

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

**AGENDA ITEM NO. 6**

**CX/FL 05/33/8-ADD.2**

# E

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FOOD LABELLING  
THIRTY-THIRD SESSION  
KOTA KINABALU, MALAYSIA, MAY 9 – 13, 2005**

**PROPOSED DRAFT AMENDMENT TO *THE GENERAL STANDARD FOR THE  
LABELLING OF PREPACKAGED FOODS:*  
QUANTITATIVE DECLARATION OF INGREDIENTS  
(CL 2004/22-FL – APPENDIX VII)**

**GOVERNMENT COMMENTS AT STEP 3**

**COMMENTS FROM:**

**KENYA  
INTERNATIONAL ASSOCIATION OF CONSUMER FOOD ORGANIZATIONS (IACFO)**

**PROPOSED DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS:  
QUANTITATIVE DECLARATION OF INGREDIENTS  
(CL 2004/22-FL – APPENDIX VII)**

**GOVERNMENT COMMENTS AT STEP 3**

**KENYA:**

Kenya supports quantitative declaration of ingredients as it provides important information to meet consumer's demand. Implementation of quantitative declaration of ingredients in Kenya had not caused particular difficulties.

**INTERNATIONAL ASSOCIATION OF CONSUMER FOOD ORGANIZATIONS (IACFO):**

The International Association of Consumer Food Organizations (IACFO) urges the Codex Committee on Food Labelling (CCFL) to revise the current standard for quantitative ingredient declarations (QUID) not only to protect consumers from deception and ensure fair trade practices, but also to support and encourage efforts by national authorities to provide consumers with information they need to improve their diets and protect their health. Such action is particularly appropriate in light of recent recommendations of the World Health Organization (WHO) and the World Health Assembly (WHA).

- Health Factors

The case for expanding QUID is even stronger today than it was when this Committee first undertook new work in this area. The *Report of the Joint WHO/FAO Expert Consultation on Diet, Nutrition, and the Prevention of Chronic Diseases* (hereinafter, *Technical Report 916*) published in April 2003 recognizes that diet-related diseases are now responsible for a huge and growing burden of disability and premature death in both developing and developed countries.

Most importantly, *Technical Report 916* specified several foods that are commonly used as ingredients in processed food products for which there is convincing or probable evidence of a causative or protective effect on risks for chronic diseases. The food ingredients identified by *Technical Report 916*, include:

*Protective Effects:* fruits, vegetables, whole grain cereals, non-starch polysaccharides (from whole grains, fruits and vegetables), legumes, fish, fish oils, unsalted nuts (in moderation); water (as an indicator of energy density) and

*Causative Effects:* free sugars, preserved and red meat, salt preserved foods; salt (as distinct from sodium), hydrogenated oils, Chinese-style salted fish.

A full list of references concerning the ingredients listed in *Technical Report 916* is provided in the attached chart. QUID for these ingredients in processed foods is necessary regardless of whether a claim is made because, as the WHO noted, it is the foods themselves, not the presence of specific nutrients in the foods, which create the beneficial or detrimental effect on health. Therefore, nutrition labelling, even when it is provided, is not a substitute for QUID.

Since the publication of *Technical Report 916*, international recognition of the urgent need to pursue public health reforms to improve diet and health has become manifestly clear. In May, 2004, the WHA approved the WHO's *Global Strategy on Diet, Physical Activity, and Health* (hereinafter the *Global Strategy*). The WHO's *Global Strategy* presents a blueprint for reducing the incidence of cardiovascular disease, certain types of cancer, diabetes, osteoporosis, obesity and other diet-related diseases through various public policy initiatives.

In reviewing public policy reforms for achieving public health gains, the *Global Strategy* recognizes the importance of food labels. In particular, article 46(4) of the *Global Strategy* states, in part:

Consumers require accurate, standardized and comprehensible information on *the content* of food items in order to make healthy choices. [emphasis added]

The WHO has specifically called upon Codex to help implement the WHO's *Global Strategy* and CCFL has a responsibility to do so. Section 4 of the WHA resolution (WHA 57.17) endorsing the *Global Strategy* states:

[The WHA] requests 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 food consistent with the aims and objectives of the strategy.

And paragraph 59 of the *Global Strategy* states:

Public health efforts may be strengthened by the use of international standards, particular those drawn up by the Codex Alimentarius Commission [citing WHA resolution 56.23]. Areas for further development could include: *labelling to allow consumers to be better informed about the benefits and content of foods*; measures to minimize the impact of marketing on unhealthy dietary patterns; fuller information about healthy consumption patterns, *including steps to increase the consumption of fruits and vegetables*; and production and processing standards regarding the nutritional quality and safety of products (emphasis added).

As a subsidiary body of the WHO, the CCFL is obligated to heed these calls and help facilitate the policy goals of the WHA and the WHO by requiring QUID for the food ingredients that WHO identified in *Technical Report 916* as the key to good health.

In brief, to achieve these health objectives, IACFO supports retaining and advancing sections 5.1.1 (e) of the proposed draft amendment which permits national authorities to require QUID for ingredients that may affect the health of consumers, and 5.1.1 (f) which requires the percentage

disclosure of key health-related ingredients such as fruits, vegetables, whole grains, and added sugars, whether or not a claim is made about such ingredients.

- **Developing Countries**

The need to retain these sections is especially important given the growing burden of diet-related diseases in developing countries. The WHO has recognized that developing countries are simultaneously challenged by public health threats associated with under-nourishment, water and food borne pathogens and toxins, as well as non-communicable diseases caused by obesity and inappropriate diets. Thus, it is in the interest of developing countries to amend the Codex standard for QUID because, relatively speaking, they are less financially prepared to bear the much more fiscally burdensome consequences of rising rates of obesity and other diet related diseases.

