

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

CX/FL 10/38/2

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING Thirty-eighth Session Québec City, Québec, Canada, 3 - 7 May 2010

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES ¹

I. MATTERS ARISING/REFERRED FROM THE CODEX ALIMENTARIUS COMMISSION AND THE EXECUTIVE COMMITTEE

A. Items for Information

CAC32

Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (CAC/GL 32-1999) – Rotenone

The Commission adopted the amendment.

Editorial amendments to Codex texts on food labelling

The Commission agreed most of the editorial amendments proposed by the secretariat.²

B. Items for Action

CAC32

Alignment of class titles for food additives used in the General Standard for the Labelling of Prepackaged Foods with functional classes in CAC/GL 36-1989

See agenda item 7.

Deletion of section 8 of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (CAC/GL 32-1999)

The Committee at its last session had proposed to delete section 8 as it contained advice to the Committee itself on how to organize the work to update the Guidelines. The Commission referred this issue back to the Committee³.

As this question is related to the review of the Guidelines it could be taken up under agenda item 5(b).

¹ This document contains: **Part I:** Matters arising/referred from the 32nd Session of the Codex Alimentarius Commission either of specific interest to the Committee for information (A) or for action (B). **Part II:** Matters referred from other Codex Committees and Task Forces that require specific action by the Committee. The Codex Secretariat will report verbally on matters of horizontal nature as appropriate to the discussion of the Committee.

² ALINORM 08/32/REP, para 102

³ ALINORM 08/32/REP, para 102

CCEXEC62⁴ - critical review

“36. The Committee recalled the status of the Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Definitions and Proposed Draft Guidelines for the Labelling of Foods Obtained through Certain Techniques of GM/GE: Labelling Provisions, approved as new work in 1996 and on which no agreement had been reached so far due to the controversial nature of the subject. It was noted that the target date set by the 35th Session of the CCFL in 2007 was four years (completion in 2011).

37. Some members expressed the view that this item of work had been under consideration for many years without any progress or no prospect of achieving consensus in the near future, and therefore proposed to consider its discontinuation.

38. Several members supported continuation of work on the labelling of GM/GE foods as recommendations from Codex in this area was of great importance, especially for developing countries. The Representative of FAO supported further work in view of the importance of this subject and pointed out that Codex should not fail to meet the expectations of member countries.

39. The Committee discussed what type of action should be recommended to the Committee on Food Labelling if it did not complete its work by 2011. The Committee noted a proposal to ask the CCFL itself to propose adequate action to solve the issue; however the Executive Committee recognised that it was its role to provide recommendations to Codex Committees in the framework of the critical review. Some members also pointed out that it was not necessary at this stage to prejudge of the action that could be recommended in 2011 and that it was preferable to make general recommendations and to review the situation following the 39th Session of the Committee on Food Labelling.

40. In conclusion, the Executive Committee acknowledged that in the Committee on Food Labelling there was continued interest in the issue of labelling of foods obtained from GM/GE and that the matter remained highly controversial. The Executive Committee noted the deadline the Committee had set for itself two years ago and fully expected that it would complete its work by the 2011 deadline; if it did not, the Executive Committee would recommend corrective action. During the remaining two years, the Executive Committee suggested that the CCFL try all possible means to reach consensus, such as using a facilitator.

41. As regards the Draft Definitions, the Committee noted that definitions regarding biotechnology had already been developed by the Task Force on Foods Derived from Biotechnology and should be taken into account.”

CCEXEC63⁵ - critical review

“14. The Committee recalled that its last session had noted that the deadline set by the CCFL finalise the Proposed Draft Guidelines for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Genetic Engineering and fully expected that it would complete its work by the 2011 deadline; if it did not, the Executive Committee would recommend corrective action. The Committee agreed to make the same recommendation as regards the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Definitions.”

⁴ ALINORM 09/32/3, paras 36-41

⁵ ALINORM 10/33/3, para 14

II. MATTERS REFERRED BY OTHER COMMITTEES

1. Codex Committee on Nutrition and Foods for Special Dietary Uses

Inclusion of saturated fat and sodium in relation to nutrient reference value for nutrients associated with risk of non communicable disease⁶

“149. The Committee recalled that it had discussed this issue for some time on Agenda Item 2 and that at that time it had agreed to take a decision on this matter after considering Item 8. The Committee also noted that CCFL agreed to add saturated fat to the list of nutrients that are always declared on voluntary or mandatory basis.

150. The Delegation of Malaysia and some observers did not support the establishment of NRVs for saturated fats as not all saturated fats had the same physiological effect. One observer pointed out that trans fatty acids were different from saturated fats. Another observer did not support the establishment of NRVs for salt as reference should be made to sodium.

151. Some other delegations supported the establishment of NRVs for saturated fats and salt/sodium and drew the attention of the delegates to the fact that in the adopted project document on NRVs for noncommunicable diseases the Committee already gave the first priority to these nutrients since they were referred from the CCFL to the CCNFSDU.”

152. The Committee agreed to forward the above discussions to the CCFL.”

Establishment of claims for use for labelling relating to salt, trans-fatty acids and added sugars⁷

“17. Several delegations supported the establishment of a claim for sodium/salt, but different views were expressed on the expression of the claim, whether as sodium, which would be more consistent with scientific evidence, or “salt”, which was more familiar for consumers but might create some confusion due to existence of other salts.

