

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

JOINT OFFICE: Via delle Terme di Caracalla 00100 ROME: Tel. 57971 Telex: 610181 FAOI.Cables Foodagri Facsimile: 6799563

ALINORM 89/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Eighteenth Session
Geneva, 3-12 July 1989

REPORT OF THE TWENTIETH SESSION
OF THE CODEX COMMITTEE ON FOOD LABELLING
Ottawa, Canada, 3-7 April 1989

W/Z 4516

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April 1989

TO: - Codex Contact Points
- Interested International Organizations

FROM: Chief, Joint FAO/WHO Food Standards Programme,
FAO, Via delle Terme di Caracalla, 00100 Rome, Italy

SUBJECT: Distribution of the Report of the Twentieth Session
of the Codex Committee on Food Labelling (ALINORM 89/22)

The report of the Twentieth Session of the Codex Committee on Food Labelling is attached. It will be considered by the 18th Session of the Codex Alimentarius Commission to be held in Geneva from 3-12 July 1989.

**A. MATTERS OF INTEREST TO THE COMMISSION ARISING FROM THE REPORT OF
THE TWENTIETH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING
(ALINORM 89/22)**

The following matters will be brought to the attention of the 18th Session of the Codex Alimentarius Commission:

1. Proposed amendment of Section 5.2.1. (Irradiated Foods) of the General Labelling Standard at Step 5 with a proposal to omit Steps 6 and 7; ALINORM 89/22, Appendix III.
2. Recommended Nutrient Reference Values for Food Labelling Purposes; (Amendment to the Guidelines on Nutrition Labelling); ALINORM 89/22, Appendix VI.
3. Proposed draft revised Codex General Guidelines on Claims at Step 5; ALINORM 89/22, Appendix V.
4. Proposed Draft "List of Class Titles for Food Additives" at Steps 1, 2 and 3; ALINORM 89/22, Appendix II.
5. Proposals concerning the endorsement of labelling provisions in Codex Standards; ALINORM 89/22, paras. 26-30.
6. Proposed revision of the Procedural Manual Section concerning relations between commodity committees and general committees; ALINORM 89/22, Appendix IV.

In accordance with the Codex Procedures for the Elaboration of Codex Standards and other texts, the Commission will give due consideration to any comments that may be submitted by any of its Members regarding the implications which proposed draft standards at Step 5, or any provisions thereof may have for their economic interests. Comments are therefore invited on points 1 and 3 above. Comments should be forwarded as instructed in Section B below by 30 May 1989.

B. REQUEST FOR COMMENTS AND INFORMATION

1. Report of a Joint FAO/WHO Expert Consultation on Recommended Allowances of Nutrients for Food Labelling Purposes - ALINORM 89/22, paras. 84-95

The Committee agreed to solicit comments concerning this Expert Consultation Report. The report has been circulated to Codex Contact Points by the Government of Finland for the Codex Secretariat.

Governments and International Organizations wishing to submit comments and information on the above subject matter are invited to do so at the following address:

Chief
Joint FAO/WHO Food Standards Programme
Food and Agriculture Organization of the United Nations
Via delle Terme de Caracalla
00100 Rome
Italy

SUMMARY AND CONCLUSIONS

The Twentieth Session of the Codex Committee on Food Labelling reached the following conclusions during its deliberations:

- Agreed that the proposed List of Class Titles for Food Additives be forwarded to the Commission with a recommendation to proceed with the amendment of Section 4.2.2.3 of the General Labelling Standard and to seek government comments at Step 3, (paras. 9-12).
- Agreed that proposals for amendments to the fatty acid designations included in the Codex Guidelines on Nutrition Labelling be reviewed by the Codex Committee on Nutrition and Foods for Special Dietary Uses, (paras. 13-14).
- Agreed to recommend the proposed amendment of Section 5.2.1 of the General Labelling Standard to the Commission for adoption at Step 5 of the Procedure, (paras. 15-24).
- Agreed to recommend to the Commission the approval of proposals concerning the endorsement of labelling provisions in Codex Standards, (paras. 26-30).
- Agreed to forward the proposed revision of the Procedural Manual Section concerning relations between Commodity Committees and General Committees to the Codex Committee on General Principles for information and to the Commission for adoption. This proposal would replace the current Guidelines on Food Labelling contained in the Procedural Manual (paras. 31-37).
- Agreed to endorse the majority of submitted labelling provisions for Codex Standards, (paras. 38-57).
- Agreed to advance the proposed draft revised Codex General Guidelines on Claims to the Commission at Step 5 of the Procedure, (paras. 58-81).
- Agreed to request the Executive Committee and the Commission to determine whether the Committee on Nutrition and Foods for Special Dietary Uses or the Committee on Food Labelling should be entrusted with the future elaboration of the Proposed Draft Standard for the Labelling of and Claims for Low-Energy and Reduced-Energy Foods, (paras. 49-53).
- Agreed that the Codex Committee on Food Labelling held primary responsibility for the consideration of nutritional claims, and that Canada would distribute a Circular Letter soliciting comments on national requirements in this regard, (paras. 82-83).
- Agreed that the nutrient reference values referred to in the Report of the Joint FAO/WHO Expert Committee on Recommended Allowances of Nutrients for Food Labelling Purposes be forwarded to the Commission for adoption as part of the Guidelines on Nutrition Labelling. It was also agreed to circulate the Helsinki Report for comments, (paras. 84-95).
- Agreed that the Working Group on Methodology for Use in the Codex Guidelines on Nutrition Labelling should continue its review of the available methodology for the analysis of nutrients defined in the Guidelines on Nutrition Labelling, (paras. 96-98).

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
EIGHTEENTH SESSION
GENEVA, 3-12 JULY 1989

REPORT OF THE
TWENTIETH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING
OTTAWA, CANADA, 3-7 APRIL 1989

INTRODUCTION

1. The Codex Committee on Labelling held its 20th Session in Ottawa, Canada, from 3 to 7 April 1989 by courtesy of the Government of Canada. The Session was chaired by Mr. R.H. McKay, Director, Consumer Products Branch, Consumer and Corporate Affairs Canada. The Session was attended by delegates from the following 25 countries: Argentina, Australia, Brazil, Canada, Cuba, Denmark, Finland, France, Federal Republic of Germany, Hungary, India, Israel, Italy, Japan, Kenya, Madagascar, Malaysia, Netherlands, New Zealand, Sweden, Spain, Switzerland, Thailand, United Kingdom, and United States of America. Observers were present from the following international organizations:

- Association of International Industrial Irradiation (AIII)
- Confederation of the Food and Drink Industries of the EEC (CIAA)
- European Association of Advertising Agencies (EAAA)
- European Economic Community (EEC)
- International Dairy Federation (IDF)
- International Federation of Wines and Spirits (FIVS)
- International Hydrolyzed Protein Council (IHPC)
- International Life Sciences Institute (ILSI)
- International Organization of Consumers Union (IOCU)
- World Federation of Advertisers (WFA)

A list of participants, including the Secretariat, is contained in Appendix I to this report.

AGENDA ITEM 1 - OPENING OF THE SESSION

2. The Session was opened by Dr. Ian D. Clark, Deputy Minister, Consumer and Corporate Affairs Canada, who welcomed delegates and observers on behalf of the Government of Canada. Dr. Clark stressed the Government of Canada's commitment to ensuring that consumers' rights to protection against fraud and health hazards are maintained and enhanced. He praised the work of the Committee in elaborating international standards and guidelines as playing an important part in the process of facilitating international trade in foods, and in protecting

consumers and their needs. He stated that consumers of today were well educated and better informed, more self-reliant and more selective in their product choices. Skeptical of advertising and more discerning of product quality, consumers were much more deliberate in making their decisions. Dr. Clark stated that consumers were entitled to expect products to meet established standards, and consequently, required informative statements on labels to permit the evaluation of the true nature of a product, including the nutritional aspects and composition of foods offered for sale. Because the world was truly becoming a "global village", standards for the protection of the consumer must also result in benefit for international trade through the reduction of non-tariff barriers to trade.

IN MEMORIAM

3. The Committee noted with great regret, the passing away of three of its former members who had played an active and constructive role in its work over the years: Dr. Anne Brincker (Denmark), Dr. Donald Houston (U.S.A.) and Dr. Robert Weik (U.S.A.). The Committee expressed its sincerest sympathies to the families of these former friends and colleagues.

