

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
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ORGANIZATION



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**AGENDA ITEM NO. 9**

**CX/FL 02/10-ADD.1**

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**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FOOD LABELLING  
THIRTIETH SESSION  
HALIFAX, CANADA, 6 - 10 MAY 2002**

**PROPOSED DRAFT AMENDMENT TO THE *GENERAL STANDARD FOR  
THE LABELLING OF PREPACKAGED FOODS:***

**QUANTITATIVE DECLARATION OF INGREDIENTS  
(ALINORM 01/22A - APPENDIX IX)**

**GOVERNMENT COMMENTS AT STEP 3**

**COMMENTS FROM:**

**CANADA  
GUATEMALA  
INTERNATIONAL COUNCIL OF GROCERY MANUFACTURERS ASSOCIATIONS**

**PROPOSED DRAFT AMENDMENT TO THE GENERAL STANDARD  
FOR THE LABELLING OF PREPACKAGED FOODS:  
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**GOVERNMENT COMMENTS AT STEP 3**

**CANADA:**

- Subsections 5.1.1 and 5.1.2 - Canada supports the need to provide information to assist consumer choice between products, however, it does not support the proposal for universal QUID labelling for all multi-ingredient prepackaged foods, recognizing that a considerable amount of important and useful information is already provided to consumers in the *Codex General Standard for the Labelling of Prepackaged Foods* and in the *Codex Guidelines on Nutrition Labelling*.
- Given existing Codex labelling provisions, Canada believes that a percentage declaration of ingredients would be insufficiently beneficial to consumers to justify the wider impact it could have on product competition, innovation and product choice as well as the likely food price increases that would be imposed to establish and operate such a scheme.
- Canada notes, however, that food manufacturers are now at liberty to provide this information voluntarily if they so desire.
- Subsection 5.1.3 - Canada believes that in principle, any emphasis regarding the presence of an ingredient, component or substance should be accompanied by a statement regarding the amount of that ingredient, component or substance present in the food.

**GUATEMALA:**

Regarding the Proposed Amendment for the Labelling of Pre-packaged Foods, of the Quantitative Ingredient Declaration (QUID): Guatemala do not consider it convenient, as it directly affects the interests of the manufacturers, as they would be forced to reveal confidential information affecting proprietary rights regarding their formulas.

**INTERNATIONAL COUNCIL OF GROCERY MANUFACTURERS  
ASSOCIATIONS (ICGMA):**

ICGMA, a recognized INGO before the Codex Alimentarius Commission, represents the interests of national and regional associations who collaborate with all sectors of the

consumer packaged goods industry. ICGMA promotes the harmonization of scientific standards and policies concerned with health, safety, packaging, and labelling of foods, beverages, and other consumer packaged goods. ICGMA also works to facilitate international trade in these sectors by eliminating or preventing artificial barriers to trade.

**General Comments:**

ICGMA does not support mandatory requirements for quantitative declarations of ingredients. We continue to oppose all efforts to impose extraneous food labelling requirements that afford no health or safety benefit to consumers. Product composition is sufficiently declared through full ingredient labelling in order of predominance by weight. Mandatory percentage ingredient labelling as proposed requires the disclosure of proprietary information, *e.g.*, recipes protected by trademark, distracts from material information related to product safety and nutritional content, and has the potential to confuse and mislead consumers who have no numerical concept of the appropriate ingredient percentage in packaged food products.

**Comments to the “Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients (QUID)” (Alinorm 01/22A):**

As stated previously, mandatory percentage ingredient labelling as proposed requires the disclosure of proprietary information, distracts from material information related to product safety and nutritional content, and has the potential to confuse and mislead consumers. The technical practicalities of accurate representation impose a significant economic burden on the food industry while simultaneously imposing onerous implementation and enforcement burdens on regulatory authorities. These labelling requirements will effectively reduce selection for consumers and market competition without increasing safety quality or consumer confidence.

Furthermore, ICGMA believes that the “Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients” is potentially violative of the World Trade Organization’s (WTO) trade agreements. Specifically, Article 2.2 of the Agreement on Technical Barriers to Trade (TBT Agreement) provides that technical regulations shall not be “prepared, adopted, or applied with a view to or with the effect of creating unnecessary obstacles to international trade.” To ensure that no unnecessary obstacles are erected, the Agreement requires that any regulations enacted “shall not be more trade-restrictive than necessary to fulfill a legitimate objective.”

Mandatory percentage ingredient labelling as proposed is an obstacle to trade because the enormous compliance and regulatory costs will force many producers, especially those in developing nations, out of the market. It is *unnecessary* because it is something that could be achieved in a less trade-restrictive manner - such as through the establishment of a voluntary system for labelling. Moreover, the proposed labelling does not fulfill a *legitimate objective* because it does nothing to advance the health and safety of consumers. Mandatory percentage ingredient labelling requirements do not fulfill Codex’s mandate of “protecting the health of the consumer and ensuring fair practices in the food trade.”

Finally, ICGMA remains concerned about the impact of mandatory percentage ingredient labelling requirements on developing nations and small businesses. All too often, developing countries are excluded from the decision-making process even though they are the hardest hit by the costs imposed by new regulations. Many developing countries will be severely harmed by the economic burdens imposed by these new regulations. As a result, they will be forced out of the international market causing significant economic losses, decreased competition and reduced consumer choice.

The costs of this labelling scheme will be most onerous for small processors. With the significant costs associated with the proposed labelling, smaller companies will no longer be able to compete in the global marketplace and will be forced out of business, seriously impairing free trade and consumer choice.

In conclusion, for the reasons outlined above, ICGMA believes that Codex Committee on Food Labelling (CCFL) should not begin new work in this area. Instead, CCFL should remain focused on science based horizontal standards that will achieve Codex mission: to protect the health of consumers and facilitate fair practices in food trade.