CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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REP15/FL
November 2014

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-eighth Session

CICG, Geneva, Switzerland

6 – 11 July 2015

REPORT OF THE FORTY-SECOND SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING

Rome, Italy
21 – 24 October 2014

NOTE: This report includes Circular Letter CL 2014/30-FL

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CL 2014/30-FL
November 2014

TO: Codex Contact Points
Interested International Organizations

FROM: Secretariat, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme FAO, 00153 Rome, Italy

SUBJECT: **Distribution of the Report of the 42nd Session of the Codex Committee on Food Labelling (REP15/FL)**

REQUEST FOR COMMENTS

Proposed Draft texts at Step 3

1. Proposed Draft Revision of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*: Organic Aquaculture (Para. 57 and Appendix III); and

2. Proposed Draft Revision of the *General Standard for the Labelling of Prepackaged Foods*: Date marking (Para. 82 and Appendix IV).

Governments and interested international organizations wishing to comment on the above should do so in writing, in conformity with the *Procedure for the Elaboration of Codex Standards and Related Texts* (Procedural Manual of the Codex Alimentarius Commission) to the Office of the Codex Contact Point for Canada, Food Directorate, Health Products and Food Branch, Health Canada, codex_canada@hc-sc.gc.ca, with a copy to the Secretariat, Codex Alimentarius Commission, codex@fao.org, **before 30 September 2015.**

SUMMARY AND CONCLUSIONS

The summary and conclusions of the 42nd Session of the Codex Committee on Food Labelling are as follows:

Matters of Interest to the Commission:

The Committee:

- Endorsed the labelling provisions in the standards submitted by CCFFP, CCFFV and CCPFV (para 8);
- Provided replies for the monitoring of the Codex Strategic Plan (2014-2019) (para 5 and Appendix II);
- Agreed to circulate the proposed draft revision of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*: Organic Agriculture and the proposed draft revision of the *General Standard for the Labelling of Prepackaged Foods*: Date Marking at Step 3 for comments and to discuss at the 43rd Session (para 57, Appendix III and para 82 and Appendix IV, respectively); and
- Agreed to defer discussion on the labelling of non-retail containers, on issues related to internet sales of food and the proposal to revise the *General Guidelines for the Use of the Term "Halal"* (CAC/GL 24-1997) (para 83).

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APPENDICES

INTRODUCTION

1. The Codex Committee on Food Labelling held its Forty-second Session in Rome, Italy from 21-24 October 2014, at the kind invitation of Government of Canada. Mr Paul Mayers, Associate Vice-President Policy and Programs Branch, Canadian Food Inspection Agency chaired the Session. Appendix I contains a complete list of participants.

DIVISION OF COMPETENCE[1]

2. The Committee noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II of the Rules of Procedure of the Codex Alimentarius Commission, as presented in CRD 2.

ADOPTION OF THE AGENDA (Agenda Item 1)[2]

3. The Committee adopted the provisional agenda as the agenda for the session.

MATTERS REFERRED TO THE COMMITTEE (Agenda Item 2)[3]

4. The Committee noted that some matters were for information.

Codex Strategic Plan 2014 - 2019

5. The Committee agreed that the responses as proposed in CRD 24 with slight amendment would form the Committee's response to the strategic plan implementation questionnaire (Appendix II).

Claim for "free" of Trans Fatty Acids (TFAs)

6. The Committee noted that this matter was still under discussion in the Committee on Nutrition and Foods for Special Dietary Uses (CNFSDU).

7. One Observer informed the Committee that the method reported in REP13/FL, paragraph 15, is currently being revised to integrate results from an international collaborative study, and will then be submitted to voting and comment at the stage of the Draft international standard, for a period of 3 months. Publication on the method is expected no earlier than the 2nd quarter of 2015.

CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS (Agenda Item 3)[4]

8. The Committee endorsed the labelling provisions in the following standards as proposed by the relevant Committees: *Standard for Fresh and Quick Frozen Raw Scallop Products*

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[1] CRD 2 (Division of competence between the European Union and its Members States)

[2] CX/FL 14/42/1

[3] CX/FL 14/42/2; CRD 3 (comments of EU); CRD 15 (comments of Canada); CRD 24 (comment of Canada).

[4] CX/FL 14/42/3 Rev.1, CX/FL 14/42/3-Add.1, CRD 3 (comments of EU).

(CCFFP), the Standards *for Passion Fruit, Durian and Okra* (CCFFV), *Draft Standard for Certain Canned Fruits*, (CCPFV), *Draft Standard for Quick Frozen Vegetables* (CCPFV), Amendments to the *Standard For Pickled Fruits And Vegetables* (CCPFV).

9. The Secretariat clarified that CCFL recommendations related to the proposed regional standard for non-fermented soybean products had not yet been discussed in CCASIA and would thus not be discussed at this session of the Committee.

Proposed Draft Standard For Ginseng Products

Optional Labelling

10. One delegation requested the original text "other labelling requirements" from the *Regional Standard for Ginseng Products* (CODEX STAN 295R-2009) be maintained as they did not agree with making the provision optional. The original text already provided some flexibility depending on national legislation. The delegate further noted that labelling is important for consumer health protection since ginseng for medicinal purposes did not differ from the presentation of these products sold as foods.

11. Several other delegations proposed to maintain the wording proposed by CCPFV as the matter had already been extensively discussed and reflected the compromise reached.

12. The Committee noted that the revised wording leaves the opportunity for national governments to stipulate specific requirements to address issues relevant to public health and endorsed the labelling provisions in the Standard.

13. The delegation of Thailand expressed their concern with the decision for the reasons as mentioned in paragraph 10.

ORGANIC AQUACULTURE (REVISION OF THE *GUIDELINES FOR THE PRODUCTION*, PROCESSING, *LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS*) (AGENDA ITEM 4)[5]

14. The Committee considered the proposed draft text (Appendix V, REP 13/FL). The following reflects the discussions held at the plenary session. The texts of the individual amendments are not included in the body of this report, unless substantial or fundamental to understanding the discussion, but are reflected directly in the amended document (Appendix III).

Definition of Aquaculture

15. The Committee noted that there are several definitions for aquaculture in FAO. After discussions the Committee adopted the following definition:

[5] CL 2013/15-FL, REP13/FL, Appendix V, CX/FL 14/42/4 (comments of Argentina, Brazil, Costa Rica, Kenya and Nicaragua), CRD 4 (comments of EU), CRD 6 (comments of Philippines), CRD 8 (comments of Japan), CRD 14 (comments of Thailand), CRD 17 (comments of India), CRD 18 (comments of South Africa), CRD 23 (comments of Australia).

"*Aquaculture means the farming of aquatic organisms involving intervention in the rearing process to enhance production of the stock being cultivated*."

16. To clarify and align the text, the Committee also introduced the text in footnote 3 as an additional definition for "Aquatic Organisms":

"*Aquatic organisms include finfish, shellfish (crustaceans and molluscs), aquatic plants and algae, but exclude mammals, reptiles, birds and amphibians*."

17. One delegation raised concerns at removing the "individual and corporate ownership" (of the stock) from the text and the need to reflect in the definition that a farmer does control the stock. The Committee noted that the expression "being cultivated" and not simply "released" satisfactorily addressed this matter.

Definition of Clean Water

18. The Committee amended the definition to align with its earlier decision to refer to aquatic organisms, but without making reference to its end use (i.e. intended for human consumption or for animal feed) as follows:

"Clean water means water from any source where harmful microbiological contamination, substances and/or toxic plankton are not present in such quantities that may affect the safety of aquatic organisms and their products."

Definition of Closed recirculation system

19. The Committee discussed the proposed definitions (Option1 and Option2). These discussions highlighted some differences of opinion in the way these systems should be used. Some delegations noted, that at the definition phase of the guidelines, the meaning should be as broad as possible with any restrictions being introduced in the later rules section. Other delegations felt that the definition should be more precise and take into account circumstances such as indoor tanks with artificial lighting, which they viewed to be inconsistent with organic principles. One delegation drew attention to the advantages of such systems as they can effectively prevent waste water release into the environment and such systems do not always require high energy consumption.

20. The Committee noted that a simple definition at this phase, that did no more than characterise the meaning of the term, could be a solution with any risk management concerns being addressed in the appropriate sections of the text.

21. The Committee adopted the following definition:

"*Closed circulation system means a type of enclosed containment system, with very limited and barrier-connection to open waters and systems to treat the effluent water to enable its circulation for reuse*."

Inspection and certification systems

22. The Committee discussed the necessity for the "organic management plan" as indicated in paragraph 6.8 and several delegations questioned why this requirement should be in place only for organic aquaculture as it created special conditions for one part of production and was inconsistent with the rest of the guidelines.

23. The Committee deleted this paragraph.

24. However, following discussions on Annex I A2 *Algae and their Products* the matter was reintroduced (paragraph 3 of Annex I A2).

25. Some delegations emphasised the need for a management plan for aquaculture that is updated each year to ensure that the impact on the environment is kept as low as possible. They noted that the specific nature of the medium means a higher potential impact than for agriculture. They highlighted that there is a high level of public concern on this matter regarding both perception and image.

26. Some delegations did not share the view that the potential environmental impact on water would be higher than on land or that an exclusive plan for aquaculture was justified. They noted that a consistent approach to both would be more appropriate for the sake of harmonisation and uniformity.

27. The Committee therefore agreed on new wording for the previously deleted paragraph 6.8:

"*The operator has to present an organic management plan to the accredited certification body, for verification during the inspection. The plan is required to be updated annually*."

28. As a consequence of this new wording, the Committee deleted the second sentence of paragraph 3 in Annex I A2.

A2 Algae and their products

29. The Committee amended the heading of this section to A2 *Aquatic plants and Algae and their products* recognising that this section may better address the issues, and made consequential adjustments in the text to reflect this.

