codex alimentarius commission{PRIVATE }

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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Agenda Item 2 **CX/FL 99/2**

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING
Twenty-seventh Session
Ottawa, Canada, 27-30 April 1999

MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

A. MATTERS ARISING FROM THE EXECUTIVE COMMITTEE

High Dose Food Irradiation

The Representative of WHO reported that a joint FAO/WHO/IAEA Study Group had met in Vienna in September 1997 to consider the wholesomeness of food irradiated with doses above 10 kGy, the current limit in the Codex Standard. The Study Group had concluded that food irradiated to any dose appropriate to achieve the technological objective was both safe to consume and was nutritionally adequate. It was noted that the findings of the Study Group could lead to a revision of the Codex General Standard for Irradiated Foods and other texts (ALINORM 99/3, para. 49).

In addition, the discussions and conclusions of the International Consultative Group on Food Irradiation (ICGFI) in relation to food labelling are presented under section **C. Other Matters.**

Biotechnology

While considering the Draft Medium-Term Plan in the programme area *Food Production and Processing Systems*, the Executive Committee was of the opinion that a clear statement by the Commission on the policy approach which assured the safety and nutritional aspects of food prepared from biotechnology was needed as a matter of priority. It therefore agreed in amending this programme area to include provision for consideration of a general standard for foods prepared from biotechnology (ALINORM 99/3, para. 18).

B. MATTERS ARISING FROM OTHER COMMITTEES

1) Committee on Nutrition and Foods for Special Dietary Uses

Proposed Draft Amendment to the Guidelines on Nutrition Labelling

The Committee considered the request from the CCFL to determine if public health needs required the mandatory labelling of sugars, fibre, saturated fats and sodium when nutrition labelling was applicable. This would be in addition to the current provisions of the Guidelines for Nutrition Labelling, whereby

energy value, protein, available carbohydrate and fat must be declared when a nutrient declaration is made.

Several delegations supported the current requirements in the Guidelines, pointing out that the declaration of four additional nutrients would be difficult to apply in practice and might confuse the consumer without providing useful information. They pointed out that, from a public health point of view, additional labelling was not the only means to improve the nutritional status of the population, and stressed the need for developing nutrition education so that consumers could actually benefit from nutrition labelling and be able to make an informed choice.

The Observer from the European Community, recalled that the approach in the EC was consistent with the current Guidelines, and that the declaration of energy, protein, carbohydrate and fat was mandatory only when a claim was made. Further, if a claim was made on any of sugar, fibre, saturated fat and sodium, the declaration of all four additional nutrients was also becoming compulsory. The Observer proposed that the Committee consider this approach and he was supported by Canada and other delegations.

The Delegation of India and the Observer from CI supported mandatory comprehensive labelling for consumers information and education. It could be further expanded including fibre, sugar, saturated fat and sodium. Some delegations expressed the view that it should be left to national authorities to determine whether additional nutrition labelling was required. The Delegation of the United States supported the inclusion of the four additional nutrients and proposed that further consideration should be given to this matter as it would be useful to provide guidance to governments on the declaration of additional nutrients even on an optional basis.

The Committee recognized that there was general support for retaining the current provisions in the Guidelines and agreed to consider this question further at its next session and ask for further comments on this matter.

Proposed Draft Recommendations on the Use of Health Claims

The Committee had an exchange of views on the request from the CCFL concerning the scientific basis for health claims, and recognized that one of the major issues was the definition of health claims, as the approach to this concept greatly differed from one country to another.

Several delegations indicated that they did not support any claim relating to the prevention, cure and treatment of disease but that further consideration could be given to claims relating to the contribution of specific nutrients to health, provided the scientific basis for such claims was clearly established.

The Observer from Consumers International expressed its view that health claims should not be permitted. Health claims generally created confusion for consumers, and it was very difficult to define them satisfactorily. The Observer from the Council for Responsible Nutrition (CRN) pointed out that many such claims, some of which were misleading to consumers, were found on the market and that the Committee should seek to address this complex issue as an urgent matter.

The Delegation of France indicated that it had prepared a document on the scientific criteria to be used as basis of health claims and offered to communicate it to interested delegations. The Delegation of the United States referred to their experience with health claims at the national level and proposed to gather information from member countries on their experience with the definition of criteria.

The Committee recognized that criteria for scientific evidence should be defined in order to substantiate the basis of health claims and agreed to continue its work on this important issue. The Committee welcomed the offer of the delegations of France and the United States to coordinate the preparation of a

working document, with the participation of the delegations of Brazil, Denmark, Germany and other interested delegations, for consideration at the next session.

Draft Table of Conditions for Nutrient Contents (Part B) (Guidelines for Use of Nutrition Claims)

Fibre

The Committee recognized that the following issues should be addressed when defining the condition for claims on fibre: the definition of fibre, the method of analysis, the reference to the Nutrient reference Values (NRV); and the discrepancies in the results obtained when declaration was made per 100 g or per 100 kcal. The Committee discussed these questions in detail but could not come to a conclusion on the definition of fibre and on the method of determination, and agreed that the informal Working Group which had met during the session would proceed with its consultations by correspondence, with a view to establishing a scientific basis for the fibre levels in the Table.

