-retail containers of food, of similar or different items, packaged and wrapped together on a pallet or similar conveyance information about the wrapped and secured containers may be conveyed through such means as indicated in section 6.2 provided the individual non-retail containers of food carry sufficient labelling according to sections 5 and 6 of this guidance. Non-retail containers of food involved in business to business transactions may be shipped to one location by grouping different items on a pallet and wrapping the pallet to prevent container collapse and/or spillage. This type of shipment would not be confused with containers of food to be sold directly to consumers. Packaging multiple items on one wrapped pallet is a way to enhance shipping effectiveness, downstream manufacturing efficiency, and help ease of handling by workers while also	<b>ICBA</b> <i>Category: SUBSTANTIVE</i>

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<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
contributing to safety protocols.	
<p>7.1.3 Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not obscured by it.</p> <p>7.1.4. In the case of non-retail multiple containers, of similar or different, elements, wrapped and packaged, the required information may be communicated through the means indicated in section 6.2, provided that the individual non-retail food containers have labels in accordance with sections 5 and 6 of this document.</p>	<p><b>Paraguay</b> Paraguay proposes the inclusion of this item in order to consider transactions between enterprises that can be made by grouping different products in a pallet and wrapping the pallet to protect the containers; this helps to improve the effectiveness of shipments and to facilitate the handling by workers, contributing at the same time to the security protocols. <i>Category: SUBSTANTIVE</i></p>
<b>7.1.4</b>	
<p>The name of the food (Section 5.1), the <u>net weight (section 5.3)</u>, the <u>lot identification (section 5.4)</u>, the <u>statement of identification of non-retail container (Section 5.6)</u> and the <u>identification mark (Section 5 means of matching the product to the accompanying documents (section 6.8)1)</u>, <del>where used,</del> shall appear in a prominent position and in the same field of vision.</p>	<p><b>New Zealand</b> <i>Category: SUBSTANTIVE</i></p>
<p>7.1.4 The name of the food (Section 5.1), the statement of identification of non-retail container (Section 5.6) and the identification mark (Section 5.8), <u>clearly visible prominent position</u> <del>and in the same field of vision.</del></p>	<p><b>Paraguay</b> Paraguay proposes the following changes for a better wording. In addition, we would point out that the numbering of the paragraph should be changed to 7.1.5, given the previous proposal of inclusion of a new point' <i>Category: EDITORIAL</i></p>
<b>7.2 Language</b>	
<p>If the language in the original labelling is not acceptable to the competent authority in the country in which the product is sold, an official translation of the information in the <u>labelling required language</u> should be provided in <del>the required language in the form</del> <u>one of the following ways: re-labelling, a supplementary label</u></p>	<p><b>New Zealand</b> The elements that should be on the label should be required to be relabelled with the translation. Information required in accompanying documents should provide a translation in the accompanying documents. Clearer wording is needed here and New Zealand suggests</p>

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
and/or <del>or</del> in the accompanying documents, <del>if it meets the requirements of the country in which the product is sold.</del>	the changes shown. <i>Category: SUBSTANTIVE</i>
If the language in the original labelling is not <del>acceptable to the competent authority in official language of the receiving country in which the product is sold not --</del> , an <del>official</del> translation of the information in the labelling should be provided in - <u>English and/or the required official language</u> in the form of re-labelling, supplementary label and/or in the accompanying documents, if it meets the requirements of the country in which the product is sold.	<b>IDF</b> <i>Category: SUBSTANTIVE</i>
If the language in the original labelling is not acceptable to the competent authority in the country in which the product is sold, an official translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents, if it meets the requirements of the country in which the product is sold.	<b>Thailand</b> We are not clear about the “official translation” in this context. To us, “official translation” requires an official approval of such translation with official mark, which we think it may not be necessary for the non-retail container due to the following reasons. First of all, Section 7.2.2 is already required that the information must be fully and accurately reflect the original labelling. Secondly, the information is between businesses, it is unlikely that they will provide false information and also, they have other means to prove the accuracy of the information. Therefore, we think only “translation acceptable by the Competent Authority of the destined country” should be sufficient. <i>Category: SUBSTANTIVE</i>
If the language in the original labelling is not acceptable to the competent authority in the country in which the product is sold, <del>an official translation of the information in the labelling should be provided in the required language in the form of re-labelling, a</del> supplementary label and/or in the accompanying documents, if it meets the requirements of the country in which the product is sold.	<b>Paraguay</b> Paraguay proposes the following change for this point, considering that the term "official translation" could have different interpretations for the implementing authorities of different countries. Furthermore, we propose to eliminate the option of new labels, considering the difficulty that this would imply for countries with no great internal demand, given their small markets, which would make it difficult to produce new labels for these destinations. We believe that the option of supplementary labels in the language of the country of destination would be the most viable option of compliance, as currently done for foods intended for the

