

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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**AGENDA ITEM NO. 12**

**CX/FL 03/14-Add.1**

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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**

### **DISCUSSION PAPER ON MISLEADING CLAIMS**

#### **COMMENTS FROM:**

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

## **DISCUSSION PAPER ON MISLEADING CLAIMS**

### **GOVERNMENT COMMENTS**

#### **CANADA:**

Canada thinks the Discussion Paper on Misleading Claims is a good summary of the Codex general guidelines and supports the focus of the group on truthful and misleading information. This is the most difficult to judge and of the highest priority. The division of the types of truthful but misleading claims is interesting and is an important step to understanding "misleading".

In the Case-by-case study there needs to be a precision of language/ideas on the notion of "case-by-case" judgement of misleading and the development of "over-arching principles" or policies and the role of those principles in the "case-by-case" judgement. When faced with a particular situation, and with no two situations identical, a judgement and decision are made - and this could be "case-by-case". However, there can be over arching principles that guide in the judgement/decision and allow for consistency between decisions and people making them.

Canada supports the idea of identifying existing Codex texts to identify overarching principles or guidelines and would suggest that the Codex General Standard for the Use of Dairy Terms (CGSUDT) be a source of more information, as well as other commodity standards. Canada suggests that, based on the types of truthful and misleading issues (and the examples) that the over arching principles could be expanded or developed, in the future as this working group moves forward.

Even within current general principles for labelling, there could be more development of overarching policies e.g.: for common name and modified standardized common names. The more consistency (and recognition even) internationally in overarching principles, the easier it would be to enforce misleading.

The ingredients list is another source of potential truthful but misleading - when claims are made about an ingredient and included as part of the common name of the ingredient, does it imply that the whole food has that attribute, or is somehow more like that attribute? E.g.: a sauce that contains "low sodium sauce" but the whole food is not claimed to be low sodium. Would someone think that the food has less sodium? There could be other sodium sources that make the food very high in sodium.

Canada notes that caution is required when thinking about misleading, as was pointed out in the non-paper on this subject - what is considered misleading can depend on a country's context/frame of reference and what may be misleading to one is not to another. Any overarching policies would need to consider that, while still being meaningful.

Canada supports the development of over arching principles, but that those principles should only be developed after thorough research and consideration of existing Codex texts.

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

IBFAN agrees that the prevention of misleading labelling is a serious problem. There are many examples of how misleading claims are used in the promotions and labelling of infant formulas as well as complementary foods for infants and young children. However this can and should be

addressed by the relevant Codex standards. The continuous misleading of parents through untruthful claims is why these should not be permitted under the **Proposed Draft Guidelines for Use of Health and Nutrition Claims** (agenda item number 6)

**Claims on the Absence of Food Produced using Gene Technology (negative claims)**

IBFAN is opposed to the proposed new work on negative claims related to foods produced or containing ingredients produced through genetic engineering. Foods for vulnerable populations, infant and young children, pregnant and lactating women should be fully labelled according to the presence or the absence of genetically modified ingredients. Full consumer choice should be facilitated.