30. One delegation proposed to replace the 2nd sentence in paragraph 6 to read:

"Substances permitted for use as fertilizers and conditioners in the cultivation of aquatic plants and algae are listed in Annex 2, Table 1".

31. Other delegations noted that this change would remove the restrictions for pond cultivation and allow for dispersal in larger bodies of water with subsequent impacts for the eco-system. Some delegations, and an observer organisation, further noted that any changes in wording that allowed for dispersal in open water actually lowered protection and that organic aquaculture should not be seen as potentially adding to this.

Conclusions

32. The Committee noted that there was not consensus on this matter and agreed to leave Annex I A2 paragraph 6, second sentence in square brackets but adjusted it to make reference to Annex II Table 1.

33. The Committee noted that certain aquatic plants or algae were prone to microbiological infections and that allowance should be made for use of pest control agents. The Committee therefore agreed to add a Table 2d in Annex II for substances for pest control for algae and aquatic plants in order to have a list of substances specifically included for use in water. The Committee recognised that this is part of the work yet to be completed and invited the Delegation of Japan to propose substances to populate this table for consideration at the next session.

Conversion period for operations

34. The Committee discussed possible amendments to paragraph 8, but, unable to reach consensus, agreed to place the text in square brackets.

Origin of stock

35. The Committee discussed the suggestion to substitute “breeds” with “locally grown species”. Some delegations noted that “locally grown species” was a preferable term as using species that are well adapted to the eco-systems would aid in avoiding negative impacts, including escape of potentially invasive alien species.

36. Other delegations noted, however, that the term “locally grown” is already used for marketing both organic and non-organic products and that such a definition could lead to confusion and be difficult for certification bodies to verify.

37. The Committee also discussed the use of organic and non-organic juveniles (paragraph 10). Some delegations supported the amended wording that deleted the first sentence in square brackets [“When organic juveniles are not available …”] as it would be difficult to comply with the time limits imposed for non-organic juveniles. They also supported therefore moving the reference to “wild sources” to paragraph 9.

38. Other delegations noted, however, that by moving the reference to wild juveniles, there would no longer be any control or limitation on their use and that one main consumer concern is the possible pressure on wild stocks.

39. Some delegations supported the use of exogenous releasing hormones as indispensable in aquaculture and not transferable to eggs or juveniles. However other delegations did not support the use of exogenous releasing hormones for species that cannot spawn naturally in captivity stating that the prohibition of the use of hormones is a basic principle of organic farming.

Conclusion

40. The Committee was unable to reach consensus. It was agreed to leave the text in square brackets.

Production rules for husbandry and breeding

41. Some delegations proposed to keep the square bracketed text recommended for deletion in paragraph 12 as they considered that stocking density of organic farming should be lower than conventional farming as a general principle. They noted that stocking density can be reliably used in most conditions to measure animal/fish welfare and that it is easily measurable and visible for consumers. Other delegations noted that for several species there was no basis for a lower stocking density for organic aquaculture as the organisms natural behaviours was not affected at stocking densities used in conventional farming.

42. The Committee recognised the concern raised by some delegations that some closed recirculation systems, in their view, are not compatible with organic farming systems, but noted that the option 2 (paragraph 14) does allow competent authorities to address such concerns.

43. The Committee noted that it was necessary to clarity the meaning of “artificial” in relation to polyploidy and considered a proposal to do this by replacing “artificial” with “chemically induced”.

Conclusion

44. The Committee agreed to:

- delete “clean” from paragraph 11 and remove the square brackets;
- amend paragraph 12 replacing “should” with “must”;
- agreed on Option 2 (paragraph 14);
- delete “artificial” from paragraph 15;
- replace “artificial polyploidy” with “chemically induced polyploidy” in square brackets; and
- remove the square brackets around “artificial hybridisation” but retain them with reference to “single sex strains …”.

45. The Committee noted the concern from the European Union regarding their wish to see artificial closed recirculation systems excluded from organic farming systems.

Nutrition

46. Some delegations and an observer organisation questioned the use of the expression “natural feeds” (paragraph 16 b) as not being Codex terminology, not meaning organic and also not being clear information for consumers. They stated their support for organic feed for organic animals

and that exceptions to this principle should be very clear. One observer noted that in their view no exceptions should be allowed.

47. In response, a delegation clarified that the expression “natural feed” was intended to cover what happens naturally to the fish where it is grown in a pond without supplemental feeding.

48. One delegation raised concerns about the implications of paragraph 16 c, (“feed should be organically grown”) stating that in developing countries several sources of feed were genetically modified and so this provision would be difficult to apply.

49. One delegation raised concerns about paragraph 16 e and suggested the deletion of the reference to prohibition on use of synthetic amino acids.

50. The Committee noted that in addition to trimmings, whole fish could also be used for deriving feed products (paragraph 16 a.a.1), but that it was essential that this should be from fish caught in a sustainable manner. One delegation proposed a limit of for example 60% for the use of whole fish for sustainability reasons. However as no rationale for the particular percentage was provided, the Committee left this open for further discussion.

51. The Committee noted that in general stronger reassurances on sustainability should be included in the guidelines.

Conclusion

52. The Committee noted that there were structural issues to be resolved in the logical flow of this section.

Health and welfare

53. The Committee agreed to change the heading to “Health care” and recognised that hormonal treatment (paragraph 21) remains an item for discussion in brood stock.

54. One delegation questioned scientific and technical justification to set a limit of two treatments per year for parasites or in the use of veterinary drugs treatment. Another delegation noted that such limits were necessary as they were of the opinion that use of these substances was not in line with organic principles or consumer expectations and could impact on the environment as they were not limited to closed systems.

Permitted substances for the production of organic foods

55. One delegation noted that the list of substances for use in aquaculture did not follow the structured process established by CCFL to assess the compatibility with the principles of organic production, in section 5.1 of the guidelines.

Conclusion

56. Due to time constraints, the Committee did not consider the rest of the document. The Committee noted that considerable work was still needed to improve the text and agreed to

establish a PWG, led by the European Union, working in English, French and Spanish, to be held immediately prior to the next session to consider comments received, resolve current differences and prepare proposals for consideration at the next session.

STATUS OF THE PROPOSED DRAFT REVISION TO THE GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS: ORGANIC AQUACULTURE

57. The Committee agreed to return the text to Step 3 for circulation for comments, consideration by the aforementioned PWG and consideration at the 43rd Session of the Committee (Appendix III).

DATE MARKING (REVISION OF THE *GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS* (Agenda Item 5)[6]

58. The Delegation of New Zealand, as co-chair of the EWG and PWG introduced the item and provided background information on the need for the work on date marking, the terms of reference of the EWG and its outcomes (CX/FL 14/42/5), as well as the discussions and conclusions of the PWG (CRD 25). The Delegation reminded the Committee that the EWG had addressed the review of the relevant sections of the GSLPF that relates to date marking and had developed a draft proposal for consideration, but did not address the need for additional guidance for date marking to support the GSLPF. The additional guidance could be considered once the revisions to the GSLPF have been finalised.

59. The Committee considered the proposals in CX/FL 14/42/5 and CRD 25. In addition to editorial corrections and improved formatting, the following amendments or comments were made:

Definition of terms

"Date of manufacture", "date of packaging" and "sell by date"

60. The Committee agreed to retain "date of manufacture" and "date of packaging" and to delete the "sell by date" as proposed. Some delegations also expressed the view that it was not appropriate for all foods to bear more than one date mark and that "Date of Packaging" / "Date of Manufacture" could be provided for in other documents.

"Date of minimum durability" ("best quality before date") / "Use by Date"

61. The Committee considered the proposals of the working group for two date marks to

[6] CX/FL 14/42/5, CX/FL 14/42/5-Add.1 (comments of Brazil, Canada, Chile, Colombia, Egypt, Japan, Kenya, Saint Lucia, CEFS, ICBA, IFT), CRD 5 (comments of Hungary, Thailand, USA and FoodDrinkEurope), CRD 7 (comments of Peru), CRD 9 (comments of EU), CRD 10 (comments of Argentina), CRD 11 (comments of India), CRD 12 (comments of Costa Rica), CRD 13 (comments of FoodDrinkEurope), CRD 16 (comments of Republic of Korea), CRD 18 (comments of South Africa), CRD 19 (comments of Ghana), CRD 20 (comments of Bolivia), CRD 21 (comments of China and Philippines), CRD 22 (comments of Indonesia), CRD 25 (Report of the Physical Working Group on Date Marking).

differentiate between date marks for safety and those for quality. The Committee, however, initially focused its discussion on date marking for quality purposes, including the issue of the appropriateness of differentiation.

62. Several delegations proposed a single date mark and the elimination of any definition of "date of minimum durability"/ "best before date" / "best quality before date" for the following reasons:

- a single date mark was clear and transparent for safety and shown to be effective in reducing food trade problems, consumer confusion and food waste;
- the parameters for safety and quality can influence each other and that for some foods the classification of these parameters was not straightforward and the definition did not provide clear guidance for manufacturers on the parameters to be used;
- the possibility to estimate the "best before date" based on sensory attributes could result in the use of inconsistent and unreliable methods of date mark determination;
- lack of precision as the definition did not indicate how long the product could be marketed or consumed after its "date of minimum durability", which could be misleading to consumers and difficult for enforcement; and
- evidence showed that the use of two date marks, created confusion for consumers and could therefore lead to safety problems and food waste.

63. Several other delegations proposed two date marks for safety and quality noting that:

- two date marks would differentiate the consumer action appropriate for quality versus safety;
- appropriate consumer action would help reduce food waste;
- many countries were familiar with using two date marks;
- loss of quality characteristics would not result in food being unsafe; and
- a single date mark could result in increased food waste and higher economic burden for consumers and could confuse consumers.

