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# codex alimentarius commission E



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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## Agenda Item 11

### JOINT FAO/WHO FOOD STANDARDS PROGRAMME

#### CODEX ALIMENTARIUS COMMISSION

#### *Twenty-ninth Session*

*International Conference Centre, Geneva (Switzerland), 3 – 7 July 2006*

#### **Update:**

#### **Implementation of the WHO Global Strategy on Diet, Physical Activity and Health: Action that Could be Taken by Codex**

#### *Discussion Paper*

*Prepared by WHO in cooperation with FAO*

1. The 55<sup>th</sup> Session of the Executive Committee of the Codex Alimentarius Commission “*agreed to ask WHO, in cooperation with FAO, to prepare a document highlighting the action that could be taken by Codex, in the framework of its mandate, to facilitate the implementation of the Global Strategy (ALINORM 05/28/3, para. 90).* The report indicates that such a document would be considered by the next session of the Commission.
2. The 28<sup>th</sup> Session of the Codex Alimentarius Commission agreed to ask WHO, in cooperation with FAO, to prepare a document to be focused on actions that could be taken by Codex to facilitate the implementation of the WHO Global Strategy on Diet, Physical Activity and Health (hereafter referred to as the Global Strategy) for consideration by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses, and agreed that its next session would consider further the implementation of the Global Strategy, taking into account the views and proposals put forward by these Committees (ALINORM 05/28/41, para. 234).
3. In undertaking this work, WHO and FAO recognize that the Global Strategy is a relatively new initiative and that time must be allowed for Member States to consider the initiative overall and to consider the ability to link it with Codex activities. Moreover, the organizations recognize that Codex has a considerable number of important public health and trade-related tasks to address in general and therefore acknowledge that the success of any new work requires consideration of not only its relevance to the mandate but also its ability to build upon and be integrated with on-going work. Finally, it is also recognized that such efforts, in order to be appropriate and successful, must include not only scientific support from parent organizations as provided by the Global Strategy, but must also rest on achieving Codex-wide consensus to accord priority to such efforts and on Codex member governments’ commitment to carry out necessary work at the Codex committee level. The goals in this matter are primarily the exploration of opportunities for implementation, the best use of resources, appropriate

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coordination and the development of a process for identifying actions for implementation that include engagement with stakeholders.

### ***Basis for Initiating Cooperative Efforts***

4. There has been increasing interest in seeking the support of the Codex Alimentarius Commission, as appropriate and feasible, in working towards improved health world-wide. The World Health Assembly (WHA) Resolution 57.17 endorsing the Global Strategy called upon the Codex Alimentarius Commission “*to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods consistent with the aims and objectives of the strategy*”.

5. The Global Strategy was developed in response to a request from Member States of WHO. It reflects an international public health initiative intended to guide the development of an enabling environment for sustainable actions at individual, community, national and global levels that, when taken together, will lead to reduced disease and death rates related to unhealthy diet and physical inactivity. Long-term health and the development or prevention of chronic diseases in consumers, including obesity, heart disease, cancer and diabetes, are in part determined by nutrition and dietary choices. Only a broad coalition of interested parties will ensure the success of the Global Strategy. It would seem that one component in establishing the needed environment for dietary choices rests with food regulators and others with related responsibilities who oversee guidelines and standards related to the foods in the international market-place.

### ***Relevance of the Global Strategy to Codex***

6. Codex is an intergovernmental standard setting body that relies on a number of established committees to elaborate standards and related texts relevant to food in the international market-place including its labelling. These activities often require that the committees seek appropriate scientific advice or other information in order to formulate specific recommendations to governments.

7. Considerations relevant to any possible actions that could be undertaken by Codex to assist with the implementation of Global Strategy include: (i) which committees have responsibilities most likely to be related to implementation of the Global Strategy, (ii) what is the general nature of the tasks that could be considered and developed as appropriate within the committee(s), (iii) what kind of scientific or other support would be needed, and (iv) overall how should the process be managed and, as needed, coordinated.