- **Preventing Consumer Deception**

IACFO believes that manufacturers should be obliged to provide QUID whenever there is a foreseeable likelihood that consumers will be deceived about ingredient composition as a result of marketing claims or consumer expectations about ingredient composition.

The current EU QUID standard seeks to accomplish this objective by requiring that, even where no marketing claims are made, QUID must be disclosed when consumer expectations regarding ingredient composition are evident. At a minimum, IACFO believes this approach must be reflected in the revised Codex standard by retaining and advancing sections: 5.1.1 (b), (c), and (d) of the proposed draft amendment.

- **Responses to Criticisms of the Proposed Draft Amendment**

In previous sessions of the CCFL, several unsubstantiated arguments were raised against expanding the Codex QUID standard. These arguments were put forth almost exclusively by national authorities with little or no experience implementing QUID, and by food industry INGOs whose member companies already routinely comply with existing QUID laws in the European Union, Australia, New Zealand, and Thailand (and, in so doing, routinely overcome the barriers they continue to depict as insurmountable).

- (a) **Costs of providing QUID**

There is no evidence to indicate that providing QUID would pose a perceptible economic burden on industry or consumers. Little, if any, analytical work is necessary to determine appropriate QUID because such information is already possessed by the manufacturer.

Rather than the direct costs of QUID, which are most certainly low, manufacturers are more likely concerned about the impact that QUID may have in the marketplace. Providing QUID would stimulate product competition on the basis of both nutrition and quality. Consumers could be expected to switch brands or demand that products are made with, for instance, more vegetables or chicken and less refined flour or sugar if they have access to QUID. But costs associated with meeting market

demands created by consumers' informed choice should not be cited as barriers to policy change.

Nor should temporary limitations in the availability of, for instance, vegetables or whole grains to meet those demands be cited as barriers to QUID reforms. Furthermore, a Codex standard for QUID would help bring consistency to QUID requirements already in force at the national level in more than 18 countries and therefore may actually lower costs by eliminating the need for manufacturers to comply with different QUID requirements in different parts of the world.

**(b) Relevance of other nutrition information on labels**

The fact that other existing Codex food labelling standards permit national authorities to require nutrition information is not relevant. For example, even in countries where full nutrition labelling is required, QUID is important because the amount of healthful ingredients cannot be determined by reading the nutrition information panel. For example, nutrition labelling does not permit consumers to compare the whole grain content of various breads or crackers, the amount of vegetables in two different brands of vegetarian lasagna, the amount of dried fruit in so-called "fruit bars," or the amount of added sugars in apple sauce. This limitation of nutrition labelling is obvious in light of the 14 categories of foods cited in Technical Report 916 as having independent causative or protective effects in regards to disease risks (see appendix).<sup>1</sup>

**(c) Intellectual property (IP) rights**

QUID information is now routinely provided on labels in more than 18 countries. QUID does not disclose production methods or manufacturing processes which *might* be subject to IP protections in some cases. Nor does QUID, as proposed, require disclosure of spices or seasonings that might be present in small amounts the disclosure of which may reveal proprietary recipes in some cases.

• **Conclusion**

Expanding requirements for QUID would assist in health promotion efforts recommended by the WHO and protect consumers' pocketbooks by preventing deception and unfair trade practices. Most importantly, to fulfill Codex's mission to protect the health of consumers, CCFL should amend the existing Codex standard to require mandatory QUID requirements for all of the ingredients identified by WHO whenever present in multi-ingredient food products, regardless of whether a claim is made concerning their presence in the food product. This step would call for retaining section 5.1.1(e) and section 5.1.1(f).

---

<sup>1</sup> See also, for example, the general discussion of the principle in regard to the protective effects of fruits and vegetables at page 58 of Technical Report 916, which states:

The benefit of fruits and vegetables cannot be ascribed to a single or mix of nutrients and bioactive substances. Therefore, this food category was included rather than the nutrients themselves.

## Appendix

<b>Food ingredients for which there is convincing or probable evidence of causative or protective effects on disease risks (Report of the Joint WHO/FAO Expert Consultation on Diet, Nutrition, and the Prevention of Chronic Diseases, (Tech. Rpt. 916), Geneva, 2003)</b>						
<b>Common processed food ingredients with non-nutrient health effects</b>	Cancer	Cardiovascular Disease	Hypertension	Diabetes	Dental Caries	Obesity
<b>Fruits</b>	X (96,100)	X (81,89,90)	X (86)	X (75,77)		
<b>Vegetables</b>	X (96,100)	X (81,89,90)	X (86)	X (75, 77)		
<b>Whole grain cereals</b>		X (88, 90)		X (75, 77)		
<b>Non-starch polysaccharides</b> (from whole grains, fruits, vegetable)		X (82, 90)		X (75, 77)		X (58, 63)
<b>Legumes</b>		X (89)	X (89)	X (77)		X (56 footnote "c")
<b>Free sugars</b>					X (109, 112, 114, 116, 118, 119)	X (57)
<b>Preserved and red meat</b>	X (96)					
<b>Salt preserved foods; salt</b> (as distinct from sodium)	X (96)					
<b>Fish</b>		X (81, 88, 90)				
<b>Fish Oils</b>		X (81, 88)				
<b>Unsalted nuts</b> (in moderation)		X (82, 87, 88)				
<b>Hydrogenated Oils</b>		X (89)				
<b>Chinese-style salted fish</b>	X (96)					
<b>Water</b> (as an indicator of energy density)						X (70)

N.B. Numbers in parentheses refer to pages in *Technical Report 916* where applicable conclusions are made.