64. The Committee further noted that consumer education on date marking was a useful tool to help in the better understanding of the different date marks.

65. One delegation suggested the addition of a new definition for "shelf life date" that would consider both quality and safety factors. This proposal was presented as an alternative to cover aspects related to the denomination of shelf life and to provide flexibility on the options to inform consumers. While this proposal was supported by certain delegations the Committee did not agree to include this definition.

Conclusion

66. The Committee agreed to retain two date marks and included “date of minimum durability” / “date of best quality before” / “best before date” as options for the date marking to provide flexibility to countries, noting that while some of these dates were not necessarily used in all countries, they were used in other countries and were understood by their consumers or contributed to consumer understanding of the purpose of the labelling.

67. The Committee adopted the following definition:

68. “Date of Minimum Durability”, “Best before date” or “Best quality before Date” means the date which signifies the end of the period, under any stated storage conditions, during which the product will remain fully marketable and will retain any specific qualities for which implied or express claims have been made. However, beyond the date the food may still be acceptable for consumption.

“Use by date”

69. The Committee agreed to the proposal for “use by date”, but not to refer to “nutritional” nor “health” as the intent of the definition was to define a date marking for safety reasons. The Committee further noted that inclusion of nutritional factors could overlap with the ‘best before date’; and that foods that formed the sole source of nutrition could be adequately covered by the term ‘safety’.

Conclusion

70. The Committee agreed to the following definition:

“Use-by Date”, “Use or Consume by date”, “Expires by”, or “Expiration Date” means the date which signifies the end of the period under any stated storage conditions, after which the product should not be sold or consumed due to safety reasons.

71. The Committee also agreed to verify that the Spanish word for “safety” (*inocuidad*) was translated correctly in the Spanish version of the text.

Date marking and storage instruction

72. The Committee agreed to delete the square bracketed text in 4.7 (i) as not necessary, as it was not clear to which population group it referred, and to delete the reference to nutritional adequacy in line with its earlier decision on “use by date” (paragraph 70). One delegation expressed its concern in relation to the impact of this exclusion on the marketing of foods that carry nutrition claims.

73. The Committee noted that it would be necessary to determine how a safety based date can be used and that advice might be needed from relevant committees, such as CCFH and CCNFSDU on criteria for the determination of a safety based date. In view of this, the

Committee agreed to insert a footnote that consideration should be given to other Codex texts until such criteria became available.

74. The Committee noted a proposal by one delegation to amend 4.7 (ii) to make the "use of a best before date" optional if a "use by date" was not required. This delegation was of the view that "best before date" was not useful, and could mislead consumers as it did not help consumers to manage consumption, but was more about brand protection. The Committee did not agree to this proposal as it could result in some foods having no date marking.

75. The Committee agreed to indicate that all three elements: day, month and year should be declared on products with a durability of not more than three months; and to make the use of the three elements in the second bullet point flexible by the insertion of the term "at least" before "month and year". The Committee agreed to delete the bullet "December …..".

76. The Committee also agreed that further consideration should be given to the presentation and extent of information on small packages.

77. The Committee agreed that the proposed text in 4.7.1 (vii) "the declaration of the month in date marking shall be consistent with 8.2" should be deleted as this was sufficiently covered in the GSLPF and not specific to date markings.

78. A specific provision was made to require that when only digits are used or when the year is expressed as only two digits, the sequence of day, month and year must be given. In this context one delegation proposed that a default format be fixed and the need to declare the format on label be considered when this format was not used to declare the date. The Committee did not take up this proposal.

79. The Committee noted proposals for amendments to the list of commodities for which a "date of minimum durability" would not be required. However, some delegations were of the view that there was no clear rationale for the list, guidance needed to be established for the basis for these exemptions, and advice might be needed from CCFH on the foods that could be exempted from date marking. It was further noted that more time was needed to consider the new proposals and the Committee agreed to retain the list in square brackets for further consideration. The Committee also noted that when proposals were made for additions to or deletions from the list, clear rationale would need to be provided.

80. The Committee noted views that "date of manufacture" or "date of packaging" should be used in conjunction with other date marking; that these terms were important for certain types of foods; provided information on freshness of product to the consumers; were important to determine shelf life, and were required to operationalize provisions with the *Code of Ethics for International Trade in Food including Concessional and Food Aid Transactions* (CAC/RCP 20-1979), where current wording implied that only one date mark should be used on a product. The Committee agreed to consider this proposal further.

Conclusion

81. The Committee noted that the revision on date marking was not ready to progress in the Step process due to the extensive changes made and some unresolved issues which need further discussion, and agreed to return the proposed draft revision for comments and further consideration.

STATUS OF THE PROPOSED DRAFT REVISION OF THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS: DATE MARKING

82. The Committee agreed to return the proposed draft revision to Step 3 for further comments and consideration at its next session (Appendix IV).

LABELLING OF NON-RETAIL CONTAINERS (Discussion paper) (Agenda Item 6)[7]

ISSUES RELATED TO INTERNET SALES OF FOOD (Discussion paper) (Agenda Item 7)[8]

OTHER BUSINESS AND FUTURE WORK (Agenda Item 8)

Proposal to revise the *General Guidelines for the Use of the Term "Halal"* (CAC/GL 24-1997)[9]

83. Due to time constraints the above agenda items were not discussed and will be taken up at the next session of the Committee.

DATE AND PLACE OF THE NEXT SESSION (Agenda Item 9)

84. The Committee was informed that its 43rd Session would be held in approximately 18 months time. The final arrangements being subject to confirmation by the Host Country and the Codex secretariats. Consideration would be given to having a three-day session and to a shorter interval between sessions.

[7] CX/FL 14/42/6, CRD 1 (comments of Kenya), CRD 6 (comments of Philippines), CRD 13 (comments of FoodDrinkEurope), CRD 18 (comments of South Africa), CRD19 (comments of Ghana), CRD 22 (comments of Indonesia).

[8] CX/FL 14/42/7 (not distributed).

[9] CX/FL 14/42/8, CRD11 (comments of India), CRD 13 (comments of FoodDrinkEurope), CRD 22 (comments of Indonesia).

SUMMARY STATUS OF WORK

SUBJECT MATTER	STEP	ACTION BY	DOCUMENT REFERENCE (REP 15/FL)
Revision of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*: Organic Aquaculture	3	Governments PWG (led by the European Union) 43rd CCFL	Para 57 Appendix III
Revision of the *General Standard for the Labelling of Prepackaged Foods*: Date marking	3	Governments 43rd CCFL	Para 82 Appendix IV
Discussion paper on the labelling of non-retail containers	-	43rd CCFL	Para 83
Discussion paper on issues related to internet sales of food	-	Algeria 43rd CCFL	Para 83
Proposal to revise the *General Guidelines for the Use of the Term "Halal"*(CAC/GL 24-1997)	-	43rd CCFL	Para 83

Appendix I

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LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES

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Appendix II

RESPONSE OF CCFL42 TO THE 2014-2019 STRATEGIC PLAN IMPLEMENTATION

Responses of CCFL42 are shown in **bold and underlined** font.

<table>
<tr><th>Strategic Goal</th><th>Objective</th><th>Activity</th><th>Expected Outcome</th><th>Measurable Indicators/Outputs</th></tr>
<tr><td>1: Establish international food standards that address current and emerging food issues.</td><td>1.1: Establish new and review existing Codex standards, based on priorities of the CAC</td><td>1.1.1: Consistently apply decision-making and priority-setting criteria across Committees to ensure that the standards and work areas of highest priority are progressed in a timely manner.</td><td>New or updated standards are developed in a timely manner</td><td>- Priority setting criteria are reviewed, revised as required and applied.
- # of standards revised and # of new standards developed based on these criteria.</td></tr>
<tr><td colspan="5">Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. <u>YES</u>
Does the Committee use any specific criteria for standards development?

<u>The Committee uses the criteria in the Procedural Manual, Criteria for the Establishment of Work Priorities, for standards development.</u>

Does the Committee intend to develop such criteria? <u>Not applicable.</u></td></tr>
<tr><td>1.2: Proactively identify emerging issues and Member needs and, where appropriate, develop relevant food standards.</td><td>1.2.1: Develop a systematic approach to promote identification of emerging issues related to food safety, nutrition, and fair practices in the food trade.</td><td>Timely Codex response to emerging issues and to the needs of Members.</td><td colspan="2">- Committees implement systematic approaches for identification of emerging issues.
- Regular reports on systematic approach and emerging issues made to the CCEXEC through the Codex Secretariat.</td></tr>
<tr><td colspan="5">Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. <u>YES</u>
How does the Committee identify emerging issues and members' needs? Is there a systematic approach? Is it necessary to develop such an approach?

<u>Emerging issues are identified by Members bringing new labelling issues to the Committee or specific labelling issues are referred to CCFL from other Committees or the FAO or WHO.</u>

<u>As such, while there is no systematic approach, however, there may be a need to develop one should the current process is found to be insufficient. Such an approach should take into consideration processes for Codex committees to work together on cross-cutting issues.</u></td></tr>
<tr><td colspan="2">1.2.2: Develop and revise international and regional standards as needed, in response to needs identified by Members and in response to factors that affect food safety, nutrition and fair practices in the food trade.</td><td>Improved ability of Codex to develop standards relevant to the needs of its Members.</td><td colspan="2">- Input from committees identifying and prioritizing needs of Members.
- Report to CCEXEC from committees on how standards developed address the needs of the Members as part of critical review process.</td></tr>
<tr><td colspan="5">Included in question to 1.2.</td></tr>
</table>

2: Ensure the application of risk analysis principles in the development of Codex standards.	2.1: Ensure consistent use of risk analysis principles and scientific advice.	2.1.1: Use the scientific advice of the joint FAO/WHO expert bodies to the fullest extent possible in food safety and nutrition standards development based on the "Working Principles of Risk Analysis for Application in the Framework of the Codex Alimentarius".	Scientific advice consistently taken into account by all relevant committees during the standard setting process.	-. # of times the need for scientific advice is: - identified, - requested and, - utilized in a timely manner.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
Does the committee request scientific advice in course of its work, how often does it request such advice. Does the committee always use the scientific advice, if not, why not?

