



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES**

Thirty-sixth Session

Bali, Indonesia

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DISCUSSION PAPER ON CLAIM FOR “FREE” OF TRANS FATTY ACIDS

(Prepared by Canada)

INTRODUCTION

1. At the 35th Session of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CNFSDU), the Committee recalled that the Codex Committee on Food Labelling (CCFL) at its last session had agreed to make a request to CCNFSDU to establish conditions for a free of trans fatty acids (TFAs) claim. The Committee agreed that the Delegation of Canada would draft a proposal for consideration at the 36th session, taking into consideration the outcome of the next session of NUGAG (i.e. the 6th meeting of the WHO Nutrition Guidance Expert Advisory Group (NUGAG) Subgroup on Diet and Health (Oct 2013)) (para. 10, REP14/NFSDU). The Committee recalled that this work was covered by the project document of the proposal for the establishment of claims for sugars, salt/sodium and trans-fatty acids (ALINORM 10/33/22, Appendix V), which had been approved by the Commission, and thus noted that there was no need to ask the Commission for approval to start this work (para. 11, REP14/NFSDU).
2. The Delegation of Canada has developed the following proposal for revisions to the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997).

BACKGROUND

3. In May 2004, the 57th World Health Assembly (WHA) endorsed the World Health Organization (WHO) *Global Strategy on Diet, Physical Activity and Health* (Global Strategy). The Global Strategy made recommendations with respect to diet for populations and individuals; one of which was to limit energy intake from total fats and shift fat consumption away from saturated fats to unsaturated fats and towards the elimination of trans fatty acids. The Global Strategy also called upon the Codex Alimentarius Commission to draw up international norms and standards for labelling to allow consumers to be better informed about the benefits and content of foods. An electronic working group, led by Norway, was formed to come up with a plan to address this call to action with respect to food labelling.
4. At the 38th Session of the CCFL, a project document (Appendix V, ALINORM 10/33/22) was presented which described the planned work on the establishment of claims for sugars, salt/sodium and trans fatty acids with the intention that the work progress to Step 5 by 2012 and for adoption by the Commission in 2014.
5. At the 39th Session of the CCFL, the Committee agreed to establish an electronic working group (eWG) led by Canada to undertake this new work. One of the items in the terms of reference was to develop claims and conditions for use related to trans-fatty acids for inclusion in the *Guidelines for Use of Nutrition and Health Claims*.
6. The conclusions of the eWG on proposed draft amendments to the *Guidelines* were circulated for comments and considered by the 40th Session of the CCFL. The Committee noted that the working group generally supported establishing a “free” claim for TFAs and not to pursue consideration of claims for low in trans fatty acids because the Global Strategy recommends their virtual elimination. It was also noted that the method of analysis currently adopted for TFAs for the purposes of the *Guidelines for Nutrition Labelling* (AOCS Ce 1H-05) is only suitable for certain types of oils and fats.

7. It was agreed to request that CCNFSDU consider requesting that the Codex Committee on Methods of Analysis and Sampling (CCMAS) review for inclusion into the List of Methods certain methods with respect to their applicability to and acceptability for TFA analysis in foods.

8. At its 34th Session, the CCNFSDU, agreed to ask CCMAS to review the applicability of the methods of analysis for the trans fatty acid currently defined in the *Guidelines on Nutrition Labelling* (CAC/GL 2-1985).

9. At the 34th Session of the CCMAS, there was a discussion on trans fatty acid methods. That Committee noted that two new methods of analysis for trans fatty acids were being developed and studied (1. IDF and ISO method for fatty acids, including TFA, for milk products, infant formula and adult nutritionals and 2. AOCS Ce 1J-07 for fatty acids in ruminant fats). The CCMAS agreed not to endorse any new methods for TFAs, while awaiting finalization of ongoing work (REP13/MAS, para 11 – 13).

10. At the 41st session of the CCFL, the Committee agreed to communicate to the CCNFSDU its intent to establish a claim for free of TFAs in the *Guideline on Nutrition and Health Claims* (CAC/GL 23-1997) once CCNFSDU provides guidance on conditions and noting that this will also depend on the recommendation of the CCMAS concerning a method of analysis (para 53, REP13/FL). CCFL agreed to request the CCNFSDU to establish conditions for free of TFAs claims (para 54, REP13/FL).

PROPOSAL

Conditions for a “free” of Trans Fatty Acids (TFAs) Claim

11. It is proposed that an entry for a claim of “free” of TFAs be inserted between Saturated Fat and Cholesterol within the Table of conditions for nutrient content claims in the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997). This entry would be based on the existing approach to the conditions for free of cholesterol and low in saturated fats.