AGENDA ITEM 2 - ADOPTION OF THE AGENDA

4. The Committee adopted the Provisional Agenda as proposed in documents CX/FL 89/1 and CX/FL 89/1 - Addendum 1.

5. On the proposals of the Delegations of Sweden and Switzerland, it was agreed that a Conference Room Document containing proposals for the harmonized revision of the labelling Sections of the Standards for Edible Ices and Soups and Broths, would be prepared and considered for discussion under Agenda Item 6 (Endorsements).

AGENDA ITEM 3 - MATTERS OF INTEREST ARISING FROM THE REPORT OF THE CODEX ALIMENTARIUS COMMISSION AND CODEX COMMITTEES

6. The Committee had before it working paper CX/FL 89/2 and Conference Room Document 1 which addressed matters of interest arising from the Codex Alimentarius Commission and other Codex Committees as well as matters arising from the 21st Session of the Codex Committee on Food Additives and Contaminants, respectively.

7. The Committee noted that this document was briefer than previous working papers and was intended to highlight items of interest only instead of quoting directly from Committee reports. The Committee agreed that matters pertaining to specific agenda items would be discussed under those items.

Editorial Amendments to the General Standard for the Labelling of Prepackaged Foods

8. The Committee noted that the editorial amendments proposed by the Codex Committee on General Principles to the General Standard for the Labelling of Prepackaged Foods were adopted by the 17th Session of the Codex Alimentarius Commission. The amendments had recently been distributed as Supplement 1 to Volume VI, Edition 2, of the Codex Alimentarius.

Consideration of Class Names for Food Additives

9. The Committee noted that a revision of Section 4.2.2.3 of the General Standard was required in order to accommodate additional titles for classes of food additives, so as to provide for the use of the proposed International Numbering System currently approaching finalization by the Codex Committee on Food Additives and Contaminants. The Codex Secretariat noted that the "Table of Functional Classes and Sub-Classes of Food Additives" (Conference Room Document 1) as prepared by the Codex Committee on Food Additives and Contaminants had essentially been finalized at its most recent 21st Session. The Secretariat recommended that the Committee should forward the functional class list to the Codex Alimentarius Commission with a view towards amending Section 4.2.2.3 of the General Labelling Standard and in order to initiate the amendment procedure at Step 3 of the Codex procedure.

10. Several delegations requested clarification regarding the scope of the proposed amendment to the General Labelling Standard as it was noted that the current Standard (Section 4.2.2.3) allowed the use of class titles together with the specific name or recognized numerical identification, as required by national legislation. The Committee agreed that the proposed amendment to the General Labelling Standard should only include a revision of the functional classes (i.e. class titles) for purposes of labelling. The Committee also noted that at its recent meeting, the Committee on Food Additives and Contaminants had reached agreement on an International Numbering System for use in conjunction with the General Labelling Standard. This was appended to ALINORM 89/12A and would be considered by the forthcoming Commission meeting.

11. The Delegation of Switzerland requested that changes to the class list should be kept to a minimum to avoid frequent changes in national labelling legislation. With this in mind, the Delegation of Australia stated that the amendment of the class name "artificial sweetener" to "sweetener" was not appropriate, and expressed the wish to retain the use of the title "artificial sweetener." The Delegation of Argentina expressed a preference for the terms "non-nutritive" or "synthetic" sweetener.

Status of the Proposed Draft Amendment

12. The Committee agreed that the proposed list of class titles be forwarded to the Commission with a recommendation to

proceed with the amendment of Section 4.2.2.3 of the General Labelling Standard and to seek government comments at Step 3. The Committee agreed that the Circular Letter would indicate the need for additional class titles: on the one hand, all technical functions should be covered by class titles so as to inform consumers. On the other hand, the number of class names should be limited and only readily available class names should be included. The proposed list is included as Appendix II to this report.

Labelling of Processed Foods Containing Palm Oil, Palm Kernel Oil and Coconut Oil

13. The Committee noted that the 35th Session of the Executive Committee had agreed that adequate guidance was currently included in the Codex General Labelling Standard regarding this subject. However, it had also agreed that there were unresolved questions in relation to vegetable oil nutrition labelling which should be examined by the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) in order to provide recommendations to this Committee for action. The CCNFSDU had noted the Executive Committee's request, and had agreed to take this subject up at its 17th Session with a view towards providing recommendations to this Committee.

14. The Delegation of Malaysia, while noting that CCNFSDU would be discussing the nutrition labelling of vegetable oils, requested clarification as to the scope of this Committee's Ad Hoc Working Group on Methodology for Use in the Codex Guidelines on Nutrition Labelling. Specifically, the Delegation requested whether or not the Working Group would also be defining other fatty acid classes, i.e. mono-unsaturates and trans-unsaturates, in addition to those currently used (i.e. fat, including polyunsaturated and saturated). It was noted that the Working Group was responsible only for methods of analysis in relation to nutrients currently included in the Codex Guidelines on Nutrition Labelling. Proposals for amendments to the Guidelines on Nutrition Labelling might result from the review of the matter by CCNFSDU, and these would be referred to this Committee as a matter of course.

AGENDA ITEM 4 - PROPOSALS FOR AMENDMENT OF PROVISIONS RELATING TO IRRADIATED FOODS IN THE GENERAL STANDARD FOR LABELLING OF PREPACKAGED FOODS

15. The Committee had before it document CX/FL 89/3, a proposal to amend the provisions of Section 5.2 (Irradiated Foods) in the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985) and Section 7.2 of the Codex General Standard for the Labelling of Food Additives when Sold as Such (CODEX STAN 107-1981). In addition, it had for consideration comments on this proposal, contained in document CX/FL 89/3 - Addendum 1. Comments had been received from Australia, Canada, Denmark, Federal Republic of Germany, Finland, Mexico, New Zealand, Poland, Sweden, Thailand, United Kingdom,

the United States of America, and the International Association of Industrial Irradiation.

16. The Chief of the Joint FAO/WHO Food Standards Programme, speaking on behalf of the FAO and IAEA, stated that the use of food irradiation to preserve foods had received close scrutiny over a number of years. At the request of many member countries, FAO, IAEA and WHO had convened a series of expert committee meetings to examine relevant data on the safety of irradiated foods. This led to the final conclusion of the Joint FAO/WHO/IAEA Expert Committee on Food Irradiation (JECFI) that the properly controlled use of ionizing radiation to preserve good quality foods resulted in foods which were safe for consumption.

17. Following the JECFI meetings, a proposal was made to establish an Advisory Group to FAO, WHO, and IAEA on the many aspects of food irradiation, so as to provide advice and information to the U.N. agencies and to assist, if possible, in locating funding support for developmental assistance in countries wishing to introduce or strengthen the use of food irradiation as a means of food preservation. This Group, the International Consultative Group on Food Irradiation (ICGFI), had prepared document CX/FL 89/3 for consideration by the Codex Committee on Food Labelling. The proposals contained in the paper had been very briefly discussed by the 19th Session of the Committee and distributed to member governments for comment.

18. In view of the recommendations of the Joint FAO/WHO/IAEA/ITC (UNCTAD-GATT) Conference on the Acceptance, Control of, and Trade in Irradiated Food, held in Geneva, 12-16 December 1988, the international agencies had given further consideration to how irradiated foods should be labelled in light of the Conference's recommendation for clear and unambiguous labelling. Advice received from the Joint FAO/IAEA Division of Nuclear Techniques in Food and Agriculture recommended that a food which had been treated with ionizing radiation/energy should be labelled in close proximity to the name of the food stating the fact. The food irradiation logo and the purpose of the treatment could be added to the name of the food at the option of governments or producers.

19. The Committee welcomed this positive development to provide clear and unambiguous labelling so as to allow consumers to make an informed choice between irradiated and non-irradiated foods. Several delegations expressed their opposition to the use of a logo or symbol, or at least indicated that any use of a logo or symbol should be accompanied by a clear statement as to its meaning so that the consumer would neither be misled nor deceived. The Observer from the International Organization of Consumer Unions (IOCU) drew attention to position of that Organization as outlined in Conference Room Document 2. Recognizing that irradiated food was allowed to be sold in some countries, the Observer supported the use of clear and unambiguous labelling using defined terminology. The Observer from the EEC, supporting this approach, provided the Committee with the terms used by the Community in this regard.

20. The Committee noted that, given the wide variation in national languages of the Commission's 135 member countries, it would be impractical at this time to specify the wording to be used in association with the name of the food. It also recognized that the use of a logo/symbol was an option available to food processors, and that the use of such a logo/symbol without an adequate explanation as to its meaning could be misleading. On this basis, it agreed to recommend the following wording for Section 5.2.1 of the General Standard:

"5.2.1 The label of a food which has been treated with ionizing radiation/energy shall carry a written statement indicating that treatment in close proximity to the name of the food. The optional use of any logo/symbol indicating that the food has been irradiated shall be accompanied by a clear statement explaining the logo/symbol."