The Committee requests and uses scientific advice, in particular for nutrition related issues, as appropriate, from CCNFSDU or reports developed by WHO and FAO.

2.1.2: Encourage engagement of scientific and technical expertise of Members and their representatives in the development of Codex standards.	Increase in scientific and technical experts at the national level contributing to the development of Codex standards.	- # of scientists and technical experts as part of Member delegations. - # of scientists and technical experts providing appropriate input to country positions.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
How do members make sure that the necessary scientific input is given into country positions and that the composition of the national delegation allows to adequately present and discuss this position? What guidance could be given by the Committee or FAO and WHO?

Prior to developing and advancing a country's position, Members typically seek and engage national scientific and technical expertise from within their government and from those outside of government.

2.1.3: Ensure that all relevant factors are fully considered in exploring risk management options in the context of Codex standard development.	Enhanced identification, and documentation of all relevant factors considered by committees during the development of Codex standards.	- # of committee documents identifying all relevant factors guiding risk management recommendations. - # of committee documents clearly reflecting how those relevant factors were considered in the context of standards development.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
How does the Committee ensure that all relevant factors have been taken into account when developing a standard and how are these documented?

In its capacity of risk manager, the Committee should ensure that all relevant factors in exploring risk management options are considered, based on the Procedural Manual.

2.1.4: Communicate the risk management recommendations to all interested parties.	Risk management recommendations are effectively communicated and disseminated to all interested parties.	- # of web publication/ communications relaying Codex standards. - # of media releases

		disseminating Codex standards.		
Question to the Committee: Is this activity relevant to the work of the Committee? YES/NO. **YES** When taking a risk management decision, does the committee give guidance to members how to communicate this decision? Would more consideration of this be helpful to members? **Communication of the risk management recommendations are done through standards, guidelines, and other related texts, which are posted on the Codex website. The development of a communication strategy would have a positive impact on this activity.**				
3: Facilitate the effective participation of all Codex Members.	3.1: Increase the effective participation of developing countries in Codex.	3.1.5: To the extent possible, promote the use of the official languages of the Commission in committees and working groups.	Active participation of Members in committees and working groups.	- Report on number of committees and working groups using the languages of the Commission
Question to the Committee: Is this activity relevant to the work of the Committee? YES/NO. **YES** Is the use of official languages in working groups of the committee sufficient? What are the factors determining the choice of languages? How could the situation be improved? **The use of official languages in working groups of the Committee is sufficient.** **The Committee determines the choice of language based primarily on the Member chairing the working group.** **Promoting co-hosting arrangements by countries with different languages could be considered as a way to improve the situation.**				
3.2: Promote capacity development programs that assist countries in creating sustainable national Codex structures.	3.2.3: Where practical, the use of Codex meetings as a forum to effectively conduct educational and technical capacity building activities.	Enhancement of the opportunities to conduct concurrent activities to maximize use of the resources of Codex and Members.	-. # of activities hosted on the margins of Codex meetings.	
Question to the Committee: Is this activity relevant to the work of the Committee? YES/NO. **YES** Does the Committee organize technical capacity activities or other activities in the margins of Committee sessions? If yes – how many and with which topics have been organized in the past. If no – could this be useful and what topics could be addressed? **Just prior to or during the Committee meetings, educational and technical capacity building activities have been arranged. Examples of such workshops include Joint FAO/WHO Workshop on front-of-pack labelling (2012); and a Workshop on Nutrition Labelling Within the Context of the Global Strategy on Diet, Physical Activity and Health (2010).**				
4: Implement effective and efficient work management systems and practices.	4.1: Strive for an effective, efficient, transparent, and consensus based standard setting process.	4.1.4: Ensure timely distribution of all Codex working documents in the working languages of the Committee/Commission.	Codex documents distributed in a more timely manner consistent with timelines in the Procedural Manual.	- Baseline Ratio (%) established for documents distributed at least 2 months prior to versus less than 2 months prior to a scheduled meeting. - Factors that potentially delay

				the circulation of documents identified and addressed. - An increase in the ratio (%) of documents circulated 2 months or more prior to meetings.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
Does the Committee have a mechanism in place to ensure timely distribution of documents? What could be done to further improve the situation?

The requirement for timely distribution of documents already exists and is included in the Procedural Manual. Every possible effort should be made to ensure the timely distribution of documents; however, all members should be more disciplined in ensuring its implementation. . When electronic working groups are established, timelines are developed to ensure timely distribution of documents. Submission of documents to the Host Secretariat may need improvement, as some discussion papers have not been distributed early enough in advance to allow full consideration of the document.

4.1.5: Increase the scheduling of Work Group meetings in conjunction with Committee meetings.	Improved efficiency in use of resources by Codex committees and Members	- # of physical working group meetings in conjunction with committee meetings, where appropriate.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
Does the Committee hold physical working groups independent of Committee sessions? If yes – why is this necessary?

CCFL already schedules working group meetings in conjunction with Committee meetings when necessary.

Electronic working groups combined with physical working groups organised in conjunction with Committee sessions, is sufficient to ensure the efficiency of the work of the Committee. There does not seem to be any added value of working groups independent of Committee sessions, unless it is fully justified by specific needs.

4.2: Enhance capacity to arrive at consensus in standards setting process.	4.2.1: Improve the understanding of Codex Members and delegates of the importance of and approach to consensus building of Codex work.	Members and delegates awareness of the importance of consensus in the Codex standard setting process improved.	- Training material on guidance to achieve consensus developed and made available in the languages of the Commission to delegates. - Regular dissemination of existing material to Members through Codex Contact Points. - Delegate training programs held in association with Codex meetings. - Impediments to consensus being achieved in Codex identified and analyzed and additional guidance developed to address such impediments, if necessary.

Question to the Committee:
Is this activity relevant to the work of the Committee? YES/NO. **YES**
Are there problems with finding consensus in the Committee? If yes – what are the impediments to consensus? What has been attempted and what more could be done?

The CCFL has demonstrated capability in achieving consensus. It is the role of the chair to explore all possible means to reach consensus. When encountering areas of difficulty in the past, the Committee has successfully used strategies such as: discussion to establish clear direction and support prior to submitting proposals in the step process, consensus building techniques that allow focus of effort on areas where there are divergent views; organization of informal working groups to move work forward; and scoping work to areas where consensus exists.

Appendix III

PROPOSED DRAFT REVISION OF THE GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS: ORGANIC AQUACULTURE

(At Step 3)

FOREWORD

1. These guidelines have been prepared for the purpose of providing an agreed approach to the requirements which underpin production of, and the labelling and claims for, organically produced foods.

2. The aims of these guidelines are:

   - to protect consumers against deception and fraud in the market place and unsubstantiated product claims;
   - to protect producers of organic produce against misrepresentation of other food products as being organic;
   - to ensure that all stages of production, preparation, storage, transport and marketing are subject to inspection and comply with these guidelines;
   - to harmonize provisions for the production, certification, identification and labelling have organically grown produce;
   - to provide international guidelines for organic food control systems in order to facilitate recognition of national systems as equivalent for the purposes of imports; and
   - to maintain and enhance organic food production systems in each country so as to contribute to local and global preservation.

3. These guidelines are at this stage a first step into official international harmonization of the requirements for organic products in terms of production and marketing standards, inspection arrangements and labelling requirements. In this area the experience with the development of such requirements and their implementation is still very limited. Moreover, consumer perception on the organic production method may, in certain detailed but important provisions, differ from region to region in the world. Therefore, the following is recognized at this stage:

   - the guidelines are a useful instrument in assisting countries to develop national regimes regulating production, marketing and labelling of organic foods;
   - the guidelines need regular improvement and updating in order to take into account technical progress and the experience with their implementation;
   - the guidelines do not prejudice the implementation of more restrictive arrangements and more detailed rules by member countries in order to maintain consumer credibility and prevent fraudulent practices, and to apply such rules to products from other countries on the basis of equivalency to such more restrictive provisions.

4. These guidelines set out the principles of organic production at farm, preparation, storage, transport, labelling and marketing stages, and provides an indication of accepted permitted inputs for soil fertilizing and conditioning, plant pest and disease control and, food additives and processing aids. For labelling purposes, the use of terms inferring that organic production methods have been used are restricted to products derived from operators under the supervision of a certification body or authority.

5. Organic food production is one among the broad spectrum of methodologies which are supportive of the environment. Organic production systems are based on specific and precise standards of production which aim at achieving optimal ~~agro and aquatic~~ ecosystems which are socially, ecologically and economically sustainable. Terms such as “biological” and “ecological” are also used in an effort to describe the organic system more clearly. Requirements for organically produced foods differ from those for other food products in that production procedures are an intrinsic part of the identification and labelling of, and claim for, such products.

6. “Organic” is a labelling term that denotes products that have been produced in accordance with organic production standards and certified by a duly constituted certification body or

authority. Organic food production is based on minimizing the use of external inputs, avoiding the use of synthetic fertilizers and pesticides. Organic production practices cannot ensure that products are completely free of residues, due to general environmental pollution. However, methods are used to minimize pollution of air, soil and water. Organic food handlers, processors and retailers adhere to standards to maintain the integrity of organic food products. The primary goal of organic food production is to optimize the health and productivity of interdependent communities of soil or aquatic life, plants, animals and people.