<b>SPECIFIC COMMENTS</b>	
<b>Section / paragraph</b>	<b>Member/Observer/rationale</b>
	consumer. <i>Category: TECHNICAL</i>
If the language in the original labelling is not acceptable to the competent authority in the country in which the product is sold, an official translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents, if it meets the requirements of the country in which the product is sold.	<b>Chile</b> Chile is worried that the complexity of multi language packaging be transferred to non-retail containers according to the proposal for this section. Currently, in this regard, many non-retail containers only carry the information in English or Spanish and, presently, supplementary labelling only applies to the product that is going to the final consumer. Chile wants to keep it this way, or to allow alternate means (not supplementary or multi language labelling) to send the information in the language of the authorities, such as electronic means <i>Category: SUBSTANTIVE</i>

## Comments on the additional recommendations

General comment	Member/observer
Costa Rica believes this type of shipment would not be confused with food containers that would be sold directly to the consumers.	Costa Rica
Guidance for Labelling of Non-Retail Containers should be separate from the General Standard for Labelling of Prepackaged Foods (GSLPF), to ensure that the difference in labelling approach is clear (i.e. that the GSLPF as a whole does not apply to Non-Retail Containers) and the risk of confusion over which sections of the Standard apply to non-retail containers is reduced. Where the Proposed Draft Guidance for the Labelling of Non-Retail Containers and the GSLPF do align directly (for example sections pertaining to Date Marking and the name of the food) we support either referencing or copying the wording from the GSLPF, unless there is a substantiated reason why this is not appropriate. This will provide consistency and clarity between the two documents.	IDF
<b>Discuss if information sought in provisions 5.1.1.4 (coined fanciful name etc.), 5.1.2 (processing/treatment information), and the 'within 24-hour use' criteria for exemption to date marking are required on the label of a non-retail container or can be done away with or can be accepted in the accompanying documents</b>	
5.1.1.4.: Coined or fanciful name, etc. No comments. 5.1.2. Processing/treatment information. No comments.  Use within 24-hour" criteria for exemption, or not. We agree to leave it in the document	Argentina
Costa Rica considers that provisions 5.1.1.4, 5.1.2 and the criteria of use "within 24 hours " can be accepted in the accompanying documents. Justification: We do not consider it to be a relevant information for labelling; however, it is necessary information that should accompany the food for purposes of identification and quality control	Costa Rica
Coined / fanciful name: New Zealand sees no issue with a coined or fanciful name, brand name or trade mark being allowed but not required on a non-retail container i.e. "may be used provided it accompanies one of the names provided in Subsections 5.1.1.1 to 5.1.1.3". Processing/treatment information: It would be preferable to use the terminology of the GSLPF, "physical condition of the food". This focuses on the condition of the food as it exists in the package, rather than the processes or treatments the food has had. 'Within 24-hour use' criteria: New Zealand agrees that the exemption from date marking	New Zealand