21. The Committee agreed to retain the present wording of Section 5.2.2 of the General Standard dealing with the labelling of irradiated ingredients. It noted that the provisions of Section 4.2.1.3 of the General Standard would be applicable to food ingredients which contained irradiated components. The Delegation of France stated its opinion that, since there was no requirement to declare the use of other processes or treatments applied to food ingredients, it would be discriminatory to declare the fact of irradiation treatment in an ingredient list.

22. The Delegation of Australia stated its opinion that the word "energy" should be deleted from the clause. This statement was supported by the Delegation of Cuba.

23. The existing Section 5.2.3 of the General Standard was retained by the Committee without change, as was Section 7.2 of the General Standard for the Labelling of Food Additives when Sold as Such.

Status of the Proposed Amendments

24. The Committee agreed to recommend the proposed amendment of Section 5.2.1 to the Commission for adoption at Step 5 of the Procedure. In view of the comprehensive review and discussion of these sections of the General Standard, the Committee also recommended that the amendment be adopted at Step 8, omitting Steps 6 and 7. The complete texts proposed for Section 5.2 of the General Standard are contained in Appendix III to the present report.

AGENDA ITEM 5 - RECOMMENDATIONS OF THE EXECUTIVE COMMITTEE CONCERNING THE ENDORSEMENT OF LABELLING PROVISIONS IN CODEX STANDARDS; PROPOSALS FOR AMENDMENTS TO THE CODEX GUIDELINES ON LABELLING PROVISIONS IN CODEX STANDARDS

25. The Committee had before it working paper CX/FL 89/4, which addressed the above subjects, and decided to discuss each issue separately.

Recommendations of the Executive Committee

26. The Committee noted that the Executive Committee had considered document CX/EXEC 88/35/7 at its 35th Session, in response to the Executive Committee's earlier request that proposals for a possible revision to the endorsement procedures be examined, especially those related to labelling.

27. It was noted that the Executive Committee fully endorsed the paper's recommendations, and agreed that this problem was not confined to the Codex Committee on Food Labelling. The Executive Committee concluded that the following approaches be adopted by the Commission and other relevant Committees to reduce and simplify the burden of the formal endorsement procedure:

- (a) incorporate, by reference, the general texts adopted by the Commission in relation to food labelling and food hygiene into Codex standards, and consider only requests for exemptions or exclusions on an ad hoc basis;
- (b) establish comprehensive, general texts which also could be incorporated by reference in other areas, in preference to endorsing provisions on an individual basis;
- (c) make exclusions or exemptions to the general requirements only where adequately justified.

28. In addition, the Executive Committee had recommended that the Provisions concerning Food Labelling in all Codex standards open with a statement that the product should be labelled in accordance with the Revised Codex General Standard for Food Labelling. Additional information, necessary where the General Standard provided for optional or specific labelling requirements, should then follow. This would include the specified name of the food and date-marking and storage instructions (only if the exemption foreseen in Section 4.7.1 of the General Standard was applied).

29. The recommendations of the Executive Committee relating to the simplification and streamlining of the endorsement procedures were fully supported by the Committee, and it was agreed that deviations from the General Standard, additional information, or the use of labelling options are the only matters requiring the attention of CCFL. It was noted that this would result in Codex standards which would be easier to understand and less repetitive in their content. The recommendation concerning a general reference to the Labelling Standard for each commodity was also supported and it was indicated that this approach was similar to current trends in national food regulations. It was also agreed that any deviations from the General Labelling Standard would receive close scrutiny by the Committee.

30. The Committee agreed to recommend to the Commission that these proposals be approved with the understanding that the

revisions would only be enacted by Codex Committees when individual standards were amended or updated, or when republished by the Secretariat.

Proposals for Amendments to the Codex Guidelines on Labelling Provisions in Codex Standards

31. The Committee noted the above amendment proposal, as contained in Part B of Annex I in CX/FL 89/4. The Committee agreed that most sections of the current guidelines repeated those contained in the General Standard and in only a few cases provided additional relevant guidance to Codex Committees.

32. Several delegations supported the elimination of the majority of sections included in the current labelling guidelines, including provisions related to the labelling of non-retail containers. Some Delegations indicated that some Commodity Committees found it difficult to provide details and justification required in the non-retail container section and that this section was impractical when related to certain individual commodity standards. However, it was also pointed out that because the General Standard allowed for flexibility in some instances, the relevant sections of the guidelines should be retained (i.e. date-marking and storage provisions). It was proposed that these provisions should be included in the Procedural Manual under the section entitled "Relations Between Commodity Committees and General Committees." It was noted that this proposal would eliminate the Labelling Guidelines as currently contained in the Procedural Manual.

33. The Committee paid particular attention to the question of non-retail containers. The Committee noted that this issue was complicated by recent contradictory decisions taken by the last two sessions of the Commission in relation to the necessity of Labelling Guidelines for Non-Retail Containers. It was pointed out that the scope of several commodity standards included foods traded in non-retail containers and that, therefore, basic information was required on non-retail containers to facilitate trade between parties. However, it was also pointed out that non-retail containers in international trade are frequently unlabelled, and information exchange was often facilitated by the use of appropriate shipping documents.

34. Although it was noted that the 16th Commission Session did not agree to the elaboration of Labelling Guidelines for Non-Retail Containers, it was also noted that the 17th Commission Session had adopted the Labelling Guidelines which included these provisions. The Committee was also informed that, by including provisions for non-retail container labelling in the Procedural Manual Guidelines, it had in effect made them mandatory for use in Codex standards and for those commodities covered by Codex standards.

35. The Committee agreed to withdraw the majority of the current Labelling Guidelines and to retain relevant sections for inclusion into the section of the Procedural Manual which

addressed relations between other Codex Commodity Committees and CCFL.

36. The Committee also agreed that non-retail container labelling provisions would still need to be endorsed by CCFL, if such provisions were required as a consequence of the scope sections of individual standards. It was also agreed that these should be optional provisions, and therefore, a provision for non-retail containers was inserted in the amended "Relations Between Commodity Committees and General Committees". The revised Procedural Manual Section, "Relations Between Commodity Committees and General Committees", is attached to this report as Appendix IV. The Committee agreed that the subject would be forwarded to the Codex Committee on General Principles for information, and to the Commission for adoption.

37. The Delegation of Argentina stated that, regardless of the changes made to the Procedural Manual, a declaration of the Country of Origin was required on labels of food in Argentina.

AGENDA ITEM 6 - ENDORSEMENT OF LABELLING PROVISION IN CODEX STANDARDS AND CODES OF PRACTICE

38. The Committee had before it working paper CX/FL 89/5, CX/FL 89/5 - Addendum 1, and Conference Room Document 5 containing labelling provisions submitted for endorsement.

39. In view of the discussion that took place under Agenda Item 5, the Committee agreed to discuss only those provisions which deviated from the General Standard, provided additional information, or were new items being put forward for endorsement.

40. In light of further consideration of the discussion that took place under Agenda Item 5, the Committee endorsed the labelling provisions of the following standards as submitted:

Codex Committee on Fish and Fishery Products, 18th Session, (ALINORM 89/18)

- Quick Frozen Guttled Pacific Salmon (Step 8)
- Canned Shrimps or Prawns (Step 8)
- Canned Tuna and Bonito in Water or Oil (Step 8)
- Canned Crab Meat (Step 8)
- Quick Frozen Shrimps or Prawns (Step 8)
- Canned Sardines and Sardine-Type Products (Step 8)
- Quick Frozen Lobsters (Step 8)

- Canned Mackerel and Jack Mackerel (Step 8)
- Canned Pacific Salmon (Step 8)

Codex Coordinating Committee for Europe, 16th Session
(ALINORM 89/19)

- Natural Mineral Waters (Step 8)
- Fresh Fungus Chanterelle (Step 8)
- Edible Fungi and Fungus Products (Step 8)
- Dried Edible Fungi (Step 8)
- Regional Standard for Mayonnaise (Step 8)

Codex Committee on Cereals, Pulses and Legumes, 6th
Session (ALINORM 89/29)

- Durum Wheat Semolina and Durum Wheat Flour (Step 5)

Codex Committee on Sugars (Adjourned Sine Die)

- White Sugar (Step 8)
- Sugar, Powdered (Step 8)
- Sugars, Soft (Step 8)
- Dextrose, Anhydrous (Step 8)
- Dextrose, Monohydrate (Step 8)
- Glucose, Syrup, Dried (Step 8)
- Lactose (Step 8)
- Dextrose, Powdered (Step 8)
- Fructose (Step 8)
- Glucose Syrup (Step 8)
- Codex Standard for Honey (Step 8)

Codex Coordinating Committee for Africa, 8th Session
(ALINORM 89/28)

- Gari (Step 8)
- Pearl Millet Grains (Step 8)
- Pearl Millet Flour (Step 8)

- Cassava Flour (Step 5)
- Desiccated Coconut Flour (Step 5)

41. Based on the discussion that had taken place under the previous agenda item, the Committee agreed that no specific action would be required with respect to Section 5.8 of the labelling provisions for Quick Frozen Guttled Pacific Salmon as a food treated by irradiation would be fully covered by Section 5.2 of the General Standard.