7. Organic food production is a holistic production management system which promotes and enhances ~~agro-and-aquatic~~ ecosystem health, including biodiversity, biological cycles, and soil or water biological activity. It emphasizes the use of management practices in preference to the use of off-farm inputs, taking into account that regional conditions require locally adapted systems. This is accomplished by using, where possible, cultural, biological and mechanical methods, as opposed to using synthetic substances, to fulfil any specific function within the system. An organic production system is designed to:

   a) enhance biological diversity within the whole system;

   b) increase soil or water biological activity;

   c) maintain long-term soil fertility or quality of the aquatic environment;

   d) recycle wastes of plant and animal origin in order to return nutrients to the land, thus minimizing the use of non-renewable resources;

   e) rely on renewable resources in locally organized food production systems;

   f) promote the healthy use of soil, water and air as well as minimize all forms of pollution thereto that may result from food production practices;

   g) handle food products with emphasis on careful processing methods in order to maintain the organic integrity and vital qualities of the product at all stages;

   h) **conserve** natural **agro and** aquatic resources;

   j) become established on any existing farm through a period of conversion, the appropriate length of which is determined by site-specific factors such as the history of the land or aquatic medium, and type of crops, livestock, or aquatic organism to be produced.

8. The concept of close contact between the consumer and the producer is a long established practice. Greater market demand, the increasing economic interests in production, and the increasing distance between producer and consumer has stimulated the introduction of external control and certification procedures.

9. An integral component of certification is the inspection of the organic management system. Procedures for operator certification are based primarily on a yearly description of the food production enterprise as prepared by the operator in cooperation with the inspection body. Likewise, at the processing level, standards are also developed against which the processing operations and plant conditions can be inspected and verified. Where the inspection process is undertaken by the certification body or authority, there must be clear separation of the inspection and certification function. In order to maintain their integrity, certification bodies or authorities which certify the procedures of the operator should be independent of economic interests with regard to the certification of operators.

10. Apart from a small portion of food commodities marketed directly from the farm to consumers, most products find their way to consumers via established trade channels. To minimize deceptive practices in the market place, specific measures are necessary to ensure that trade and processing enterprises can be audited effectively. Therefore, the regulation of a process, rather than a final product, demands responsible action by all involved parties.

11. Import requirements should be based on the principles of equivalency and transparency as set out in the *Principles for Food Import and Export Inspection and Certification*.[1] In accepting imports of organic products, countries would usually assess the inspection and certification procedures and the standards applied in the exporting country.

12. Recognizing that organic production systems continue to evolve and that organic principles and standards will continue to be developed under these guidelines, the Codex Committee on Food Labelling (CCFL) shall review these guidelines on a regular basis. The CCFL shall

[1] CAC/GL 20-1995.

initiate this review process by inviting member governments and international organizations to make proposals to the CCFL regarding amendments to these guidelines prior to each CCFL meeting.

SECTION 1. SCOPE

1.1 These guidelines apply to the following products which carry, or are intended to carry, descriptive labelling referring to organic production methods:

a) unprocessed plants and plant products, algae ~~and their products~~, livestock and livestock products, and aquaculture animal and aquaculture animal products to the extent that the principles of production and specific inspection rules for them are introduced in Annexes 1 and 3; and

b) processed agricultural crop, livestock and aquatic products[2] intended for human or animal consumption derived from (a) above.

1.2 A product will be regarded as bearing indications referring to organic production methods where, in the labelling or claims, including advertising material or commercial documents, the product, or its ingredients, is described by the terms “organic”, “biodynamic”, “biological”, “ecological”, or words of similar intent including diminutives which, in the country where the product is placed on the market, suggests to the purchaser that the product or its ingredients were obtained according to organic production methods.

1.3 Paragraph 1.2 does not apply where these terms clearly have no connection with the method of production.

1.4 These guidelines apply without prejudice to other Codex Alimentarius Commission (CAC) provisions governing the production, preparation, marketing, labelling and inspection of the products specified in paragraph 1.1.

1.5 All materials and/or the products produced from genetically engineered/modified organisms (GEO/GMO) are not compatible with the principles of organic production (either the growing, manufacturing, or processing) and therefore are not accepted under these guidelines.

SECTION 2. DESCRIPTION AND DEFINITIONS

2.1 Description

Foods should only be referred to as organic ~~production methods~~ if they come from an organic production system employing management practices which seek to nurture ecosystems which achieve sustainable productivity, and provide weed, pest and disease control through a diverse mix of mutually dependent life forms, recycling plant and animal residues, crop selection and rotation, water management, tillage and cultivation. Soil fertility is maintained and enhanced by a system which optimizes soil biological activity and the physical and mineral nature of the soil as the means to provide a balanced nutrient supply for plant and animal life as well as to conserve soil resources. Production should be sustainable with the recycling of plant nutrients as an essential part of the fertilizing strategy. Pest and disease management is attained by means of the encouragement of a balanced host/predator relationship, augmentation of beneficial insect populations, biological and cultural control and mechanical removal of pests and affected plant parts. The basis for organic husbandry of terrestrial or aquatic animals is the development of a harmonious relationship between their environment, flora and fauna, and respect for their characteristic physiological and behavioural needs. This is achieved by a combination of providing good quality organically grown feedstuffs, appropriate stocking rates, animal husbandry systems appropriate to behavioural needs, and animal management practices that minimize stress and seek to promote animal health and welfare, prevent disease and avoid the use of chemical allopathic veterinary drugs (including antibiotics).

2.2 Definitions

For the purpose of these guidelines:

Algae *means large aquatic seaweed occurring both naturally and under cultivation and also phytoplankton, microalgae and blue-green algae (such as Spirulina).*

[2] Until lists of ingredients of non agricultural origin and processing aids permitted in the preparation of products of livestock origin are elaborated, competent authorities should develop their own lists.

Aquaculture means the farming of aquatic organisms involving intervention in the rearing process to enhance production ~~and the individual or corporate ownership~~ of the stock being cultivated.

Aquatic organisms include finfish, shellfish (crustaceans and molluscs), aquatic plants and algae, but exclude mammals, reptiles, birds and amphibians.

(Aquaculture) production cycle *means the lifespan of an ~~aquaculture animal or seaweed~~ **aquatic organisms** from the earliest life stage to harvesting.*

Audit is a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives.[3]

Certification is the procedure by which official certification bodies, or officially recognized certification bodies, provide written or equivalent assurance that foods or food control systems conform to requirements. Certification of food may be, as appropriate, based on a range of inspection activities which may include continuous on-line inspection, auditing of quality assurance systems and examination of finished products.[4]

Certification body means a body which is responsible for verifying that a product sold or labelled as "organic" is produced, processed, prepared handled, and imported according to these guidelines.

Clean water means water from any source where harmful microbiological contamination, substances and/or toxic plankton are not present in such quantities that may affect the safety of ~~fish, shellfish~~ ***aquatic organisms*** and their products ~~intended for human consumption.~~

Closed recirculation system *means a type of **enclosed** containment system, with very limited and managed barrier-connection to open waters, and system**s** to treat the effluent water to enable its **circulation for** reuse.*

Containment system *means equipment for growing aquaculture animals or algae which minimises the risk of dispersal of the aquatic organism concerned - examples are, cages (net pens), ponds and tanks, long-line and rafts holding suspended ropes with the organisms attached and net bags for shellfish.*

Conversion period *means the transition from conventional to organic farming within a given period of time, during which the guidelines concerning the organic production have been fully and continuously applied.*

Competent authority means the official government agency having jurisdiction.

Food product/product of agricultural or aquatic origin means any product or commodity, **live**, raw or processed, that is marketed for human consumption (excluding water, salt and additives) or animal feed.

Genetically engineered/modified organisms. The following provisional definition is provided for genetically/modified organisms.[5] Genetically engineered/modified organisms, and products thereof, are produced through techniques in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination.

Techniques of genetic engineering/modification include, but are not limited to: recombinant DNA, cell fusion, micro and macro injection, encapsulation, gene deletion and doubling. Genetically engineered organisms will not include organisms resulting from techniques such as conjugation, transduction and hybridization.

Ingredient means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product although possibly in a modified form.[6]

Inspection is the examination of food or systems for control of food, raw materials, processing, and distribution including in-process and finished product testing, in order to

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[3] CAC/GL 20-1995.

[4] CAC/GL 20-1995.

[5] In the absence of a definition of genetically engineered/modified organisms agreed by the Codex Alimentarius Commission, this definition has been developed in order to provide initial guidance for governments in the application of these guidelines. This definition is therefore to remain under review in the light of other considerations by the Commission and its Committees. In the interim, member countries may also apply national definitions.

[6] *General Standard for the Labelling of Prepackaged Foods*, Section 4 – Labelling of Prepackaged Foods (CODEX STAN 1-1985).

verify that they conform to requirements.[7] For organic food, inspection includes the examination of the production and processing system.

Labelling means any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal.[8]

Livestock means any domestic or domesticated animal including bovine (including buffalo and bison), ovine, porcine, caprine, equine, poultry and bees raised for food or in the production of food.[9] The products of hunting or fishing of wild animals shall not be considered part of this definition.

Marketing means holding for sale or displaying for sale, offering for sale, selling, delivering or placing on the market in any other form.

Official accreditation is the procedure by which a government agency having jurisdiction formally recognizes the competence of an inspection and/or certification body to provide inspection and certification services. For organic production the competent authority may delegate the accreditation function to a private body.