8. Two Codex Committees are directly germane to nutrition issues and therefore, presumably have potential to assist with the implementation of the Global Strategy as appropriate within the framework of the mandate to Codex. The Codex Committee on Food Labelling (CCFL) works: *(a) to draft provisions on labelling applicable to all foods; (b) to consider, amend if necessary, and endorse draft specific provisions on labelling prepared by the Codex Committees drafting standards, codes of practice and guidelines; (c) to study specific labelling problems assigned to it by the Commission; (d) to study problems associated with the advertisement of food with particular reference to claims and misleading descriptions.* The Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) is tasked as follows: *(a) to study specific nutritional problems assigned to it by the Commission and advise the Commission on general nutrition issues; (b) to draft general provisions, as appropriate, concerning the nutritional aspects for all foods; (c) to develop standards, guidelines or related texts for foods for special dietary uses, in cooperation with other committees where necessary; (d) to consider, amend if necessary, and endorse provisions on nutritional aspects proposed for inclusion in Codex standards, guidelines and related texts.*

9. Careful deliberation about the nature of the specific actions potentially appropriate for either committee is needed before conclusions can be drawn. Nonetheless, an initial consideration of the work of Codex and the goals of the Global Strategy, appears to indicate that labelling activities constitute an important interface between the two. The provisions for nutrition labelling and for label claim statements would enhance the consumer’s opportunity to select a healthy diet and thereby promote an ‘environment’ that would support actions to reduce chronic diseases.

10. Recognizing that the dietary goals of the Global Strategy have been based on the advances and improved understanding within the field of nutrition, it is possible that the Global Strategy in particular, but other nutrition-related interests in general, would benefit if consideration were given to the possibility of considering

amendments to the terms of reference of CCFL and/or CCFNSDU or to establish an ad hoc task force, as appropriate. Related issues may include mechanisms for seeking scientific advice and strategies for dealing with the increased need for data collection and monitoring activities.

#### *Activities to Date*

11. As part of its discussion paper submitted to the 28<sup>th</sup> Session of the Commission, WHO and FAO pointed out that in order to be effective and appropriate, the identification of actions that could be taken by Codex to assist with the implementation of the Global Strategy requires time for development. The effort would benefit from a development process that begins with a careful study of the Codex nutrition-related activities in order to fully and correctly identify the available opportunities for such actions and to identify ways the actions could as much as possible build upon and complement work already progressing within Codex committees. This would enhance not only the possibility that the actions identified would be successful, but also that they would make good use of the limited resources available. Further, a transparent development process that seeks input from stakeholders and Member States would add to the quality of the effort as well as increased support.

12. Also the discussion paper indicated that WHO, as the Organization responsible for implementing the Global Strategy, planned to undertake work to consider appropriate options for responding to the Commission's request to highlight actions. These efforts were to be pursued in cooperation with FAO. And, as part of this effort, WHO intended to solicit stakeholder input. The goal was to provide a report on these activities to the next session of the Commission.

13. After due consideration of the task at hand, their interest in ensuring proper study and consideration of the possible Codex actions, and their interest in ensuring input from Member States early in the process, WHO and FAO determined that the best strategy was to initiate the effort by first seeking comments from Member States and observers regarding key questions about implementing the Global Strategy. To this end, a specific action plan was not presented by WHO and FAO for discussion during the 27<sup>th</sup> Session of CCFNSDU or during the 34<sup>th</sup> Session of CCFL. Rather, all Codex contact points were informed about the opportunity to provide comments regarding a series of questions concerning implementation of the Global Strategy. The questions were posted on the WHO website and input was accepted electronically through 7 April 2006.

14. Seeking such comments has delayed the development of an action document for consideration by the two Codex Committees as well as the development of a document for the 29<sup>th</sup> session of the Commission focused on actions that could be taken by Codex to facilitate the implementation of the Global Strategy. However, the comments have proven to be informative and can be expected to enhance the WHO and FAO efforts to identify actions that could be taken. All comments received can be viewed on the WHO website (<http://www.who.int/nutrition/en/>). Appendix 1 of this discussion paper contains the questions asked by WHO and FAO regarding the implementation of the Global Strategy. A summary of the comments has been prepared by WHO and FAO and is included as Appendix 2.

#### *Next Steps*

15. WHO and FAO respectfully request that the Commission accept the delay in presenting a document for their consideration during this 29<sup>th</sup> session.

16. If the Commission so decides, WHO and FAO will complete an action document for Codex soon after the present session of the Commission and the Codex Secretariat will circulate it for comment to all Codex Contact Points by way of a Circular Letter. The comments received, together with the document itself, will be considered by the next sessions of CCFNSDU and CCFL. The views and recommendations of these committees will then be forwarded to the 30<sup>th</sup> Session of the Commission for further guidance.