42. The Committee considered the labelling provisions in the following standards put forward by the Codex Committee on Processed Meat and Poultry Products (CCPMPP), 14th Session, ALINORM 89/16:

- Corned Beef (Step 5)
- Luncheon Meat (Step 5)
- Cooked Cured Ham (Step 5)
- Cooked Cured Pork Shoulder (Step 5)
- Cooked Cured Chopped Meat (Step 5)

43. The Committee noted that all the standards were at Step 5 of the procedure. In particular, the CCPMPP had requested advice from the Committee about non-retail containers in that several types of containers used in the meat industry are designed for re-use and the labelling provisions contained in Section 5.2 of the guidelines were considered to be somewhat impractical.

44. The Committee agreed that the CCPMPP would have difficulty in applying the Guidelines on Non-Retail Containers to processed meat and poultry products and that the new procedures adopted by the Committee under Agenda Item 5 would provide more flexibility in this regard.

45. The Delegation of Switzerland and that of Spain (speaking as the current President of the EEC) expressed the view that the labelling provisions for Corned Beef and other long-life canned products should not exempt these products from the requirements for date-marking. It was noted that the Commission at its 17th Session had reconfirmed the view that date-marking for long-life canned fish products was not required (ALINORM 87/39, para. 411). The Delegation of the United Kingdom suggested that the Codex Committee on Processed Meat and Poultry Products should review the wording of the provisions regarding date-marking with a view to making them clearer.

46. The Committee considered the labelling provisions in the following standards submitted by the CCNFSDU, 16th Session (ALINORM 89/26).

- Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (Step 8)
- Standard for the Labelling of and Claims for Foods for Special Medical Purposes (Step 5)
- Standard for Formula Foods for Use in Weight Control Diets (Step 5)
- Labelling of and Claims for Prepackaged "Low-Energy" or "Reduced-Energy" Foods (Step 3)
- Canned Baby Foods (Step 8)
- Cereal-Based Foods for Infants and Children (Step 8)
- Follow-up Formula (Step 8)

47. The Committee noted that the last line of the introductory text of Section 9.2.3 of the labelling provisions for the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children required amendment as follows:

"... of the food as sold as well as per specified quantity of the food as suggested for consumption."

The standard was endorsed with this amendment.

48. Following consideration of the labelling provisions in the Standard for the Labelling of and Claims for Foods for Special Medical Purposes, the Committee decided that there appeared to be no justification provided for exempting this standard from the requirements found in Sections 4.3, 5.1, 5.2.2, 5.2.3 and 6 of the General Standard. The exemption for a declaration of net contents (Section 4.3 of the General Standard) was of particular concern to the Committee. While recognizing that the standard was at Step 5 of the Procedure, the Committee decided to withhold endorsement, pending justification for the exemptions to the General Standard.

49. The Committee endorsed the labelling provisions in the standard for Formula Foods for Use in Weight Control Diets with the proviso that the word "should" in Section 9.11.2 be replaced by "shall".

50. In considering the labelling provisions in the Draft Standard for the Labelling of and Claims for Prepackaged "Low-Energy" or "Energy-Reduced" Foods, the Committee was reminded of the opinion given by FAO Legal Counsel (paras. 95-97 of ALINORM 89/26). On the basis of this opinion, the CCNFSDU had deleted the words "for special dietary purposes" from the title of the standard. Such foods could now be considered in a broader context.

51. While the legal opinion did not specifically state which Codex Committee should handle the development of standards such as the one in question, several delegations felt that the

change in the name to encompass more than special dietary products took the Standard for the Labelling of and Claims for Prepackaged "Low-Energy" or "Energy-Reduced" Foods out of the remit of the CCFNSDU. The Delegation of the United States stated that there was a need to examine as a whole the issue of quantitative definitions for descriptive nutritional terms used in labelling because there was a broader need to provide uniform meaning to such terms as "light", "low cholesterol", "low sodium", etc., in order to bring order to the marketplace.

52. The Delegation of the Netherlands expressed the view that the scope of the existing standard was too narrow and that cooperative activity between the Committee and the CCFNSDU should result in the development of a standard with wider application.

53. Several other delegations pointed out emerging problems in their jurisdictions with "lifestyle" foods which do not fall clearly within the definition of a special dietary food. "Light Cheese" and "Light Yogurt" were given as examples.

54. The Committee decided that the Proposed Draft Standard for the Labelling of and Claims for Prepackaged "Low-Energy" or "Reduced-Energy" Food should be considered by the Executive Committee, and as appropriate to the Commission, to determine which Committee should be responsible for its further elaboration.

55. The Committee adopted the labelling provisions of the standards for Canned Baby Food, Cereal Based Foods for Infants and Children and Follow-up Formula without amendment.

56. The Committee endorsed the labelling provisions contained in the Standards for Bouillons and Consommés and Edible Ices and Ice Mixes, recalling the discussion that took place in para. 39 which stated that food treated by irradiation would be fully covered by Section 5.2 of the General Standard.

57. The Committee endorsed the revised labelling provisions in Standards for Milk Products as submitted by the International Dairy Federation:

- Standard for Butter and Whey Butter (Standard A-1)
- Standard for (i) Anhydrous Milkfat, (ii) Anhydrous Butteroil and (iii) Butteroil and Butterfat [Revised Standard A-2(a)]
- Standard for Ghee [Revised Standard A-2(b)]
- Standard for Evaporated Milk, Evaporated Skimmed Milk, Evaporated Partly Skimmed Milk and Evaporated High-Fat Milk (Revised Standard A-3)
- Standard for Sweetened Condensed Milk and Sweetened Condensed Skimmed Milk, Sweetened Condensed Partly Skimmed Milk and Sweetened High-Fat Milk (Revised Standard A-4)

- Standard for Whole Milk Powder, Partly Skimmed Milk Powder and Skimmed Milk Powder (Revised Standard A-5)
- General Standard for Cheese (Standard A-6)
- General Standard for Whey Cheese (Revised Standard A-7)
- General Standard for Named Variety Process(ed) Cheese and Spreadable Process(ed) Cheese [Standard A-8(a)]
- General Standard for Process(ed) Cheese and Spreadable Process(ed) Cheese [Standard A-8(b)]
- General Standard for Process(ed) Cheese Preparations Process(ed) Cheese Food and Process(ed) Cheese Spread [Standard A-8(c)]
- Standard for Cream for Direct Consumption (Standard A-9)
- Standard for Cream Powder, Half Cream Powder and High Fat Milk Powder (Standard A-10)
- Standard for Yoghurt (Yogurt) and Sweetened Yoghurt (Sweetened Yogurt) [Standard A-11(a)]
- Standard for Flavoured Yoghurt (Yogurt) and Products Heat-Treated after Fermentation [Standard A-11(b)]
- Standard for Edible Acid Casein (Standard A-12)
- Standard for Edible Caseinates (Standard A-13)

AGENDA ITEM 7 - CONSIDERATION AT STEP 4 OF PROPOSED DRAFT REVISION OF THE CODEX GENERAL GUIDELINES ON CLAIMS

58. The Committee had before it the Proposed Draft Revision of the Codex General Guidelines on Claims, as contained in ALINORM 87/22, Appendix II, Annex 1, and comments on these proposals from Argentina, Norway, Thailand, Sweden, United States of America, and the Confederation of the Food and Drink Industries of the EEC (CIAA) in document CX/FL 89/6. It also had the comments made by delegations at the 16th Session of the Codex Committee on Nutrition of Foods for Special Dietary Uses in ALINORM 89/26, Appendix X, reproduced in document CX/FL 89/6, Add. 1.