Officially recognized inspection systems/officially recognized certification systems are systems which have been formally approved or recognized by a government agency having jurisdiction.[10]

Operator means any person who produces, prepares or imports, with a view to the subsequent marketing thereof, products as referred to in Section 1.1, or who markets such products.

Plant protection product means any substance intended for preventing, destroying, attracting, repelling, or controlling any pest or disease including unwanted species of plants or animals during the production, storage, transport, distribution and processing of food, agricultural commodities, or animal feeds.

Preparation means the operations of slaughtering, processing, preserving and packaging of food products and also alterations made to the labelling concerning the presentation of the organic production method.

Production means the operations undertaken to supply food products in the state in which they occur on the farm, including initial packaging and labelling of the product.

Veterinary drug means any substance applied or administered to any food-producing animal, such as meat or milk-producing animals, poultry, fish or bees, whether used for therapeutic, prophylactic or diagnostic purposes or for modification of physiological functions or behaviour.[11]

SECTION 3. LABELLING AND CLAIMS

General provisions

3.1 Organic products should be labelled in accordance with the *General Standard* for the *Labelling of Prepackaged Foods.*[12]

3.2 The labelling and claims of a product specified in Section 1.1(a) may refer to organic production methods only where:

a) such indications show clearly that they relate to a method of food production;

b) the product was produced in accordance with the requirements of Section 4 or imported under the requirements laid down in Section 7;

c) the product was produced or imported by an operator who is subject to the inspection measures laid down in Section 6, and

[7] CAC/GL 20-1995.
[8] CODEX STAN 1-1985.
[9] Provisions for aquaculture will be elaborated at a future date.
[10] CAC/GL 20-1995.
[11] *Codex Alimentarius Commission Procedural Manual*, Definitions.
[12] CODEX STAN 1-1985.

d) the labelling refers to the name and/or code number of the officially recognized inspection or certification body to which the operator who has carried out the production or the most recent processing operation is subject.

3.3 The labelling and claims of a product specified in paragraph 1.1(b) may refer to organic production methods only where:

a) such indication show clearly that they relate to a method of food production and are linked with the name of the food product in question, unless such indication is clearly given in the list of ingredients;

b) all the ingredients of agricultural origin of the product are, or are derived from, products obtained in accordance with the requirements of Section 4, or imported under the arrangements laid down in Section 7;

c) the product should not contain any ingredient of non-agricultural origin not listed in Annex 2, Table 3;

d) the same ingredients shall not be derived from an organic and non-organic origin;

e) the product or its ingredients have not been subjected during preparation to treatments involving the use of ionizing radiation or substances not listed in Annex 2, Table 4;

f) the product was prepared or imported by an operator subject to the regular inspection system as set out in Section 6 of these guidelines; and

g) the labelling refers to the name and/or the code number of the official or officially recognized certification body or authority to which the operator who has carried out the most recent preparation operation is subject.

3.4 By way of derogation from paragraph 3.3(b),

– certain ingredients of agricultural origin not satisfying the requirement in that paragraph may be used, within the limit of maximum level of 5% m/m of the total ingredients excluding salt and water in the final product, in the preparation of products as referred to in paragraph 1.1(b);

– where such ingredients of agricultural origin are not available, or in sufficient quantity, in accordance with the requirements of Section 4 of these guidelines;

3.5 Pending further review of the guidelines, Member Countries can consider the following with regard to products referred to in paragraph 1.1(b) marketed in their territory:

– the development of specific labelling provisions for products containing less than 95% ingredients of agricultural ingredients;

– the calculation of the percentages in 3.4 (5%) and in 3.5 (95%) on the basis of the ingredients of agricultural origin (instead of all ingredients excluding only salt and water);

– the marketing of product with in transition/conversion labelling containing more than one ingredient of agricultural origin.

3.6 In developing labelling provisions from products containing less than 95% of organic ingredients in accordance with the paragraph above, member countries may consider the following elements in particular for products containing 95% and 70% of organic ingredients:

a) the product satisfies the requirements of paragraphs 3.3(c), (d) (e), (f) and (g);

b) the indications referring to organic production methods should only appear on the front panel as a reference to the approximate percentage of the total ingredients including additives but excluding salt and water;

c) the ingredients, appear in descending order (mass/mass) in the list of ingredients;

d) indications in the list of ingredients appear in the same colour and with an identical style and size of lettering as other indications in the list of ingredient.

Labelling of products in transition/conversion to organic

3.7 Products of farms in transition to organic production methods may only be labelled as “transition to organic” after 12 months of production using organic methods providing that:

a) the requirements referred to in paragraphs 3.2 and 3.3 are fully satisfied;

b) the indications referring to transition/conversion do not mislead the purchaser of the product regarding its difference from products obtained from farms and/or farm units which have fully completed the conversion period;

c) such indication take the form of words, such as “product under conversion to organic farming”, or similar words or phrase accepted by the competent authority of the country where the product is marketed, and must appear in a colour, size and style of lettering which is not more prominent than the sales description of the product;

d) foods composed of a single ingredient may be labelled as “transition to organic” on the principal display panel;

e) the labelling refers to the name and/or the code number of the official or officially approved certification body or authority to which the operator who has carried out the most recent preparation is subject.

Labelling of non-retail containers

3.8 The labelling of non-retail containers of product specified in paragraph 1.1 should meet the requirements set out in Annex 3, paragraph 10.

SECTION 4. RULES OF PRODUCTION AND PREPARATION

4.1 Organic production methods require that for the production of products referred to in paragraph 1.1(a):

a) at least the production requirements of Annex 1 should be satisfied;

b) in the case where (a) (above) is not effective, substances listed in Annex 2, Tables 1 and 2 or substances approved by individual countries that meet the criteria established in Section 5.1, may be used as plant protection products, fertilizers, soil conditioners, insofar as the corresponding use is not prohibited in general food production in the country concerned in accordance with the relevant national provisions.

4.2 Organic processing methods require that for the preparation of products referred to in paragraph 1.1(b):

a) at least the processing requirements of Annex 1 should satisfied;

b) substances listed in Annex 2, Tables 3 and 4 or substances approved by individual countries that meet the criteria established in Section 5.1 may be used as ingredients of non-agricultural origin or processing aids insofar as the corresponding use is not prohibited in the relevant national requirements concerning the preparation of food products and according to good manufacturing practice.

4.3 Organic products should be stored and transported according to the requirements of Annex 1.

4.4 By derogation of the provisions of paragraphs 4.1 (a) and 4.2 (a), the competent authority may, with regard to the provisions on livestock and aquaculture production at Annex 1, provide for more detailed rules as well as for derogations for implementation periods in order to permit gradual development of organic farming practices.

SECTION 5. REQUIREMENTS FOR INCLUSION OF SUBSTANCES IN ANNEX 2 AND CRITERIA FOR THE DEVELOPMENT OF LISTS OF SUBSTANCES BY COUNTRIES

5.1 At least the following criteria should be used for the purposes of amending the permitted substance lists referred to in Section 4. In using these criteria to evaluate new substances for use in organic production, countries should take into account all applicable statutory and regulatory provisions and make them available to other countries upon request.

Any proposals for the inclusion in Annex 2 of new substances must meet the following general criteria:

i) they are consistent with principles of organic production as outlined in these Guidelines;

ii) use of the substance is necessary/essential for its intended use;

iii) manufacture, use and disposal of the substance does not result in, or contribute to, harmful effects on the environment;

iv) they have the lowest negative impact on human or animal health and quality of life; and

v) approved alternatives are not available in sufficient quantity and/or quality.

The above criteria are intended to be evaluated as a whole in order to protect the integrity of organic production. In addition, the following criteria should be applied in the evaluation process:

a) if they are used for fertilization, soil conditioning purposes:

- they are essential for obtaining or maintaining the fertility of the soil or to fulfil specific nutrition requirements of crops, or specific soil-conditioning and rotation purposes which cannot be satisfied by the practices included in Annex 1, or other products included in Table 2 of Annex 2; and
- the ingredients will be of plant, animal, microbial, or mineral origin and may undergo the following processes: physical (e.g., mechanical, thermal), enzymatic, microbial (e.g., composting, fermentation); only when the above processes have been exhausted, chemical processes may be considered and only for the extraction of carriers and binders;[13] and
- their use does not have a harmful impact on the balance of the soil ecosystem or the physical characteristics of the soil, or water and air quality; and
- their use may be restricted to specific conditions, specific regions or specific commodities;

b) if they are used for the purpose of plant disease or pest and weed control:

- they should be essential for the control of a harmful organism or a particular disease for which other biological, physical, or plant breeding alternatives and/or effective management practices are not available; and
- their use should take into account the potential harmful impact on the environment, the ecology (in particular non-target organisms) and the health of consumers, livestock and bees; and
- substances should be of plant, animal, microbial, or mineral origin and may undergo the following processes: physical (e.g. mechanical, thermal), enzymatic, microbial (e.g. composting, digestion);
- however, if they are products used, in exceptional circumstances, in traps and dispensers such as pheromones, which are chemically synthesized they will be considered for addition to lists if the products are not available in sufficient quantities in their natural form, provided that the conditions for their use do not directly or indirectly result in the presence of residues of the product in the edible parts;
- their use may be restricted to specific conditions, specific regions or specific commodities;

c) if they are used as additives or processing aids in the preparation or preservation of the food :

- these substances are used only if it has been shown that, without having recourse to them, it is impossible to:
  - produce or preserve the food, in the case of additives, or
  - produce the food, in the case of processing aids

  in the absence of other available technology that satisfies these Guidelines;
- these substances are found in nature and may have undergone mechanical/physical processes (e.g. extraction, precipitation), biological/enzymatic processes and microbial processes (e.g. fermentation),
- or, if these substances mentioned above are not available from such methods and technologies in sufficient quantities, then those substances that have been chemically synthesized may be considered for inclusion in exceptional circumstances;
- their use maintains the authenticity of the product;
- the consumer will not be deceived concerning the nature, substance and quality of the food;
- the additives and processing aids do not detract from the overall quality of the product;

[13] The use of chemical processes in the context of these Criteria is an interim measure and should be reviewed.

d) if they are used for the purpose of cleaning and disinfection of ponds, cages, buildings and installations used for aquaculture production:

– they are essential for the control of a harmful organism or a particular disease for which other

biological, physical, or breeding alternatives and/or effective management practices are not available; and

– their use takes into account the potential harmful impact on the environment, the ecology (in

particular non-target organisms), aquatic organisms and the health of consumers; and

– substances are of plant, animal, microbial, or mineral origin and may undergo the following processes: physical (e.g. mechanical, thermal), enzymatic, microbial (e.g. composting, digestion;

- their use may be restricted to specific conditions, specific regions or specific commodities.