<p>criteria for foods to be consumed within 24 hours is not applicable to food in non-retail containers and should not be included in this guidance. Following on from this, the example “bakers’ or pastry-cooks’ wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture “should be removed from the list of examples given.</p>	
<p>We believe that none of this information should be requested as mandatory on the label of non-retail containers, therefore we would suggest to have it deleted. However, if kept then it should be aligned with the GSLPF.</p> <p>The wording used in the GSLPF for provision 5.1.2 references the “physical condition of the food”. This is an important reference to maintain as it focuses on the condition of the food as it exists in the package, rather than the processes or treatments the food has undergone.</p> <p>5.1.2 There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, specific information related to the physical condition of the food processing or treatment it has undergone; for example: dried, concentrated, reconstituted, smoked.”</p>	<b>IDF</b>
<p>IFU comment. This information can be done away with. It will be included in accompanying documents at the client’s request.</p> <p>Additional comments on section 5.2 allergenic foods. IFU recommends that this section is deleted for the following reasons;</p> <ol style="list-style-type: none"> <li>1. The intention of allergen labelling is to inform the consumer prior to consumption. As non-retail containers are not intended for the final consumer it is therefore not necessary.</li> <li>2. The requirements for allergen labelling are not globally harmonised. This will cause complexity and confusion for internationally traded raw materials, such as those for the juice and nectar industry.</li> <li>3. If the intention is to protect worker safety then this is already defined by the United Nations Global Harmonised System (UN GHS) for Classification and Labelling.</li> </ol>	<b>IFU</b>
<p>Criteria for exemption to date marking are required on the label of a non-retail container. <i>Category</i></p>	<b>Egypt</b>
<p>not required on the label of non-retail container, and can be accepted in the accompanying documents.</p>	<b>Jordan</b>
<p>Paraguay considers that the additional requirement of including a "fanciful name, etc." on the label of non-retail containers does not constitute relevant information, as the "product name" must be compulsory declared in the label, which is the reason that we propose that the " fanciful name, etc.", if its use is desired, could be voluntarily included on the label or in the documents accompanying non-retail containers.</p>	<b>Paraguay</b>

<p>Ecuador considers that the coined or fanciful name, not being compulsory, may be placed in the label or in the accompanying documents.</p> <p>Regarding the treatment or processing information, it should be shown compulsory in the label.</p> <p>Finally, our country recommends that the criteria “use within 24 hours” should be shown compulsory in the label.</p>	<b>Ecuador</b>
<p>Regarding the provision in 5.1.1.4, it is critical that the food be labeled with an appropriate statement of identity. A coined or fanciful name could be used in addition to the statement of identity. However, a coined or fanciful name is not required. This is consistent with the current language of 5.1.1.4, which states that, “a coined, fanciful, brand, or trade mark name may” be used. If a coined or fanciful name is used, it should be used in a way that is consistent with the General Standard for the Labeling of Prepackaged Foods (GSLPF), section 4.1.1.4. We support retaining 5.1.1.4 in its current state.</p> <p>Regarding provision 5.1.2 about processing and treatment information, the intent of this language appears to be the same as 4.1.2 in the GSLPF, however the statement as written in 5.1.2 conveys a very different meaning. If the intent of 5.1.2 is to keep the meaning the same as 4.1.2 in the GSLPF, then it may be more appropriate to reference the GSLPF or revise the statement to be more consistent with the corresponding GSLPF section. We support statements necessary to communicate the true nature and physical condition of the food being retained in the guidelines and believe that 5.1.2 with appropriate revisions should be maintained.</p> <p>Regarding the provision of date marking that discusses foods which are for “use within 24 hours,” we note that date marking is a separate agenda item and currently still under discussion. It may not be a productive use of the committee’s time to discuss this provision until the final date marking text has been adopted. There may be some provisions of the adopted date marking text that are not consistent with the use of non-retail containers and the committee can review the entire text after it has been adopted.</p> <p>As noted in the circular letter, many commodity standards include labeling provisions for non-retail containers and references to the GSLPF.</p>	<b>USA</b>
<p>Malaysia is of the view that the information in Section 5.1.1.4 (coined fanciful name etc.) can be done away with or can be accepted in the accompanying documents.</p> <p>5. Section 5.1.2 (processing/treatment information)</p> <p>Malaysia is of the view that the information in Section 5.1.2 (processing/treatment information) is required on the label of a non-retail container since this information is part of the name of the food and to facilitate country to categorize the product.</p> <p>6. “and the ‘within 24-hour use’ criteria for exemption to date marking”.</p> <p>Malaysia is of the view that the statement ‘within 24-hour use’ should be required on the</p>	<b>Malaysia</b>