59. The Committee recalled that the purpose of the revision was to address the question of "negative claims"; however, at the previous Session a proposal had been made to detach the Guidelines from the General Standard for the Labelling of Prepackaged Foods in a manner which would allow governments to apply them to advertising, if they so wished.

60. The Committee recalled that the Commission at its 16th Session 1985, had discussed in detail a proposal to develop a Code of Practice on Advertising and had decided that such a document should not be prepared (ALINORM 85/39, paras. 196-207).

61. The Delegation of Sweden stated its opinion that the guidelines should be extended to cover advertising, in view of the trend towards trans-national advertising practices, and that this should be done in a manner which would both facilitate trade and protect the consumer.

62. The Delegation of the United States, confirming that country's commitment to the principles of consumer protection, stated that it did not agree that the responsibilities of the Committee enabled it to elaborate provisions relating to advertising. The Delegation stated that provisions relating to advertising needed to be addressed by the competent international authorities and drew attention to the United Nations Guidelines on Consumer Protection in this regard.

63. This view was supported by the Observer from the European Association of Advertising Agencies who drew attention to other international codes of practice, for example, those of the International Chamber of Commerce, and national laws and regulations. The Observer expressed the opinion that specific requirements in relation to food advertising could jeopardize the effectiveness of these existing recommendations by creating conflicting requirements or partial exclusions to the requirements of other recommendations.

64. The Delegation of the United Kingdom expressed the view that it was not simply a matter of including or excluding advertising from the Guidelines. There were some areas of advertising that were clearly outside the scope of the proposals and others which should be covered by them.

65. The Delegation of Switzerland stated that in most cases it was not feasible to apply the restrictions on labelling to advertising, although special cases such as therapeutic claims, or claims concerning vitamins or special dietary products could be controlled.

66. The Committee noted that the Codex General Standard for the Labelling of Prepackaged Foods stated that "prepackaged food shall not be described or presented on any label or in any labelling that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect." The U.N. General Assembly Guidelines for Consumer Protection (39/248) likewise encouraged the prohibition of "false or misleading claims in marketing and service frauds." The Codex General Standard would control food labelling statements when foods move in international commerce, and similar statements would also be controlled in food advertising under the recommendations of the U.N. Guidelines for Consumer Protection.

67. The Delegation of the United States noted that since advertising usually was carried out separately from the labelling of foods, and often by persons who did not produce the foods, the control of false misleading or deceptive advertising, whether for foods or other consumer goods and services, was usually the responsibility of national or local advertising control authorities.

68. The Delegation of the United States restated its opinion that the Commission should be asked to decide whether or not the Committee was authorized to elaborate provisions relating to advertising. It referred to the opinion of FAO and WHO Legal Counsels, prepared for the Committee's 18th Session 1985 (CX/FL 85/7) which indicated that the Committee was authorized only "to study problems associated with advertising", and that the question of authority to elaborate provisions on advertising had not been addressed.

69. The Delegation of Sweden pointed out that this matter had already been settled by the FAO and WHO Legal Counsels stating that advertising was clearly within the terms of reference of this Committee.

Section 1 - Scope and General Principles

70. The Committee agreed to add the following sub-section: "1.3' The person marketing the food should be able to justify the claims made."

Section 2 - Definition

71. No changes were made.

Section 3 - Prohibited Claims

72. The Committee agreed to amend Section 3.1 as proposed in the written comments of the Government of Sweden.

73. The Observer of the CIAA, referring to that Organization's written comment, stated that positive statements giving information to people whose specific needs had to be met by a specially adjusted diet could be prohibited by the application of Section 3.2, and proposed an amendment. The Committee discussed fully the implications of the proposed amendment and several alternative proposals, but decided to leave the Section unchanged.

74. The Delegation of Australia drew attention to the need for uniformity of the application of Section 3.4(b) which currently allowed health claims to be made under the laws of the country in which the food is distributed if no Codex standards or guidelines applied. The Delegation drew attention to the fact that actions taken by individual countries in this area had the potential to create difficulties in trade, and put other countries under pressure to modify their national regulations accordingly.

Section 4 - Misleading Claims

75. The Committee agreed to modify the introductory statement to indicate that certain claims may be misleading, and were not necessarily misleading in all cases.

76. The Observer from the EEC drew attention to current trends to allow the use of designations such as "organically grown" or "biologically grown" under defined conditions. This was supported by the Delegation of Switzerland which drew attention to the work of the Codex Coordinating Committee for Europe in this regard. The Committee agreed to amend Section 5.1(ii) "Conditional Claims", accordingly. However, in order to ensure that unsubstantiated claims as to "organic", "biological" or other similar statements were not to be used, the Committee agreed to include a new statement covering:

"Claims that a food has special characteristics when all such foods have the same characteristics."

Section 5 - Conditional Claims

77. The Committee agreed to amend Section 5.1(ii) to make the provision more general, by referring to "Terms such as ...". It also amended the introductory phrase of Section 5.1(iv) to ensure that conditional claims would not be misleading.

78. The Committee considered that Section 5.1(iv)(c) as presently written could create an obstacle to trade in many well-recognized foods, and agreed to reword this section to read:

"c) has not been substituted by another giving the food equivalent characteristics unless the nature of the substitution is clearly stated with equal prominence."

79. Several delegations drew attention to the fact that sub-section 5.1(iv)(d) would permit claims which were considered to be illegal under certain existing national regulations and was inconsistent with 5.1(iv)(b). Other delegations strongly supported the concept of the provision. The Committee reviewed two alternative proposals, but could not agree on a definitive revision of this section. The two proposals were placed in square brackets and governments were requested to indicate their preference for one or the other.

80. The Committee removed the square brackets from the remainder of Section 5.1(iv) and (v). It also agreed that the text should be amended editorially to ensure consistency in the use of the conditional tense. The Delegation of the Netherlands remarked that Section 5.1(v) was superfluous as this was already covered by the definition of nutrient claims in the Guidelines on Nutrition Labelling.

Status of the Proposed Draft Revised Guidelines

81. The Committee agreed to advance the proposed draft revised guidelines to Step 5 of the Codex Procedure. The amended text is contained in Appendix V to the present report.

Consideration of Nutrition Claims

82. The Delegation of the Netherlands, supported by the Observer of the CIAA, drew attention to legislation currently in place, or under development, in many countries regulating nutrition claims such as "low in", "reduced", "rich in" or other descriptive terms commonly used to indicate that foods had been modified with certain nutritional goals in mind. Several delegations expressed the opinion that divergence of national regulations in this area presented a potential obstacle to trade and noted that in the case of "low-energy" and "reduced-energy" foods, the Committee on Nutrition and Foods for Special Dietary Uses had already initiated some work (see para. 50-54 above). It was agreed that there needed to be specific cut-off points by which these claims or descriptive terms could be regulated. The Delegation of Canada pointed out that nutritional and health considerations were involved in the development of definitions of certain of these claims, for example, "low cholesterol". As a consequence, the definition of these particular descriptive terms was more properly the responsibility of the CCNFSDU.

83. It was agreed that it would be appropriate to prepare an inventory of national requirements in this regard and that a Circular Letter should be sent to governments soliciting such information. The Committee accepted the offer of Canada to collate and summarize replies from governments, with a view to transmitting them to the Committee on Nutrition on Foods for Special Dietary Uses to confirm the cut-off levels which might be established. The Committee, however, confirmed its opinion that the principal lead on this matter should remain with the Committee on Food Labelling.

AGENDA 7A - CONSIDERATION OF THE REPORT AND RECOMMENDATIONS OF THE JOINT FAO/WHO EXPERT CONSULTATION ON RECOMMENDED ALLOWANCES FOR NUTRIENTS FOR FOOD LABELLING PURPOSES

84. As discussed under Agenda Item 2 (CX/FL 89/1, Add. 1), the Committee agreed to discuss this subject immediately after Item 7 of the Agenda. The Committee noted that the English version of the report had been recently distributed to Codex Contact Points.

85. The Secretariat noted that the current Codex Guidelines on Nutrition Labelling (CAC/GL 2-1985) provided interim references for recommended daily allowances (RDA) for labelling purposes in Section 3.3.4. As the interim guidelines raised several questions concerning the nutrients and values listed, the convening of an expert consultation had been recommended by several Codex Committees and the Commission to provide further guidance. The Government of Finland had generously agreed to

host the Joint FAO/WHO Expert Consultation, which was held from September 12-16, 1988. The Consultation consisted of experts in the fields of nutrition, food technology, regulation and legislation from industry, research institutions, universities and governments. Extensive inputs concerning recommended dietary intakes in different countries were also gathered for the Consultation through a Codex Circular Letter, and from the work of a Committee of the International Union of Nutritional Sciences.