In the evaluation process of substances for inclusion on lists all stakeholders should have the opportunity to be involved.

5.2 Countries should develop or adopt a list of substances that meet the criteria outlined in Section 5.1. If these substances mentioned above are not available from such methods and technologies in sufficient quantities, then those substances that have been chemically synthesized may be considered for inclusion in exceptional circumstances

SECTION 6. INSPECTION AND CERTIFICATION SYSTEMS[14]

[PARAGRAPHS 6.1-6.7 UNCHANGED AND NOT REPRODUCED HERE]

6.8 **An organic operator has to present an organic management plan to a certification body for verification during inspection. The plan must be updated annually**.

6.9 Official or officially recognized inspection and/or certification bodies or authority should:

a) give the competent authority or its designate, for audit purposes, access to their offices and facilities and, for random audit of its operators, access to the facilities of the operators, together with any information and assistance deemed necessary by the competent authority or its designate for the fulfilment of its obligations pursuant to these guidelines;

b) send to the competent authority or its designate each year a list of operators subject to inspection for the previous year and present to the said authority a concise annual report.

6.10 The designated authority and the official or officially recognized certification body or authority referred to in paragraph 6.2 should:

a) ensure that, where an irregularity is found in the implementation of Sections 3 and 4, or of the measures referred to in Annex 3, the indications provided for in paragraph 1.2 referring to the organic production method are removed from the entire lot or production run affected by the irregularity concerned;

b) where a manifest infringement, or an infringement with prolonged effects is found, prohibit the operator concerned from marketing products with indications referring to the organic production method for a period to be agreed with the competent authority or its designate.

6.11 The requirements of the *Guidelines for the Exchange of Information between Countries on Rejections of Imported Food*[15] should apply where the competent authority finds irregularities and/or infringements in the application of these guidelines.

SECTION 7. IMPORTS

[CHAPTER UNCHANGED AND NOT REPRODUCED HERE]

[14] The systems conducted by certification bodies may in some countries be equivalent to those systems conducted by inspection bodies. Therefore, the term “inspection and certification” has been used wherever these systems may be synonymous.

[15] CAC/GL 25-1997.

ANNEX 1

PRINCIPLES OF ORGANIC PRODUCTION

A1. PLANTS AND PLANT PRODUCTS

[PARAGRAPHS 1-8 UNCHANGED AND NOT REPRODUCED HERE]

9. The collection of edible plants and parts thereof, growing naturally in natural areas, forests and agricultural areas, close to the seashore or bordering other aquatic environments is considered an organic production method provided that:

   – the products are from a clearly defined collection area that is subject to the inspection/certification measures set out in Section 6 of these guidelines;

   – those areas have received no treatments with products other than those referred to in Annex 2 for a period of three years before the collection;

   – the collection does not disturb the stability of the natural habitat or the maintenance of the species in the collection area;

   – the products are from an operator managing the harvesting or gathering of the products, who is clearly identified and familiar with the collection area.

A2. AQUATIC PLANTS, ALGAE AND THEIR PRODUCTS

1. The operation and management of the production of organic algae, whether in containment systems or not, should be consistent with the principles of organic farming.
2. **The biodiversity of the aquatic environment and the quality of the surrounding water should be maintained.**
3. Harvested algae can be sold as organically produced when these Guidelines have been complied with. The criteria for site selection of aquaculture animal units in Section B2 of these guidelines should be applied as appropriate to production units for **aquatic plants and** algae. The criteria for conversion of plant and plant products in these guidelines (Annex I.A, 1-4) should be applied as appropriate to **aquatic plants and** algae production units. If a competent authority agrees to a conversion period shorter than 12 months, it should be at least the length of a production cycle.
4. Both farming and collection of algae should be carried out in areas which meet the criteria of paragraph 4 and 6 of Section B2.
5. The collection of edible **aquatic plants and** algae and parts thereof, growing naturally in an aquatic environment is considered an organic production method provided that the four conditions of Annex 1.A. paragraph 9 are met.
6. To maintain good quality growing material, the collection in the wild should be done in a sustainable manner.
7. Farming should be carried out in a sustainable manner at all stages from collection of seedlings in the wild to harvesting. **[**The application of supplementary fertilizer, **i.e. those listed in A2, Table 1,** using natural organic compounds to the growing area should be restricted to pond cultivation.**]** Ropes and other equipment used for growing aquatic plants and algae should be re-used or re-cycled where possible. Removal of bio-fouling organisms should be by physical means only.
8. The operator should maintain detailed and up-to-date records as set out in Annex 3, paragraphs 7– 15, where the terms livestock should be taken to read **aquatic plants and** algae, **where appropriate**.
9. **[Only in cases of imminent or serious threats to aquatic plants and algae recourse may be had to products referred to in Annex 2, Table 2D.]**

B1. LIVESTOCK AND LIVESTOCK PRODUCTS

[CHAPTER UNCHANGED AND NOT REPRODUCED HERE]

B2. AQUACULTURE ANIMALS AND THEIR PRODUCTS

General principles

1. The operation and management of aquaculture production, whether in containment systems or not, should be consistent with the principles of organic production and the *Code of Practice for Fish and Fishery Products* (CAC/RCP 52-2003), Section 6 and 7 as appropriate.

2. The biodiversity of the aquatic environment and the quality of the surrounding water should be maintained.

3. The plan **as referred to in section 6.8** should cover nutrient discharge, if applicable, and the repair and surveillance of technical equipment. The organic management plan may also include a water quality monitoring scheme for early detection of potential contaminants from unlikely events such as an oil spill or other potential contamination of the harvest area.

4. The relevant conditions listed for site selection in Section 6.1.1 of the *Code of practice for fish and fishery products* should apply. The production area should have characteristics which allow the production of products while minimizing negative environmental impacts on surrounding natural ecosystems. Production facilities should be located in areas where the risk of contamination is minimized and where sources of pollution are unlikely and can be controlled or mitigated. The boundaries of the production unit should be clearly defined and marked appropriately.

5. The conditions listed for the growing water quality in Section 6.1.2 of the *Code of practice for fish and fishery products* should apply. Water used for aquaculture should meet the physiological requirements of the species and be of a quality suitable for the production of food which is safe for human consumption. Waste water from domestic or industrial sources should not be used.

6. Substances permitted for use as fertilizers and conditioners in the cultivation of aquaculture animals (fish and shellfish) are listed in Annex 2, Table 1'.

7. The certification body or authority must ensure at the outset that the location of the production unit is suitable by conducting an assessment of potential sources of contamination or by substances unacceptable to organic production systems. Buffer zones within or between farms should be established by competent authorities, to separate organic and non-organic production units.

Conversion period for operations

8. **[**The conversion period should in general be at least one production cycle of the stock aquatic species. In cases where the water has been drained and the facility cleaned and disinfected with permitted cleaning materials a conversion period is not required. In the case of non-enclosed aquatic locations a shorter period of three months may apply provided that cages (net pens) have not been treated with prohibited antifoulants and there are no other sources of exposure to prohibited substances. During the conversion period the stock should not be subject to treatments or exposed to products which are not permitted for the production of organic foods.**]**

Origin of stock

9. Breeds adapted to local conditions **without evidence of adverse effects on local habitat or native species** shall be chosen. Selection criteria should include their vitality and resistance to pests and diseases. Following the conversion period if organic aquaculture animals are not available, juvenile non-organic aquaculture stock**, including wild sources**, may be introduced for on-growing, provided that the latter two thirds of their production cycle or 90% of their final biomass is under organic management and providing the stock is healthy. Breeding stock should come from organic production units, where the parent stock have been under organic management for at least three months prior to breeding. For crustaceans, in cases where organic breeding stock is not available, wild caught parent stock may be used, provided that they are kept under organic management before breeding.

10. [When organic juveniles are not available, the Competent Authority may prescribe a time limit and percentage of non-organic juveniles, [including wild sources,] for use according to the production of the species. For bivalve shellfish, juveniles may be wild-harvested from outside of the production area, provided such harvesting is permitted by the competent authority, and records are kept to allow it be tracked back to the collection area. For species that cannot spawn naturally in captivity spawning may be induced using exogenous releasing hormones only if other methods are not available. Brood stock treated with releasing hormone shall lose organic status when slaughtered, the offspring will be organic if they have been raised

according to this guideline. Genetically modified organisms (GMOs) and stock treated using hormones must not be used.]

Production rules for husbandry and breeding

11. The production unit should provide sufficient space for the animals' needs in terms of stocking density, The aquatic animals should be provided with water with a flow rate and temperature which meets to the physiological requirements of the species with sufficient oxygen and, in the case of filter feeding animals, other nutritional factors for their needs. The temperature and light conditions should be suitable for the species concerned in the particular geographic location of the production unit. When netting is used it should be kept clean by physical means **or using substances specified in Annex 2, Table 2B, only to the extent that the quality of aquatic environment cannot be maintained by physical means**.