label of a non-retail container to make this information available on the product label for quality/safety purposes.	
<b>Deliberate how to best address the relationship between the guidance being developed and the provisions on labelling of non-retail containers/bulk packs included in the commodity standards (Refer CX/FL 16/43/6, Annex 3 for a list of these commodity standards).</b>	
The decision on this issue depends of the character that the document will have in the end: will it be a standard or only a recommendation	<b>Argentina</b>
Costa Rica considers that the best way to address the relation between these guidelines and the provisions already included in the commodity standards is by making reference to these new guidelines in the corresponding section of those standards each time that any of those standards requires updating. Justification: To have the same information in two different documents generates a duplication that may create confusion.	<b>Costa Rica</b>
It is the view of New Zealand that the provisions of this guidance should outline the minimum labelling requirements that apply to all non-retail containers across all commodities that are traded in such containers. Where specific commodities require additional labelling on non-retail containers then these additional requirements should be set out in the appropriate commodity standard/s. On the adoption of this guidance by the Commission, provisions in commodity standards for labelling non-retail containers will need to be reviewed to remove the labelling requirements covered in this guidance and ensure that only requirements specific to the labelling of non-retail containers of that commodity are listed in the commodity standard. Mostly this review could be done by CCFL, but some expert advice may be needed in some cases. For example, the dairy standards should be fairly easy. Some dairy commodity standards require labels to include milkfat content or milk protein content, and the cheese standards require labelling with country of origin (with a slightly different meaning from the GSLPF). However, the standards for fresh fruits and vegetables are quite different. They require more information to be included on the label, but lot identification is omitted completely.	<b>New Zealand</b>
The commodity standard provisions for labelling non-retail containers will need to be reviewed. Mostly this could be done by CCFL, however case by case review will need to be done which will demand some expert advice. For example, in the dairy standards, some standards require labels to include milkfat content or milk protein content, and the cheese standards require labelling with country of origin (with a slightly different meaning from the GSLPF).	<b>IDF</b>
Where a guidance is already included in a commodity standard, for example The Codex	<b>IFU</b>

Standard for Fruit Juices and Nectars (CODEX STAN 247-2005) (8.2) then we request that this guidance is respected, not contradicted and retained within the that commodity standard. A link can be provided in the Guidance for the labelling of non-retail containers to the relevant commodity standard.	
The guidance being developed and the provisions on labelling of non-retail containers/bulk packs included in the commodity standards.	<b>Egypt</b>
This standard will be the horizontal standard that all commodity standards will refer to	<b>Jordan</b>
Regarding which would be the best approach to address the relationship between the guidance being developed in this document and the provisions regarding the labelling of non-retail containers already included in the commodity standards (Refer CX/FL 16/43/6), we consider that, as the guidelines presently being developed include more detailed specifications, the above mentioned standards quoted in ANNEX 3 of the CX/FL 16/43/6, should be amended to ensure that the sections that describe the requirements for labelling of non retail containers make a direct reference to the present documents which, in our opinion, should become guidelines.	<b>Paraguay</b>
It is our understanding that once CCFL has completed our work on the document and it has been adopted by the Codex Alimentarius Commission, that the Codex Secretariat would be responsible for advising the commodity committees on this work. Individual committees would then adopt the labeling provisions in their standards. The changes to the labeling provisions of the commodity standards may require endorsement by CCFL. We would look to the Codex Secretariat for guidance on this procedure.	<b>USA</b>
<b>Decide whether this guidance be a stand-alone document or should be inserted within the <i>General Standard for the Labelling of Prepackaged Foods</i>.</b>	
We agree it should be a stand-alone document	<b>Argentina</b>
Costa Rica supports the development of these guidelines as a stand-alone document. Justification: We do not consider appropriate to insert the draft proposal, presently developed, in the present General Standard for the Labelling of Prepackaged Foods.as it may create confusion.	<b>Costa Rica</b>
New Zealand is of the view that it is not appropriate for this guidance to be inserted into the General Standard for the Labelling of Prepackaged Foods and should therefore be a stand-alone document. By definition prepackaged foods are those “ready for offer to the consumer”. The scope of this proposed guidance is for labelling of foods not intended to be sold directly to the consumer. Therefore, the two documents should be separate to keep the distinction between the two scopes clear. It is also important that it is very clear	<b>New Zealand</b>

