

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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ORGANIZATION



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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

**CODEX COMMITTEE ON FOOD LABELLING
THIRTY-FIRST SESSION
OTTAWA, CANADA, 28 APRIL - 2 MAY 2003**

CONSIDERATION OF COUNTRY OF ORIGIN LABELLING

COMMENTS FROM:

**CANADA
INTERNATIONAL BABY FOOD ACTION NETWORK (IBFAN)**

CONSIDERATION OF COUNTRY OF ORIGIN LABELLING

CANADA:

Discussion

In Canada, we acknowledge the fact that even though additional work on an amendment to the General Standard has not been approved by the Codex Executive Committee, discussions on this topic are still appropriate. We share the view that further discussions on this issue are required provided the final decision will take into account the current agreements as well as the proposed positions endorsed by the following organizations: the World Trade Organization (WTO), the World Customs Organizations (WCO), the North America Free Trade Agreement (NAFTA) and the General Agreement on Tariff and Trade (GATT).

The various policies throughout the world on the country of origin applicable to foods do not always coincide with the present Harmonized Rules of Origin or the position which will eventually be finalized by the WTO Committee. These “new” Harmonized Rules of Origin will obviously impact on the actual or proposed “country of origin” labelling criteria established under Codex.

The following requirements are also of special interest; under most international Customs regulations, “marking goods” is a common practice in the non-food commodity area. For instance, the marking of merchandise is required under various worldwide legislations and it often requires traders to stamp, mark or engrave the goods in a permanent manner; this requirement is not considered a valid option in the food sector.

In essence, the current provisions of the Codex General Standard for foods are effectively considered sufficiently broad to suit most international markets. However, as there is always place for innovation, these proposed labelling rules may eventually ensure more uniformity in the marketplace and provide consumers with additional information on the origin of their food supply and this, without conflicting with the current and proposed legislations, policies and agreements.

Further to the proposals for amendment by the United Kingdom, Canada has the following specific comments.

Canada suggests the following changes to section 4.5.1.

4.5.1 The country of origin of the food shall be declared if its omission could mislead or deceive the consumer.

4.5.1.1 For foods which are wholly¹ manufactured or produced in a country and are imported into another country, one of the following labelling provisions must be stated: a) the name and address of the foreign responsible entity² or b) the name of the country of origin (product of) , or c) an indication to the effect

¹“Wholly” means the entire manufacture or production of the food and/or the substantial transformation to create the final food with ingredients which are either domestic

²“Responsible entity” is defined as the manufacturer, processor, packer, distributor, exporter, vendor or a person by or for whom the food was manufactured or produced.

that the food is imported : i.e. “Imported by / for” (completed with the name and address of the person / importer / distributor for which the food was effectively produced or manufactured).

4.5.1.2 *For meat, the country of origin is the place of birth, rearing and slaughter. If these places differ, then each shall be declared.*

Canada does not support this provision as currently the country of origin is accepted as the place of slaughter or the last where the product was processed

4.5.1.3 *Foods which are totally or partially manufactured, processed, assembled, produced or which “came into being” in a country with ingredients obtained on the domestic market or from one or more foreign countries are not required to be labelled with the name of the foreign country (countries) if the last significant production operation(s)³ to the food or ingredients has/have occurred on the domestic market. and the result is a new identifiable final product .*

4.5.2 *Where the label carries other material that may imply origin, the declaration should be sufficiently prominent to avoid misleading consumers.*

Canada agrees with this proposal and would propose the following additional statement

“Where the label carries information on the specific origin of a food, the food must originate from the said country; the label must clearly identify the country of origin where the food was produced or processed according to the labelling requirements stated under Section 4.5.1.1.

INGREDIENTS

4.5.3 *The origin of any ingredient must be given if its omission would mislead or deceive the consumer. This is particularly important where the labelling implies that the country of origin of the ingredients is the same as the country of processing.*

At this point in time, Canada does not think that identifying the country of origin of individual ingredients used in the manufacture of a food is important for the consumer in order for him/her to make an informed choice. If it was adopted, such a provision would limit manufacturers from using valuable imported food ingredients in the manufacture of finished products, and thus, any benefit (diversity, cost, etc.) for the consumer would be considerably diminished.

Only the final food should be considered when determining the origin of a manufactured food. Food producers need flexibility in ordering their food

³*“Significant production operation” or “substantial transformation” refers to processes which create a new food or change considerably the nature of a food: for instance: mixing together various imported ingredients or grinding, blending, roasting coffee or tea, the deodorization of oils, the addition of additives to a food, pasteurization, etc. are considered “substantial”. In the same order, the following operations are not considered “significant” enough to allow the food to be considered “domestic”: cleaning, washing, sterilizing, packaging, labelling, etc.*

supplies. Additional labelling requirements applicable to the ingredients would represent a serious burden to the trade. It is considered that the wholesomeness and safety aspect of the ingredients used should be the main concern. However, if the origin of a specific valuable imported ingredient is highlighted on the label or in an advertisement, its proportion in the food must be significant and the amount would need to be stated in accordance with the labelling rules in place; its origin is of interest particularly if it is considered a valuable ingredient for which consumers are prepared to pay a premium. The Codex Quantitative Ingredient Declaration (QUID) policy should be used as a guide.

- 4.5.4 *Except where the country of origin of the ingredients in question is the same as the country of origin of the product, the origin shall always be declared for:*
- *[the main ingredients (threshold to be determined)] or,*
 - *[specific identified ingredients, (e.g. meat and dairy products, threshold to be determined)] or,*
 - *[ingredients that are mentioned in the name of the food, or which are usually associated with that name by the consumer, unless they have been used in small quantities.*

Canada does not support this provision.

The actual criteria used for determining the country of origin of a processed food have been based on the notion of “substantial transformation” or “where product came into being”, meaning the place where the ultimate major production operation was performed, resulting in a new and identifiable finished food product.

In deciding whether Codex should tighten its country of origin rules, it is important to determine the extent, if any, to which there are problems with the current policies. Viewpoints differ regarding the extent to which consumers are interested in or concerned about country of origin labelling. Surveys have shown that Canadians tend to buy more on price and quality. Those who support the need for more aggressive country of origin rules argue that the current limited use of the labelling by Canadians as an information tool may be a function of the fact that the origin statement can be difficult to find and decipher on food packages and is usually not present on fresh meats nor many products packaged at the retail level. If other factors such as price, quality and variety of choice were equal, and Canadians were given a convenient way of knowing whether a product is Canadian or imported, they might consider product origin more often in food purchase decisions.

INTERNATIONAL BABY FOOD ACTION NETWORK (IBFAN)

IBFAN believes that it is very important to have country of origin labelling for foods for infants and young children. Many of these foods are centrally produced in industrialized countries and exported globally. Frequent recalls related to microbial contamination of powdered infant formulas especially *E. sakazakii*, *C. botulinum* and *Enterobacter* species, necessitate that all exported products from country of origin be traced. The use of contaminated formulas can lead to infant death.