Protein - Vitamins and Minerals

The Committee discussed the use of the value for "high" and generally agreed that it should be two times the values for "source". Some delegations expressed the view that the NRV should be updated, as the values in the Table referred to them. However the Committee agreed that as regards nutrition claims, the issue to be addressed was not the actual figures for NRVs but the principles for the establishment of conditions in the Table.

Some delegations pointed out that the expression per serving should be taken into account as it was current practice in their countries; this should be reflected in the conditions for claims in the Table, as agreed at the last session of the Committee and noted in the Commission's report. The Committee recognized that it was not possible to determine the size of servings as this differed widely according to the countries and the foods considered, but agreed that a reference to expression per serving should be included in the Table.

The Committee agreed to include the following values, in addition to the expression per 100 kcal and per 100 g/ml:

- 10% of the NRV per serving for "source of protein"
- 15% of NRV per serving for "source of vitamins and minerals"

with a footnote to the effect that the serving size was to be determined at national level. The reference to "high" as two times the value for "source" was also confirmed both for protein and vitamins and minerals. South Africa and France agreed to a revised footnote, but did not agree to a revised conditions for protein.

The Committee agreed to advance the provisions on Protein and Vitamins and Minerals in the Table to Step 8 for adoption by the 23rd Session of the Commission and to return the provisions on Fibre to Step 6 for further comments and consideration by the next session (ALINORM 99/26, paras. 21-30, Appendices II and III).

2) Committee on Processed Fruits and Vegetables

Vitamin C Fortification

Some delegations proposed the use of ascorbic acid for the purpose of vitamin C fortification. Noting that ascorbic acid used as a nutrient was excluded from the Codex definition of food additives and that nutrient fortification had not generally been dealt with in Codex standards, the Committee decided to request the CCFL and the CCNFSDU to provide guidance on how to deal with fortification issues in commodity standards.

The CCNFSDU considered this question and several delegations pointed out that this issue was already covered by the "General Principles for the Addition of Nutrients to Foods" . The Committee discussed the need for a clear distinction between use of vitamin C as an additive and for fortification purposes: when used as an additive

it should be declared as such and when used in fortification it should be declared in accordance with the General Guidelines on Claims (ALINORM 99/29, para. 29).

The Committee noted that there might be a need to revise the General Principles to address the use of fortification in commodity standards and agreed to ask government comments in a Circular Letter on this question (ALINORM 99/26, paras. 7-8).

C. OTHER MATTERS

International Consultative Group on Food Irradiation (ICGFI)

Labelling Provisions for Irradiated Foods

The 14th Annual Meeting of the International Consultative Group on Food Irradiation (IGCFI) discussed the provisions for the labelling of irradiated foods. In general, IGCFI strongly supports the view that irradiated foods should be labelled. However, the label should be accurate, truthful and should not represent an unfair trade practice. The Meeting noted that the current provisions in section 5.5.2 of the General Standard for the Labelling of Prepackaged Foods is currently being interpreted by countries in different ways. Some countries require no labelling of irradiated ingredients; others set a threshold while a number of countries require irradiated ingredients to be labelled regardless of proportion. This could lead to barriers to trade and is seen by some groups as unfair practices as ingredients treated by other processes are not labelled.

The 14th ICGFI therefore proposed that consideration should be given to a revision of section 5.5.2. The Proposed IGCFI Statement on this issue is included in the Summary Report of the 14th Meeting.

The proposed amendment to the General Standard for the Labelling of Prepackaged Foods is the following:

Annex 4

Additional Mandatory Requirements

5.2 Irradiated Foods

5.2.1 The label of a food which has been treated with ionizing radiation shall carry a ~~written~~ statement indicating that treatment in close proximity to the name of the food. *Any factually correct phrase indicating the purpose or benefit of the treatment may be included in this statement.* The use of the international food irradiation symbol, as shown below, is optional, but when it is used, it shall be in close proximity to the name of the food. (Symbol included)

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5.2.2. When an irradiated product is used as an ingredient in another food *at a level that would require its unirradiated counterpart to be declared in the list of ingredients, then the modifying term "irradiated" shall be included and shall be displayed at least as prominently as the ingredient name* ~~, this shall be so declared in the list of ingredients.~~

5.2.3 When a single ingredient product is prepared from a raw material *that had* ~~which~~ ~~has~~ been irradiated *to a dose higher than is needed for sprout inhibition or insect disinfestation,* the label of the product shall contain a statement indicating the treatment. *Any factually correct phrase indicating the purpose or benefit of the treatment may be included in this statement.*

(Note: Proposed modifications are printed in *italics* or stricken through**.)**

The Committee is invited to consider this information and the opportunity to propose a revision of the General Standard in the light of the recommendations from ICGFI.