that the labelling requirements of the GSLPF are not applicable to the labelling of non-retail containers of food and keeping the two documents separate will help emphasise this point.	
It would be appropriate to reference the GSLPF throughout the Non-Retail Container Labelling document. It should be made clear that the document is Guidance and has flexibility across competent authorities and business flexibility, rather than a Standard with specific requirements.	<b>IDF</b>
Guidance on labelling of non-retail containers of foods should be separate from the General Standard for the Labelling of Pre-packaged Foods (Codex Stan 1-1985) out of concern for the potential misappropriation of labelling standards for pre-packaged foods and foods for catering purposes on to labelling guidelines for non-retail containers of food. Non-retail containers of food are not consumer-facing and shouldn't be burdened with requirements pertinent to consumer-based labelling compared to that needed for an efficient and safe supply chain. The supply chain needs and objectives for labelling non-retail containers of foods are based on product identification for supply chain and operational efficiency, worker safety through hazard identification, and safe handling requirements to ensure the quality and safety of the final product. The separation of guidelines for the labelling of non-retail containers of food from the General Standard for the Labelling of Pre-packaged Foods is aligned with the objective of Codex Alimentarius to "protect consumer health and promote fair practices in food trade".	<b>IFU</b>
This guidance be a stand-alone document.	<b>Egypt</b>
This standard should be inserted within the General Standard for the Labelling of Prepackaged Foods.	<b>Jordan</b>
Regarding the recommendations of the eWG about deciding if the orientations of the document "Proposed Draft Guidance for the Labelling of Non-Retail Containers" may constitute a stand-alone document or if they should be inserted within the Codex General Standard for the Labelling of Prepacked Foods (CODEX STAN 1-1985), we believe that this document should be established as a Codex guideline, separate from the standard, since its purpose is to advise the competent national authorities on the establishment of proper requirements for the labelling of non-retail containers and the way in which the relevant information will be available	<b>Paraguay</b>
Having analyzed the document, Ecuador considers that work should continue in the "Proposed draft guidance for the labelling of non-retail food containers" as a stand-alone document.	<b>Ecuador</b>
The United States continues to believe that this text on non-retail containers should be a separate section within the GSLPF. Much of the text we have developed mirrors the	<b>USA</b>

<p>GSLPF. Incorporating the guidance about non-retail containers into the GSLPF as a separate section, may help avoid redundancies and would be the most efficient way to develop overarching principles for non-retail container labelling. Additionally, it may be easier for commodity committees to incorporate this information if it is part of the GSLPF and not a stand-alone document. We recognize that the title and the scope of the GSLPF may need to be changed to reflect this additional content.</p>	
<p>Malaysia is of the view that this guidance to be inserted in the General Standard for the Labelling of Prepackaged Foods. However, it should have its own section to ensure that the content of this draft guidance can be transferred completely into that general standard</p>	<b>Malaysia</b>