12. In order to carry a trans-fat free claim, Canada is proposing that the food should contain no more than 0.1 g trans fat per 100 g or per 100 mL and must meet the conditions set for “low” in saturated fat as stated in the Table below.

Component	Claim	Conditions (not more than)
Trans fatty acids	Free	0.1 g per 100 g (solids) 0.1 g per 100 mL (liquids) or 0.1 g per serving and, 1.5 g saturated fat per 100 g (solids) 0.75 g saturated fat per 100 mL (liquids) and 10% of energy of saturated fat

RATIONALE / JUSTIFICATION

Level of Trans Fat

1 It is proposed that the level of trans fat should not be higher than the level stated for the saturated fat “free” claim (0.1 g per 100 g or per 100 mL) given that the recommendations for intake of trans fat are lower than for saturated fat. The FAO Food and Nutrition Paper 91 recommends a U-AMDR of 10% of energy for saturated fat and a UL for TFA of <1% of energy.

2 Current analytical methodology allows the determination of levels of saturated and trans fats at this level and below.

3 The conditions for all “free” claims described in the Table of conditions for nutrient content claims have a maximum level that were considered to be insignificant, but not zero. This level of TFA is considered nutritionally insignificant as it only contributes up to 1 kcal.

Per Serving

4 It is proposed that the conditions for TFA-free claims should also be established per serving. Conditions per serving already exist for the claims for source of protein, dietary fibre, vitamins and

minerals. A condition per serving would provide for a more realistic and achievable target for foods usually consumed in amounts less than 100 g or 100 mL such as fats and oils. This condition would provide guidance for appropriate limits per serving for claims in countries where serving sizes are normally used for nutrition labelling and claims (see Section 3.4.5 of the *Guidelines on Nutrition Labelling* which allows for the nutrient declaration to be presented per serving in those countries).

Conditions for Saturated Fat

5 It is proposed that the conditions for the TFA-free claim also include conditions for saturated fat, in order to ensure that a food claiming to be free of TFAs will also be low in saturated fats. Saturated and trans fat have similar functional properties in food and have similar adverse effects on blood lipoprotein profiles and coronary heart disease risk. By linking these conditions together, this will help to ensure that saturated fat is not increased to compensate for removal of TFA from a product.

Methods of Analysis for TFA

6 While the Codex List of Methods does not yet identify methods for TFA in all foods, Canada is confident that compliance with this level can be reliably and accurately determined. In the Codex olive oil standard STAN 33, the TFA content is limited to a maximum of 0.05% 18:1t and 0.05% 18:2+3t. A method for TFA is endorsed in that standard and is listed in STAN 234. This demonstrates that methods are available for very low levels of TFA. Also, in Canada's laboratories, foods are routinely analyzed to detect trans fatty acids (as well as other fatty acids) at 0.05% of the total fatty acids. At this level of detection, Health Canada laboratories report that the coefficient of variation is about 10-15%. This level of sensitivity would allow, for example, the detection of 0.0075 ± 0.0011 g of trans fat in a 115 g serving of French fried potatoes containing 15 g of partially hydrogenated fat (0.0063 ± 0.0010 g per 100 g). The methods used by Health Canada are AOCS Ce 1h-05 in combination with AOAC 996.06, both of which are cited for use in infant formula in STAN 234 and commonly used for nutrition labelling purposes. AOAC 996.06 was revised in 2001 to include improved GC analysis of the fatty acid profile so that the method includes both extraction of fat from foods and low levels of detection. As performed in the Health Canada laboratories, the AOCS method is for the optimized analysis of the TFA profile by GC and the AOAC method is used for the fat extraction. The AOCS method is validated for saturated fatty acids and cis/trans MUFA and PUFA in crude, refined, partially hydrogenated or fully hydrogenated fats from vegetable or non-ruminant animal sources, while the AOAC method is validated for the extraction of fat from a wide variety of foods. This method has been shown in a published study to detect trans fatty acids at levels as low as 0.004 g/10 g serving of margarine (0.04 g/100 g).

Status of NUGAG review

7 At the 6th meeting of the NUGAG Subgroup on Diet and Health, the objectives were to review the updated systematic reviews and assess the available evidence on saturated fatty acids (SFA) and trans-fatty acids (TFA), update the recommendations of SFA and TFA for the prevention of NCDs and review the issues related to replacement of SFA and TFA as public health measures related to diet, nutrition and health.

8 NUGAG has not yet finished the work on saturated and trans fatty acids. Should results of the Committee become available in time for the CCNFSDU meeting in November 2014, this information can be considered to inform the discussion on this proposal.