## WHO/FAO E-FORUM QUESTIONS

### IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH: ROLE OF CODEX ALIMENTARIUS COMMITTEES

FAO/WHO encourage the Codex members to propose ways that relevant Codex Committees could support the promotion of healthy dietary habits within the Codex structure and mandate and, in turn, assist the implementation of the Global Strategy/DPAH.

The following set of questions are offered to guide this reflection. However, further input and suggestions outside the scope of the questions are also welcomed.

1. Does the Codex Alimentarius Commission have a role in the implementation of the Global Strategy/DPAH?
  - a. If yes, please describe would that role should be? Please include in your consideration the topic areas that are relevant. Are the following areas pertinent: (i) food composition standards, and (ii) provision of nutrition and health information about foods to facilitate informed choice by consumers?
2. Are the following issues pertinent to Codex Committees' activities related to the implementation of the Global Strategy/DPAH?
  - a. scientific advice about the nature of the evidence needed to support the use of health claims.
  - b. scientific advice concerning consumer use and understanding of labelling and/or labelling approaches and formats.
  - c. Are there other areas where scientific advice would be pertinent?
    - i. authoritative statements about the attributes of a diet in reducing risk of a diet-related disease, especially what impacts there would be on the health of consumers if the amount of energy/nutrients is increased or decreased.
    - ii. risk assessments for nutrients and related substances in relation to the Global Strategy/DPAH.
3. Given the importance of nutrition issues in general to the Global Strategy/DPAH and the cross-cutting nature of nutrition as a topic that cuts across the Codex system, what process could be used to manage and coordinate nutrition issues throughout the Codex system?
  - a. Please respond within the context of the Terms of Reference of the Codex Committee on Nutrition and Foods for Special Dietary Uses and the Codex Committee on Food Labelling.
  - b. What role can Codex Committees play in the overall management of nutrition issues within the Codex Alimentarius Commission?

## APPENDIX 2

**SUMMARY OF COMMENTS ON THE FAO/WHO E-FORUM: IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH: ROLE OF CODEX ALIMENTARIUS COMMITTEES**

1. Comments on the e-Forum were received from eleven Codex Members (Australia, Brazil, Canada, European Commission, Fiji, India, Malaysia, New Zealand, Norway, South Africa, United States of America) and four International Non-government Observer Organizations (Confederation of the Food and Drink Industries of Europe (CIAA), International Association of Consumer Food Organizations (IACFO), International Council of Grocery Manufacturers Associations (ICGMA) and International Dairy Federation (IDF)).

**General Comments**

2. It was noted that any decision by Codex Alimentarius Commission (CAC) to implement the Global Strategy on Diet, Physical Activity and Health (Global Strategy) must take into consideration the mandate and work priorities of the CAC. Consideration must also be given to the resource implications of implementation for WHO, FAO and Codex and to the availability of evidence-based relevant and up-to-date nutrition information to justify any proposals to elaborate Codex standards, texts or guidelines. It was noted that labelling activities constitute an important interface between the Codex and the Global Strategy. The need for a more in-depth analysis of the issues by the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) and the Codex Committee on Food Labelling (CCFL) was emphasized. Attention was drawn to the fact that the food and drink industries have already taken steps to support the Global Strategy at regional and national levels including promotion of healthy lifestyles and the reformulation and introduction of product innovations.

**Q.1 Does the Codex Alimentarius Commission have a role in the implementation of the Global Strategy/DPAH? a) If yes, please describe what that role should be.**

3. Respondents generally agreed that the CAC has a role in the implementation of the Global Strategy to the extent consistent with the first purpose of the Joint FAO/WHO Food Standards Programme of protecting the health of the consumers and ensuring fair practices in food trade. As a consequence, it was noted that the four areas identified for further development in paragraph 59<sup>1</sup> of the Global Strategy do not all fall within the mandate of the CAC. Several respondents expressed the view that provision of information on healthy consumption patterns was not within the remit of Codex but the responsibility of national authorities. It was noted that certain Codex texts already play a role in the implementation of the Global Strategy.