86. The terms of reference for the Consultation (page 2 of the report) among other issues, focussed on the establishment of comprehensive reference values for the general population, as opposed to values for specific target groups. Advice on the labelling of foods for special groups was adequately covered through the work of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU). It was also noted that the Recommended Nutrient Reference Values (NRVs) for Vitamin D, Niacin and Iodine may not be applicable for countries where national nutrition policies or local conditions provided sufficient assurance to ensure that individual requirements were satisfied (see Table 2 of the report). The Consultation noted that nutrition labelling was an important aspect of nutrition education, but that its main purpose was to provide the consumer with information about the food in order that a wise choice of food could be made.

87. The Committee also noted that the report, in draft form, had been discussed at the 16th CCNFSDU Session and, although that Committee could not endorse the report in its draft form, it had recognized that the report marked an important step forward in approaches to nutrition labelling. The present Committee also welcomed the initiative of FAO, WHO and the Government of Finland in convening the Consultation and thanked the Consultation for its efforts.

88. The Delegation of the United Kingdom, supported by that of India, noted that the Committee had previously recommended that the reference RDAs should be based on earlier FAO/WHO guidelines and as the current NRVs differed significantly from these values, they should be carefully examined. As the recommended NRVs were thought to be very high and would be seen as official recommendations, the potential for misuse and for misleading consumers was also thought to be great. It was also pointed out that the new NRVs concept would need to be examined to determine what it means and how it is used. Increasing nutrition education regarding RDAs was felt to be an attractive alternative to adopting a new system. The difficulty of changing these values in the future, if adopted, was also seen as a drawback. In view of the novelty of this issue, the lack of time to examine the report and in consideration of possible major policy issues, these delegations felt that its adoption at this time would be premature, and suggested circulating the report for comments from CCNFSDU and member governments. The Delegations stated that the values recommended by the Expert Consultation were too high and might not be achieved, especially by consumers in developing countries.

89. The Delegation of New Zealand, supported by that of Australia, stated that, because the term Recommended Daily Allowances (RDAs) differed significantly from Nutrient Reference Values, there was a need to examine carefully the implications of this change.

90. The Delegations of Denmark, Netherlands, Sweden and Switzerland noted that these values were for labelling purposes and consumer information. These delegations noted that the NRVs were reference values which could be re-examined as more data became available. It was also noted that the use of NRVs made it easier to understand the nutrient contents, and that the values were similar to many national recommendations. It was also noted that the values were easier to understand, were similar to many current national guidelines, and were used by consumers for comparison purposes as opposed to assessing the daily intake of nutrients. Consumers were known to consider nutrition information as an important issue, and to delay the establishment of these values was felt unwise. The importance of consumer education in the application of nutrition labelling, in which the meaning of NRVs would be explained, was stressed.

91. The Secretariat reassured the Committee that the NRVs were not fixed and could be changed in the future as new data on recommendations from other Expert Consultations became available. It was pointed out that the Consultation had examined all available recommendations from FAO and WHO and had noted that many specific values had been established very many years ago. For this reason, the Consultation had decided to establish new NRVs on more up-to-date information. Concerns as to the misinterpretation of RDAs when used in nutrition labelling were also outlined on pages 12 and 13 of the report. It was also pointed out that the majority of foods were not nutritionally labelled, and that consumers were not in a position, in any case, to estimate their intake of nutrients solely on the basis of the nutritionally labelled foods available to them.

92. The Delegation of Malaysia observed that the report did not review trans-fatty acids and that the information on dietary fats and oils contained in the report was based on data gathered before 1977. The Delegation supported the report's recommendation concerning the consideration of new data for fats and oils.

93. The Committee decided that the values be forwarded to the Commission for adoption, with the understanding that other paragraphs in the section would need consequential revision. The Delegations of Australia, France, India, New Zealand and the United Kingdom expressed reservations regarding this procedure. The Committee also agreed to send out a Circular Letter requesting comments on the Helsinki Report.

94. The Committee noted that the Codex Guidelines on Nutrition Labelling were subject to periodic review, and that new advances in nutrition sciences would need to be considered from time to time. For example, it would be necessary to consider the recommendations of the FAO/WHO Expert Consultation on Trace

Elements. The Committee requested to be kept informed of developments which might affect the application of the guidelines.

95. The Nutrient Reference Values are included as Appendix VI to this report.

AGENDA ITEM 8 - PROGRESS REPORT ON METHODOLOGY FOR USE IN THE CODEX GUIDELINES ON NUTRITION LABELLING

96. The Committee received a report (Conference Room Document 8) on methodology for use in relation to the Codex Guidelines on Nutrition Labelling. Dr. N. Thompson (Canada) reported that a small ad hoc Working Group had considered the situation as described in document CX/FL 89/7. The Working Group had:

- a) reviewed a survey of methods of sampling and analysis;
- b) discussed specific concerns related to sampling, validation of recommended methods and analysis of certain nutrients such as dietary fibre; and
- c) considered future activities.

97. The report of the ad hoc Working Group is contained in Appendix VII to the present report.

98. The Committee expressed its appreciation to Dr. Thompson and the members of the Working Group for the report and noted its conclusions. It was agreed that the Working Group should continue its review of the available methodology for the analysis of the nutrients defined in the Guidelines on Nutrition Labelling.

AGENDA ITEM 9 - CONSIDERATION OF FUTURE WORK OF THE COMMITTEE

99. The Committee noted that matters for its future consideration would include:

- endorsements;
- consideration of the Draft Revised Guidelines on Claims (at Step 7);
- revision of Class Titles for Food Additives (at Step 5);
- review of certain sections of the Guidelines on Nutrition Labelling (recommendation arising from the Helsinki report);

- consideration of an inventory and national regulations and guidelines on Nutrition Claims and consideration of nutrition claims and descriptive terms;
- consideration of models for the uniform presentation of nutrition information on labelling (recommendation arising from the Helsinki report);
- progress report on analytical methodology for use in the Codex Guidelines on Nutrition Labelling.

100. The Delegation of the United States drew attention to the need to consider aspects of biotechnology as they related to the labelling of foods. The Committee was informed that the impact of biotechnology on food standards and codes of practice was scheduled as a matter for discussion at the 18th Session of the Codex Alimentarius Commission, and that it was likely that the Commission would direct certain matters arising from this discussion to the attention of the Committee.

AGENDA ITEM 10 - OTHER BUSINESS

101. There was no other business.

AGENDA ITEM 11 - DATE AND PLACE OF NEXT SESSION

102. The Chairman informed the Committee that the Government of Canada wished to continue to act as its host government. In view of the time needed to obtain sufficient background information for the items proposed for future work, the Chairman proposed that the next general Session of the Committee should be held in Ottawa in mid-1992, and that a special Session should be held in Rome immediately before the 19th Session of the Commission (1991) to deal with endorsements required for the adoption of standards and other matters requiring immediate attention. Dates of these meetings would be agreed upon by the Canadian and Codex Secretariats and communicated in due course.

CODEX COMMITTEE ON FOOD LABELLING

Summary Status of Work

Standard/Guideline	Step	For Action By:	Document Reference
Section 5.2.1 of the General Labelling Standard (Irradiated Foods)	5&8	18th CAC Governments	ALINORM 89/22, Appendix III
Draft Revised Codex General Guidelines on Claims	5	18th CAC Governments	ALINORM 89/22, Appendix V
Section 4.2.2.3 of the General Labelling Standard (Class Titles)	2	18th CAC Governments	ALINORM 89/22, Appendix II
Revised Procedures for the Endorsement of Codex Standard Food Labelling Provisions	-	18th CAC	ALINORM 89/22, paras. 26-30
Revised Procedural Manual Section: "Relations Between General Commodity Committees and General Committees"	-	18th CAC	ALINORM 89/22, Appendix IV
Endorsement of Labelling Provisions in Codex Standards	-	21st CCFL	ALINORM 89/22, paras. 38-57
Consideration of the Joint FAO/WHO Expert Consultation on Recommended Allowances of Nutrients for Food Labelling Purposes	-	Governments	ALINORM 89/22, paras. 84-95
Methodology for the Analysis of Nutrients	-	Governments	ALINORM 89/22, paras. 96-98
Review of Nutritional Claims on Labelling	-	Governments Canada	ALINORM 89/22, paras. 82-83
Consideration of models for the uniform presentation of nutrition labelling information	-	Governments	ALINORM 89/22, para. 99

ALINORM 89/22

APPENDIX I

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CLASS TITLES FOR FOOD ADDITIVES

(Proposed Draft Amendment to Section 4.2.2.3¹ of the General Standard for Labelling of Pre-packaged Foods, at Step 3)

CLASS TITLES

Acidity Regulator
Anticaking Agent
Antifoaming Agent
Antioxidant
Bulking Agent
Sweetener
Colour
Colour Retention Agent
Emulsifier
Emulsifying Salt
Flavour Enhancer
Flour Treatment Agent
Gelling Agent
Glazing Agent
Preservative
Propellant
Stabilizer
Thickener
Raising Agent
Foaming Agent
Humectant
[Acidifier/Acid/Food Acid]
[Firming Agent]

¹ The General Standard in Section 4.2.2.4 also states:

The following class titles may be used for food additives falling in the respective classes and appearing in lists of food additives permitted generally for use in foods:

Flavour(s) and Flavouring(s)
Modified Starch(es)

The expression "flavours" may be qualified by "natural", "nature identical", "artificial" or a combination of these words as appropriate.

