

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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AGENDA ITEM NO. 6(B)

CX/FL 10/38/12-Add.1

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING
THIRTY-EIGHTH SESSION
QUEBEC CITY, CANADA, MAY 3 - 7, 2010

**LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH
CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING:
PROPOSED DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS AND
FOOD INGREDIENT OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC
MODIFICATION/GENETIC ENGINEERING
(CL 2009/15-FL, ALINORM 09/32/22 – APPENDIX VII)**

GOVERNMENT COMMENTS AT STEP 3

COMMENTS FROM:

UNITED STATES
INSTITUTE OF FOOD TECHNOLOGISTS (IFT)

LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING: PROPOSED DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS AND FOOD INGREDIENT OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING: (CL 2009/15-FL, ALINORM 09/32/22 – APPENDIX VII)

GOVERNMENT COMMENTS AT STEP 3

UNITED STATES:

The United States reiterates its objections to continued work on this agenda item at the Codex Committee on Food Labelling (CCFL). We strongly encourage CCFL to discontinue further discussion of the provisions in Appendix VII of ALINORM 09/32/22 so that the Committee may focus its resources on the agenda items dealing with the implementation of the WHO Global Strategy on Diet, Physical Activity, and Health, an agenda item of immense public health significance and directly related to the mandate of Codex—to protect the health of consumers.

The U.S. also notes:

- Fundamental differences in legal and regulatory frameworks have resulted in conflicting labelling approaches among member countries, which do not permit the development of a common, international guideline;
- It is unlikely that consensus will be reached on any text given the fundamental differences that remain among member countries as reflected in the discussions of previous CCFL plenary sessions and working groups. As further evidence of the extent of fundamental differences, the United States recalls the lack of progress on this item at the 37th CCFL session, where disagreement on the opening paragraph of the Proposed Draft Recommendations, which deal with the purpose and introduction of the text, resulted in several different proposed alternatives that are presented in Appendix VII;
- Appropriate guidance is already available within existing Codex texts on this subject, as explained in the Background Paper prepared by the United States, Canada, and Nigeria;
- The Executive Committee provided its opinion in 1997 that “the claimed [consumer] right-to-know was ill-defined and variable and in this respect could not be used by Codex as the primary basis of decision making on appropriate labelling” (ALINORM 97/3, para. 29);
- At the 37th CCFL session, the Chair noted that no particular progress has been made on this issue over the past decade, and urged member countries to consider suspension of work on this issue;
- The Procedural Manual as well as the Executive Committee has made clear that work should not proceed where no basis for consensus exists. (*Codex Alimentarius Commission, 18th Procedural Manual, Appendix, Measures to Facilitate Consensus*, at p. 174 (18th ed); see also, *Guidelines for Chairpersons* at p. 60, Item 3).

INSTITUTE OF FOOD TECHNOLOGISTS (IFT):

The Institute of Food Technologists (IFT) is a not-for-profit professional, scientific society with more than 18,000 members working in food science, technology, and related professions in industry, academia, and government. IFT's long-range vision is to ensure a safe and abundant food supply contributing to healthier people everywhere. IFT, a recognized NGO before the Codex Alimentarius Commission, appreciates the opportunity to provide these comments on the Proposed Draft Recommendations for the Labelling of Foods and Food Ingredients Obtained through Certain Techniques of Genetic Modification/ Engineering.

IFT has been privileged to be present during many of the past discussions on this important topic. As noted in prior Codex Committee on Food Labelling (CCFL) meetings, IFT would like to reiterate that it supports mandatory labelling only for significant, objective, measurable, and verifiable differences between biotechnology-derived foods and their conventional counterparts.

IFT does not support mandatory labelling of food or food ingredients based solely on the method of production (process-based labelling), as there are no objective, verifiable means by which such labelling could be documented.

IFT convened a panel of distinguished scientists to address the issues of labelling, safety and concerns regarding foods derived through modern biotechnology. The expert panel concluded that without reliable, standardized analytical tests and sampling protocols (which do not yet exist), it is not possible to verify the accuracy of label declarations. Although there may be analytical methods capable of detecting low levels of some bioengineered materials in some foods, the establishment of a threshold would require methods to test for a wide range of genetic changes at very low levels in a wide variety of foods. An Executive Summary of the IFT Expert Report and other accompanying backgrounders may be found at:

http://members.ift.org/IFT/Research/IFTExpertReports/biotechfoods_report.htm

IFT is also of the opinion that current Codex texts sufficiently address the needs expressed by member countries with respect to the labelling of such food and food ingredients. The Codex standards and texts presented as Table 1 in Appendix VII of ALINORM 09/32/22 clearly sets forth how existing texts can protect consumers from false and misleading labelling information and the criteria for voluntary labelling.

Given the lack of consensus over many years, coupled with the lack of verifiable science, IFT believes it is time to discontinue work on this issue. Limited Codex resources can be more effective if devoted to public health priorities, such as the WHO Global Strategy on Diet, Physical Activity and Health. By doing so, CCFL will conform to the directives of the Codex Alimentarius Commission to work on issues related to the protection of consumer health as a first priority.