**Are the following areas pertinent:****(i) food composition standards**

4. Respondents noted that most Codex standards are commodity standards. These are standards of identity and quality developed to assure consumers of food safety and quality and to facilitate international trade. Comments differed on the relevance of food composition standards to implementation of the Global Strategy. Some respondents did not consider them relevant as they apply to individual foods; others noted that the standards should not impede the development of foods consistent with the Global Strategy or undermine healthy nutrition messages; others proposed the use of claims to allow the development of alternate products with improved nutritional contents; and others called for maximum limits on the contents of fats, added sugars and salt. Respondents also differed on the need for a review of the standards with views ranging from a call to review of all commodity standards to statements that a review should not be undertaken. It was noted that the Terms of Reference of the CCNFSDU authorized the Committee to endorse provisions on nutritional aspects in Codex standards. It was also proposed that the CCNFSDU consider reviewing, revising and re-establishing the Guidelines for the Use of Codex Committees on the Inclusion of Provisions on Nutritional Quality in Food Standards and Other Codex Texts or develop a new set of guidelines which would address both positive and negative nutrients.

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1. labelling to allow consumers to be better informed about the benefits and contents of foods;
  2. measures to minimize the impact of marketing on unhealthy dietary patterns;
  3. fuller information about healthy consumption patterns including steps to increase the consumption of fruits and vegetables (healthy dietary advice); and
  4. production and processing standards regarding the nutritional quality and safety of products.

**(ii) provision of nutrition and health information about foods to facilitate informed choice by consumers**

5. Respondents agreed that provision of nutrition and health information about foods and food products to facilitate informed choice was within the remit of Codex and noted that the Codex Guidelines on Nutrition Labelling and the Codex Guidelines for the Use of Nutrition and Health Claims provide guidance to national authorities. It was suggested that WHO could use the Guidelines on Nutrition Labelling and the Guidelines for Use of Nutrition and Health Claims as technical assistance for member states in implementing the Global Strategy. A mechanism for sharing the results of efforts to implement the Codex Guidelines among member states would be helpful. Current work on the scientific substantiation of health claims, the definition of *trans* fatty acids and dietary fibre and the updating of the Codex Nutrient Reference Values was noted. Proposals for revising nutrition labelling included the following: making nutrition labelling mandatory; expansion of the mandatory list of nutrients to include those that are the subject of recommendations in the Global Strategy; disclosure of all nutrients considered by national authorities to be of public health significance; inclusion of recommended daily level of consumption; understandable and legible format. Respondents differed on the role of Codex in advertising. It was suggested that the Terms of Reference of the CCFL should be clarified to allow in-depth consideration of its role in advertising of foods. Others considered that the Guidelines for the Use of Nutrition and Health Claims should apply to advertising as well as labelling. Others opposed a role for Codex in advertising believing it should be regulated by national or local codes. Other proposals for the provision of nutrition and health information included making quantitative ingredient disclosure (QUID) mandatory and new work on setting standards for advertising of food directed at children.

**Q.2. Are the following issues pertinent to Codex Committees' activities related to the implementation of the Global Strategy/DPAH?**

**a. scientific advice about the nature of the evidence needed to support the use of health claims.**

6. Respondents noted that the CCNFSDU is currently working on a framework for the substantiation of health claims and that decisions regarding the appropriate level of evidence in support of health claims rest with Codex in its role as risk manager.

**b. scientific advice concerning consumer use and understanding of labelling and/or labelling approaches and formats.**

7. Respondents generally agreed that advice concerning consumer use and understanding of labelling would not be relevant in the international context. Due to national and regional differences, it is unlikely that research findings would be generally applicable and this area should be left to national authorities.

**c. Are there other areas where scientific advice would be pertinent?**

**(i) authoritative statements about the attributes of a diet in reducing risk of a diet-related disease, especially what impacts there would be on the health of consumers if the amount of energy/nutrients is increased or decreased.**

8. There was a divergence of views on this question. Some respondents considered these authoritative statements to be outside the scope of the Codex mandate and the responsibility of national authorities. It was noted that authoritative statements were inconsistent with WHA Resolution 57.17 which reaffirmed that appropriate levels of intake shall be determined in accordance with national dietary guidelines. On the other hand, it was noted that the WHO expert reports were valuable resources of evidence on diet-disease relationships if referenced as potential evidentiary sources in the substantiation framework for health claims. This would depend, however, on the currency of the evidence and the commitment of WHO/FAO to funding regular reviews and updates of the evidence base for diet and health. It was further suggested that consideration could be given to developing a set of nutrition messages or health claims in line with the recommendations of the Global Strategy regarding nutrients in foods and their relationship to health or to reduction of risk of chronic diseases that would be universally applicable for use on food labels or in advertising.