IRRADIATED FOODS

(Proposed Amendment to Section 5.2.1 of the General Standard for the Labelling of the Prepackaged Foods, at Step 5, with proposals to omit Steps 6 and 7)¹

5.2 Irradiated Foods

5.2.1. The label of a food which has been treated with ionizing radiation/energy shall carry a written statement indicating that treatment in close proximity to the name of the food. The optional use of any logo/symbol indicating that the food has been irradiated shall be accompanied by a clear statement explaining the logo/symbol.

5.2.2 When an irradiated product is used as an ingredient in another food, this shall be so declared in the list of ingredients.

5.2.3 When a single ingredient product is prepared from a raw material which has been irradiated, the label of the product shall contain a statement indicating the treatment.

¹ The proposed amendment to 5.2.1 is being presented with 5.2.2 and 5.2.3 of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985) for the sake of completeness. Action is required only in relation to Section 5.2.1. and Section 5.2 will no longer need to be kept under review.

PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL

A. RELATIONS BETWEEN COMMODITY COMMITTEES AND GENERAL COMMITTEES

Codex Committees may ask the advice and guidance of the Committees on Food Labelling, Food Additives and Contaminants, Methods of Analysis and Sampling, and Food Hygiene, on any points coming within their province.

Food Labelling

- (a) Codex Commodity Committees should prepare a section on labelling in each draft commodity standard and this section should contain all the labelling provisions of the standard. All Codex commodity standards should be referred to the Codex Committee on Food Labelling at the most suitable time during Steps 3, 4, and 5 of the Procedure for the Elaboration of Codex Standards, though such reference should not be allowed to delay the progress of the standard to the subsequent steps of the Procedure. All labelling provisions will require endorsement by the Codex Committee on Food Labelling. When commodity standards are sent to governments for comment at Step 3, they should contain a statement that the labelling provisions are subject to endorsement by the Codex Committee on Food Labelling.
- (b) Instructions to Codex Committees
 - i) The provisions on food labelling should be included by reference to the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985). Exemptions from, or additions to, the General Standard which are necessary for its interpretation in respect of the product concerned should be justified fully, and should be restricted as much as possible.
 - ii) Information specified in each draft standard should normally be limited to the following:
 - a statement that the product shall be labelled in accordance with the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985)
 - the specified name of the food
 - date marking and storage instructions (only if the exemption foreseen in Section 4.7.1 of the General

Standard is applied)

- iii) Where the scope of a Codex Standard is not limited to prepackaged foods, a provision for labelling of non-retail containers may be included.
- iv) In respect of date-marking (Section 4.7 of the General Standard), a Codex Committee may, in exceptional circumstances, determine another date or dates as defined in the General Standard, either to replace or to accompany the date of minimum durability, or alternatively decide that no date marking is necessary. In such cases, a full justification for the proposed action should be submitted to the Codex Committee on Food Labelling.

SECRETARIAT NOTE:

The following consequential changes will need to be made to the "Labelling" Section of the Format for Codex Commodity Standards, as contained in the Procedural Manual (page 69):

LABELLING

This section should include all the labelling provisions contained in the standard and should be prepared in accordance with paragraph 13, page 115 of the Guidelines for Codex Committees. Provisions should be included by reference to the General Standard for the Labelling of Prepackaged Foods. The section may also contain provisions which are exemptions from, additions to, or which are necessary for the interpretation of the General Standard in respect of the product concerned provided that these can be justified fully. The following statement should also appear.

"The following provisions in respect of the labelling of this product are subject to endorsement [have been endorsed] by the Codex Committee on Food Labelling".

**PROPOSED DRAFT REVISION OF THE
CODEX GENERAL GUIDELINES ON CLAIMS
(At Step 5)**

1. SCOPE AND GENERAL PRINCIPLES

1.1 These guidelines relate to claims made for a food irrespective of whether or not the food is covered by an individual Codex Standard.

1.2 The principle on which the guidelines are based is that no food should be described or presented in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.

1.3 The person marketing the food should be able to justify the claims made.

2. DEFINITION

For the purpose of these guidelines, a claim is any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.

3. PROHIBITED CLAIMS

The following claims should be prohibited:

3.1 Claims stating that any given food will provide an adequate source of all essential nutrients, except in the case of well defined products for which a Codex standard regulates such claims as admissible claims or where appropriate authorities have accepted the product to be an adequate source of all essential nutrients.

3.2 Claims implying that a balanced diet of ordinary foods cannot supply adequate amounts of all nutrients.

3.3 Claims which cannot be substantiated.

3.4 Claims as to the suitability of a food for use in the prevention, alleviation, treatment or cure of a disease, disorder, or particular physiological condition unless they are:

- (a) in accordance with the provisions of Codex standards or guidelines for foods under jurisdiction of the Committee on Foods for Special Dietary Uses and follow the principles set forth in these guidelines.

or,

- (b) in the absence of an applicable Codex standard or guideline, permitted under the laws of the country in which the food is distributed.

3.5 Claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.

4. MISLEADING CLAIMS

The following claims may be misleading:

4.1 Meaningless claims including incomplete comparatives and superlatives.

4.2 Claims as to good hygienic practice, such as "wholesome", "healthful", "sound".

4.3 Claims that a food has special characteristics when all such foods have the same characteristics.

5. CONDITIONAL CLAIMS

5.1 The following claims should be permitted subject to the particular condition attached to each:

- (i) An indication that a food has obtained an increased or special nutritive value by means of the addition of nutrients, such as vitamins, minerals and amino acids may be given only if such an addition has been made on the basis of nutritional considerations. This kind of indication should be subject to legislation by the appropriate authorities.
- (ii) Terms such as "natural", "pure", "fresh", "home made", "organically grown" and "biologically grown" when they are used, should be in accordance with the national practices in the country where the food is sold. The use of these terms should be consistent with the prohibitions set out in Section 3.
- (iii) Religious or Ritual Preparation of a food may be claimed provided that the food conforms to the requirements of the appropriate religious or ritual authorities.
- (iv) Claims which highlight the absence or non-addition of particular substances to food may be used provided that they are not misleading and provided that the substance:
 - (a) is not subject to specific requirements in any Codex Standard or Guideline;
 - (b) is one which consumers would normally expect to find in the food;

(c) has not been substituted by another giving the food equivalent characteristics unless the nature of the substitution is clearly stated with equal prominence; and

(d) where it is not approved for use in the food is indicated as such, and this fact is clearly and prominently indicated in the same field of vision as the claim and unless those claims are not prohibited by national governments;

OR

(d) is one whose presence or addition permitted in the food.

(v) Claims which highlight the absence or non-addition of one or more nutrients should be regarded as nutrition claims and therefore should invoke mandatory nutrient declaration in accordance with the Codex Guidelines on Nutrition Labelling.

NUTRIENT REFERENCE VALUES

(Proposal for amendment to Section 3.3.4 of the
Codex Guidelines on Nutrition Labelling)

3.3.4 Numerical information on vitamins and minerals should be expressed in metric units and/or as a percentage of the Nutrient Reference Value per 100 g or per 100 ml or per package if the package contains only a single portion. In addition, this information may be given per serving as quantified on the label or per portion provided that the number of portions contained in the package is stated.

In addition, information on protein may also be expressed as percentages of the Nutrient Reference Value.