18. Some delegations supported claims on trans fatty acids in view of the clear scientific evidence on their adverse effects on health and public health importance to some countries, which may increase if saturated fat is included in the nutrient declaration. Other delegations did not support the inclusion of mandatory declaration of trans fatty acids and recalled that this question was still under discussion in the CCFL. It was also proposed to consider the relationship between the comparative claim for saturated fat and the declaration of trans fatty acids. The Committee also recalled that trans fatty acids should be taken into account in relation to claims for saturated fat, as mentioned in the Table on Conditions for Nutrient Contents in the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997).

19. Some delegations pointed out that the Committee on Food Labelling should first clarify labelling issues, and in particular whether mandatory declaration or the development of claims should be considered. The Chairperson recalled that the responsibility of the CCNFSDU was to develop conditions for claims and for that purpose it needed a clear indication as to the type of claims to be considered, while the decision on labelling matters rested with CCFL.

20. Some delegations supported the declaration of added sugars, and the development of conditions for such claims. Other delegations highlighted the difficulties related to such claims in order to identify the physiological effects and to determine the amount of added sugars as compared with other sugars, and therefore did not support the declaration of added sugars.

21. The Committee noted the information provided by one delegation on the use of claims for “no added salt” or “no added sugars” at the national level including conditions established for these claims, which provided useful information to consumers and could be considered as an alternative approach to the declaration of the amount of added sugars or salt.

22. As a general conclusion, the Committee considered that there is merit in establishing claims in relation to salt. At this stage, there was no clear agreement for claims for added sugars and trans-fatty acids. However once the CCFL has identified the claims for which conditions should be established, CCFL was requested to provide additional information on the types of claims for which

⁶ ALINORM 10/33/26, paras. 149-152

⁷ ALINORM 10/33/26, paras. 17-22

CCFL wishes CCNFSDU to establish criteria,, the purpose of the claims, and CCFLs priorities for the development of criteria for the claims.”

Development of principles for countries to evaluate criterion 1 “the ability of nutrition labelling to address public health issues” when addressing balancing national and global health issues⁸

“23. The Committee recalled that the Committee on Food Labelling had generally agreed on four criteria to identify nutrients for inclusion in the list of labelling and asked for advice on the first criterion.

24. With regard to CCFLs request that CCNFSDU consider the need for principles to address national versus global public health relevance of nutrients for nutrition labelling, the Committee noted the potential for revising the text and/or adding principle(s) to encompass nutrients associated with risk of non communicable disease in section 3.2.1.4 of the Guidelines on Nutrition Labelling. However it may be appropriate to postpone considering the need for such principles until after CCNFSDU has established related principles in their proposed new work on NRVs-NCD.”

Definition for NRVs⁹

“144. The Committee recalled that it had discussed this issue for some time under Agenda Item 4 and that at that time it had agreed to take decisions on the definition of NRVs after considering Item 8.

145. The Committee recalled that there was general support by the Committee to recommend to the CCFL to establish the definition for NRVs for labelling purposes, however different views were expressed regarding the content of the definition. One delegation noted that the definition of NRVs could be inserted in the definition section of the guidelines on nutrition labelling.

146. The Delegation of the European Community favoured the shorter definition and pointed out that the decision on the definition should be taken by the CCFL. Several other delegations were of the view that the definition should cover the concept of NRVs for vitamins and minerals and NRVs for diet-related noncommunicable diseases as there should be advice provided on how to ensure the adequacy of nutrients and prevent burden of noncommunicable diseases, however the Committee was not able to reach agreement on this matter.

147. After some discussion, the Committee agreed to recommend the CCFL to establish a definition for NRVs and agreed to forward to the CCFL the following proposed definition for NRVs for their consideration: “*Nutrient Reference Values are set of numerical values established and used for purposes of nutrition labelling*”.

148. The Committee also agreed to recommend that the CCFL consider the extension of this definition to include the basis on which NRVs are determined and propose that the CCFL should consider the following additions to the definition: “*and are based on scientific data on nutrient requirements*” and “*and/or nutrient levels associated with risk of diet-related noncommunicable diseases*”.”

⁸ ALINORM 10/33/26, paras. 23-24

⁹ ALINORM 10/33/26, paras. 144-148

2. Codex Committee on Milk and Milk Products

Use of modified standardised common names for the purpose of nutrition claim¹⁰

“22. The Committee noted that Section 4.3.3 of the Codex *General Standard for the Use of Dairy Terms* – GSUDT (CODEX STAN 206-1999) provided guidance on modifications of milk products and the consequent labelling requirements. It was further noted that in the development and revision of standards for milk products, the Committee had carefully considered compositional modifications and conformance with relevant provisions contained in the GSUDT and in other existing Codex guidance.

23. The Committee considered that the GSUDT, in combination with the standards for milk and milk products the Codex *General Standard for the Labelling of Prepackaged Foods* (CODEX STAN 1-1985) and the Codex *Guidelines for the Use of Nutritional Claims* (CAC/GL 23-1997) provided adequate guidance on modified standard names for the purpose of nutrition claims for milk products.

24. The Committee agreed that nutrition claims in standards for milk and milk products would not benefit from horizontal guidance developed by the Codex Committee on Food Labelling (CCFL) on this matter.”

¹⁰ ALINORM 10/33/11, paras. 22-24