**(ii) risk assessments for nutrients and related substances in relation to the Global Strategy**

9. Respondents noted that WHO/FAO had recently published a model for establishing upper levels of intake for nutrients and related substances and that the CCNFSDU was developing a discussion paper on the application of risk analysis to the work of the CCNFSDU. Respondents recognized the importance of the WHO/FAO expert

consultations in the area of nutrition to the work of the Codex and called for a commitment from WHO to provide assistance with nutrition risk assessment work. It was noted that many provisions within existing Codex texts focus on reducing risk from excessive intakes of nutrients as well as reducing risk from inadequate intakes. It was further noted that the work on risk assessment and risk analysis is not confined to the scope of the Global Strategy.

#### **Additional Comments on Scientific Advice**

10. Two respondents supported the establishment of a group of experts to support the work of the CCNFSDU and the CCFL. The first proposed that consideration be given to the establishment of a “Joint Expert Committee on the Nutritional Aspect of Foods” with expertise varying depending upon the nature of the advice required. It was suggested that this could include advice on composition of foods for special dietary uses, nutrient reference standards, food labelling to enhance consumer understanding and usability of labels and nutrient risk assessments. Initially, because of potential financial constraints, consideration should be given to beginning with ad hoc expert consultations on scientific matters referred by CCNFSDU and CCFL. The second proposed the establishment of a group of experts competent in nutritional risk assessment to meet on an ad hoc basis. The group would focus on the science of nutritional risk assessment enabling the CCNFSDU and CCFL to focus on the broader issues. The findings of the group could feed into the CCNFSDU and CCFL deliberations in areas such as the establishment of minimum and maximum levels of nutrients in infant formulas, criteria for the establishment of maximum levels in vitamin-mineral food supplements, food fortification principles, and food safety considerations for nutrients and other substances that are the subject of health claims. A third respondent supported the development of expert advice on specific nutrition and health issues to provide guidance for the work of all relevant Codex Committees, in particular CCNFSDU and CCFL.

**Q.3. Given the importance of nutrition issues in general to the Global Strategy and the cross-cutting nature of nutrition as a topic that cuts across the Codex system, what process could be used to manage and coordinate nutrition issues throughout the Codex system?**

- a. **Please respond within the context of the Terms of Reference of the CCNFSDU and the CCFL.**
- b. **What role can Codex Committees play in the overall management of nutrition issues within the CAC**

11. The majority of respondents were of the opinion that the existing system allows for the management and coordination of nutrition issues within the Codex. The primary responsibility for nutrition issues rests with CCNFSDU. While CCFL has primary responsibility for the development of nutrition-related labelling and claims, CCNFSDU also contributes advice and expertise. There was general agreement that the current Terms of Reference for CCNFSDU and CCFL were sufficiently broad to enable the Committees to expand their range of activities within the Codex mandate. It was proposed that consideration be given to ways to improving the management and coordination of the work of the two Committees. The need to set priorities for both new work and existing work was noted. Several proposals were made for developing a work plan to implement the Global Strategy. These included the development of a strategic plan by both CCNFSDU and CCFL with both Committees agreeing on priorities, the development by an advisory committee or ad hoc working group of a Book of Practices for applying the principles of a healthy dietary pattern, the establishment of an ad hoc task force chaired by CCNFSDU and CCFL, and the establishment of a third committee or subcommittee. It was noted that a focus on nutrition issues could lead to increased reliance on the availability of timely and up-to-date advice on diet and health from WHO and FAO. Given the competing requests for scientific advice to WHO and FAO from Codex, this needs to be accompanied by ongoing dialogue and transparent priority setting between WHO and FAO and Codex. One respondent called for the Codex Committee on General Principles to revise the Code of Ethics for International Trade in Food to incorporate provisions related to the Global Strategy.

#### **Other Comments**

12. One respondent noted that dietary supplements can play a key role in eliminating world hunger and promoting world health outcomes in line with the Global Strategy and in line with the mandate and work of Codex.