The following Nutrient Reference Values should be used for labelling purposes in the interests of international standardization and harmonization:

Protein	(g)	50
Vitamin A	(μ g)	800
Vitamin D	(μ g)	5*
Vitamin C	(mg)	60
Thiamine	(mg)	1.4
Riboflavin	(mg)	1.6
Niacin	(mg)	18*
Vitamin B ₆	(mg)	2
Folic acid	(μ g)	200
Vitamin B ₁₂	(μ g)	1
Calcium	(mg)	800
Magnesium	(mg)	300
Iron	(mg)	14
Zinc	(mg)	15
Iodine	(μ g)	150*
Copper	Value to be established	
Selenium	Value to be established	

* Nutrient Reference Values for Vitamin D, Niacin and Iodine may not be applicable for countries where national nutrition policies or local conditions provide sufficient allowance to ensure that individual requirements are satisfied. See also section 3.2.4.1 of the Codex Guidelines on Nutrition Labelling.

**REPORT OF THE AD HOC WORKING GROUP ON METHODOLOGY FOR
USE IN THE CODEX GUIDELINES ON NUTRITION LABELLING**

1. The meeting of the Working Group was attended by representatives of Canada, Denmark, Malaysia, Sweden, Switzerland, United Kingdom and U.S.A., Dr. J.N. Thompson acted as Chairman and Miss P. Steele as rapporteur. A progress report of the Group has been circulated (CX/FL 89/7).
2. The Working Group met to consider methods of analysis and sampling for the purpose of the Codex Guidelines on Nutrition Labelling (Alinorm 85/22A, Appendix III) and specifically to:
 - a) review a survey of methods of sampling and analysis;
 - b) discuss specific concerns related to sampling, validation of recommended methods and analysis of certain nutrients such as dietary fibre;
 - c) consider future activities.
3. A summary of the results of a survey of methods for sampling and analysis was provided by the Chairman (Annex I). It was noted that 15 countries submitted comments. The methods listed in the table prepared previously by the Working Group (Alinorm 87/22, Appendix III, Annex I), with the exception of that concerning dietary fibre, were described as acceptable. In many countries, however, other methods are also used routinely. Few countries described formal sampling plans.
4. In a discussion of sampling methodology, the following issues were addressed:
 - a) sampling plans must be provided for methods submitted to CCMAS for approval;
 - b) many of the sampling plans recommended by CCMAS would be difficult and expensive if applied to analysis of nutrients;
 - c) the possibility of having different sampling plans with different tolerances tailored to specific foods or situations was rejected because it is too complicated;

- d) the possibility of having different sampling plans and tolerances for nutrition labelling and nutrition claims was suggested by some countries but others believed such discrimination to be unnecessary;
- e) the U.S.A. described the use of a database in labelling of commodities such as fresh fruit and vegetables.

It was suggested that a sampling plan designed for the measurement of mean quality in a blended sample would be appropriate for nutritional labelling when a sampling plan was not otherwise specified in a Codex standard for a commodity.

- 5. The analysis of dietary fibre was discussed. The Codex Guidelines indicate two reasons for measuring dietary fibre, first for correcting "carbohydrate by difference" to obtain values for available carbohydrate and energy, and second to be able to declare the amount of fibre. It was noted that the original AOAC method had been accepted by CCNFSDU for adjusting the energy value of infant formula and follow-up formula. The U.K. pointed out that there were at least two categories of dietary fibre with different physiological effects and recommended that methods be developed to determine each separately. Canada mentioned that since certain dietary fibre sources yield metabolizable energy, the exclusion of all fibre from the calculation of the energy value of foods may be inappropriate. Although the AOAC method was preferred by most countries, it was not considered justifiable to insist on the use of a single method for measuring dietary fibre at this stage. A further issue to be resolved is whether "resistant starch" should be included with dietary fibre.
- 6. The inclusion of substances other than B-carotene and retinol in the definition of vitamin A was discussed. The activity of B-apo-8'-carotenal, a substance used as a colour in cheese and other foods was noted. Another suggestion for future consideration was the declaration of B-carotene and vitamin A separately.
- 7. Malaysia pointed out that the contribution of tocotrienols to vitamin E activity should be considered.
- 8. A description of a comprehensive review of collaborative studies, submitted by Drs. W. Horwitz and R. Albert, of the U.S. Food and Drug Administration, was tabled. It is expected that the final report will provide information concerning the performance of methods of analysis for nutrients and set standards concerning acceptability. Data from the report will be used to support recommendations to CCMAS concerning the adoption of methods.

9. Future Activities

- a) Although considerable time will be required for the organization of new collaborative assays, it was proposed that the Group should continue to evaluate methods subjected to such studies to ensure prompt adoption by Codex of validated procedures. The possibility of reviewing other frequently used methods was considered to be too complicated and costly in relation to the possible benefits. It was agreed however that continued exchange of information on methods used in nutritional labelling would be worthwhile.
- b) The Group noted that progress of validation of methods of analysis was slow and lagged increasingly behind the development and use of new analytical procedures. It therefore recommends that organizations concerned with method development should be encouraged by appropriate support to accelerate work on collaborative tests.
- c) The Group also noted that analysis of nutrients requires continuing validation using samples of known composition. The Group therefore recommends encouragement of the development of standard reference materials for nutrient analysis.
- d) The Group observed that with rapid advances in nutritional sciences and the increasing importance of certain nutrients not now included in the Codex Guidelines on Nutrition Labelling, revision of the Guidelines may soon be necessary. The examination of methods by the Group may need to be extended to include nutrients not presently under review.

ANNEX I

Working Group on Methods of Analysis and Sampling - Ottawa 1989

Survey of Methods for Sampling and Analysis

General

Information was received from Australia, Canada, China, Denmark, Federal Republic of Germany, Finland, France, Netherlands, New Zealand, Norway, Sweden, Switzerland, Thailand, United Kingdom, United States and the International Dairy Federation (IDF). In Australia and Canada, analysts may validate methods considered to be most suitable for each nutrient-food combination but AOAC methods are generally preferred. A set of official sampling and analytical methods will be promulgated in China by the National Bureau of Standards in 1988 or 1989. Switzerland recommends COST methods [1]. Methods of the AOAC are required in the United States. A comprehensive list of methods for milk products has been published by IDF [2].

Sampling

Many countries have no formal plan. Sweden prepares composite from 3 units. Canada and the United States prepare composites from 12 units [3]. United Kingdom cites CODEX sampling procedures [4] but also notes that each unit must comply.

METHODS OF ANALYSIS

All countries support use of most of the methods listed in the table but other procedures were mentioned as listed below.

Protein & Fat

Denmark, Sweden recommend NMKL methods [5].

Polyunsaturated Fat

Finland recommends lipoxidase method [6]. Netherlands and Sweden recommend IUPAC methods [7].

Available Carbohydrate

Netherlands recommends anthrone colorimetric method [8] for vegetable products.

Dietary Fibre

Australia, Canada, Denmark, Finland, Netherlands, Sweden and United States recommend AOAC method. Canada also recommends Mongeau [9] and Englyst methods [10]. China recommends Fibertec. France lists an official method [13]. United Kingdom recommends Englyst method [10].

Sugars

Finland and Sweden recommend enzymatic methods [11].

Alcohol & Organic Acids

Finland and Sweden recommend enzymatic methods [11].

Ash

Sweden recommends NMKL methods [5].

Loss on Drying

Denmark, Finland and Sweden recommend NMKL method [5].

Vitamin A

Canada recommends fluorometric [12] and HPLC methods [13] for retinol in milk. China recommends paper chromatographic method for carotene [13]. Denmark, Federal Republic of Germany, Finland, Sweden recommend HPLC methods [13].

Vitamin D

Denmark, Finland, Sweden recommend HPLC & GC methods [13].

Vitamin E

Canada recommends IUPAC method [7]. China, Denmark, Finland, Sweden also recommend HPLC methods [13]. Thailand recommends colorimetric method [14].

Vitamin C

Canada recommend colorimetric method [15]. Denmark, Finland, Netherlands recommend HPLC methods [13]. Finland recommends enzymatic and modified indophenol method [11, 13].

Thiamin

Netherlands recommends HPLC method [13]. Sweden recommends fluorometric method [13].

Riboflavin

Netherlands [13] and Sweden [16] recommend HPLC methods.

Niacin

Sweden [13] and Thailand [17] recommend modified microbiological assay.

Vitamin B6

Sweden recommends modified microbiological assay [13].

Folic Acid

Sweden recommends modified microbiological assay [13].

Vitamin B12

Sweden recommends radio-immunoassay [13].

Calcium, Iron, Zinc & Magnesium

Sweden recommends flame photometric and automated methods [13].

Phosphorus

Sweden recommends automated method [18].

Iodine

Netherlands recommends HPLC method [13]. Thailand recommends SEAMIC method [17].

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