12. Maximum stocking density **must** be reflective of the natural behaviour of species and in keeping with good welfare. Competent authorities, or other recognised bodies may develop and publicise guide values for maximum densities for the species grown under their authority.

13. Containment systems, when used, including cages (net pens) should be designed, constructed, located and operated to suit the requirements of the species cultivated, minimize the risk of escapes and other negative environmental impacts and to prevent the entry of predatory species.

14. The Competent Authority should decide whether or not to approve closed recirculation systems after a thorough examination and evaluation of the total environmental viability and compatibility with organic production.

15. Breeding should reflect the natural situation as closely as possible, in terms of ambient conditions, using appropriate strains for the type of farming. Manual sorting or selection, manual stripping of gametes and incubation of eggs is allowed. **[Chemically induced** polyploidy**]**, cloning, ~~[~~artificial hybridization **[**and use of single sex strains**]** are prohibited~~]~~.

Nutrition

16. Operators should design a feeding plan that takes the following factors into account:

a) feed contamination should be avoided in compliance with national regulations or as determined by internationally agreed standards and a precautionary approach should be taken to avoid disease transmission via feedstuffs;

b) The feedstuffs should meet the animal's nutritional requirements at the various stages of its development with organic feeds **or if not available, sustainable wild sources of feed**;

c) use of growth promoters or **[**synthetic amino acids**]** is not permitted.

Regarding feeds for carnivorous aquaculture animals:

a) they should be provided according to the following order of priority;

a.1) organic feed products of aquaculture origin

a.2) fishmeal and fish oil and ingredients derived from organic aquaculture trimmings

a.3) fishmeal and fish oil derived from trimmings of fish caught for human consumption in sustainable fisheries.

a.4) feed products derived from whole fish caught in sustainable fisheries as determined by the competent authority; / at an inclusion limit of up to 60%

a.5) organic feed material or plant or animal origin.

When the above-mentioned feeds are not available, fishmeal and fish oil derived from conventional aquaculture trimmings may be used**. The certification body should set time limits for such products:**

a.5) organic feed material of non-aquatic origin as allowed by national legislation;

b) the ration may include up to 60% of organic plant material;

c) dead animals from any aquaculture production system should not be used when their death was due to disease or unknown cause

17. If substances are used as feedstuffs, nutritional elements, feed additives or processing aids or in the preparation of feedstuffs for aquaculture animals, the competent authority shall establish a positive list of substances in compliance with the criteria of Section B1, para. 18.

18. Notwithstanding the above, where an operator can demonstrate to the satisfaction of the official or officially recognized inspection/certification body that feedstuffs satisfying the requirement outlined in paragraph 16 above are not available, as a result of, for example, unforeseen severe natural or man-made events or extreme weather conditions, the inspection/certification body may allow a restricted percentage of feedstuffs not produced according to these guidelines to be fed for a limited time, providing it does not contain genetically engineered/modified organisms or products thereof. The competent authority shall set both the maximum percentage of non-organic feed allowed and any conditions relating to this derogation.

19. For an implementation period to be set by competent authority aquaculture animals will maintain their organic status providing 80% of feed calculated on a dry matter basic, is from organic sources produced in compliance with these Guidelines.]

Health care

20. Disease prevention in organic aquaculture should be based on guidelines and standards set by the OIE and the principles and practices for health care of livestock (terrestrial animals) in these guidelines, specifically Annex I, B.1, paragraphs, 20, 21, 22 and 24 and on the following additional points:

Ensuring that the site selection and design of the production unit is optimal and that there is regular cleaning and disinfection of premises with permitted substances where appropriate.

Phytotherapeutic (excluding antibiotics), homeopathic or ayurvedic products and trace elements shall be used in preference to chemical allopathic veterinary drugs or antibiotics, provided that their therapeutic effect is effective for the species of animal for which the treatment is intended.

To control ectoparasites such as sealice, appropriate production methods (and cleaner fish if available) should be used where possible, rather than parasiticides. Parasite treatments should be limited to twice per year, with the exception of compulsory control schemes.

The use of veterinary **drugs** should be limited to two courses of treatment per year, with the exception of vaccines and compulsory eradication schemes. If the specified limits are exceeded the aquaculture animals concerned should not be sold as organic.

21. Hormonal treatment **must** not be used **for production or growth**.

Harvesting and Transport

22. Harvesting should be carried out with reference to the Code of Practice for Fish and Fishery Products (Section 6.3.4 of CAC/RCP 52-2003). Guidelines and standards set by the OIE may be the specific normative basis for transport. The provisions on holding and transport in aquaculture production of the Codex Code of Practice for Fish and Fishery Products (Sections 6.3.5 and 6.3.6 of CAC/RCP 52-2003) should also apply. Live aquatic animals should be transported in suitable containers with clean water, which meets their physiological needs in terms of temperature and dissolved oxygen. Before use, tanks should be thoroughly cleaned, disinfected and rinsed. Precautions should be taken to reduce stress during transport, in particular regarding the density.

Slaughter

23. Guidelines and standards set by the OIE may be the specific normative base. Live aquaculture animals should be handled in such a way as to avoid unnecessary stress. Slaughter techniques should render fish immediately unconscious and insensible to pain.

Inspection

24. The operator should maintain detailed and up-to-date records and meet the relevant requirements of Annex 3 for inspection purposes.

C. HANDLING, STORAGE, TRANSPORTATION, PROCESSING AND PACKAGING

[CHAPTER UNCHANGED AND NOT REPRODUCED HERE]

ANNEX 2

PERMITTED SUBSTANCES FOR THE PRODUCTION OF ORGANIC FOODS

PRECAUTIONS

1. Any substances used in an organic system for soil fertilization and conditioning, pest and disease control, for the health of livestock and aquaculture animals and quality of the animal products, or for preparation, preservation and storage of the food product should comply with the relevant national regulations.

2. Conditions for use of certain substances contained in the following lists may be specified by the certification body or authority, e.g. volume, frequency of application, specific purpose, etc.

3. Where substances are required for primary production they should be used with care and with the knowledge that even permitted substances may be subject to misuse and may alter the ecosystem of the soil or farm.

4. The following lists do not attempt to be all inclusive or exclusive, or a finite regulatory tool but rather provide advice to governments on internationally agreed inputs. A system of review criteria as detailed in Section 5 of these Guidelines for products to be considered by national governments should be the primary determinant for acceptability or rejection of substances.

TABLE 1A
SUBSTANCES FOR USE IN SOIL FERTILIZING AND CONDITIONING

[TABLE UNCHANGED AND NOT REPRODUCED HERE]

TABLE 1B
SUBSTANCES USED AS FERTILIZERS AND CONDITIONERS OF AQUACULTURE PONDS

[

Substances	Description; compositional requirements; conditions of use
1. Organic substances	
1.1 Organic fertilizer made from organic materials; compost of crop residues, straw, sawdust, bark, wood waste, and other agricultural by-products	If substances are not from organic sources, they need to be recognized by a certification body or competent authority. Inorganic substances added to provide plant nutrients such as phosphate rock shall be permitted substances.
1.2 Manure, only composted	If substances are not from organic sources, they need to be recognized by a certification body or competent authority
1.3 Green manure, fresh crop residues and residual material of organic nature used in the farm	If substances are not from organic sources, they need to be recognized by a certification body or competent authority
1.4 Leftover products from slaughterhouses and industries such as sugar factories, tapioca factories, and fish sauce factories	Synthetic substances shall not be added and they need to be recognized by a certification body or competent authority
1.5 Bacteria, moulds, and enzymes	If substances are not from organic sources, they need to be recognized by a certification body or competent authority

Substances	Description; compositional requirements; conditions of use
2. Inorganic substances	
2.1 Phosphate rock	
2.2 Ground limestone (In calcite or dolomite form, it is prohibited to use baked dolomite)	
2.3 Calcium silicate	
2.4 Sodium silicate	
2.5 Magnesium sulfate	
2.6 Clay minerals such as smectite, aolinite, Chlorite, etc	
2.7 Perlite, zeolite, and bentonite	
2.8 Rock potash, mined, potassium salt with less than 60% chloride	
2.9 Calcium from seaweed	
2.10 Seashells	
2.11 Potassium sulphate produced by physical processes	
2.12 Rock salt	
2.13 [Oxygen]	

TABLE 2A
SUBSTANCES FOR PLANT PEST AND DISEASE CONTROL

[TABLE UNCHANGED AND NOT REPRODUCED HERE]

TABLE 2B
CLEANING AND DISINFECTION TREATMENTS FOR ORGANIC AQUACULTURE

Substance	Description; compositional requirements; conditions for use
I. Substances for cleaning and disinfection of equipment and facilities, in the absence of aquaculture animals	

Substance	Description; compositional requirements; conditions for use
Ozone	
Sodium chloride	
Sodium hypochloride	
Lime (CaO, calcium oxide)	
Caustic soda	
Alcohol	
Hydrogen peroxide	
Organic acids (acetic acid, lactic acid, citric acid)	
Humic acid	
Peroxyacetic acids	
Iodophores	
Copper sulphate:	
Potassium permanganate	
Peracetic and peroctanoic acids	
Tea seed cake made of natural camelia seed (use restricted to shrimp production)	
II. Limited list of substances for use in the presence of aquaculture animals	
Limestone (Calcium carbonate) for pH control	
Dolomite for pH correction (use restricted to shrimp production).	

TABLE 2C
SUBSTANCES FOR PEST AND DISEASE CONTROL FOR AQUACULTURE IN THE ABSENCE OF ANIMALS OR IN THE PRESENCE OF ANIMALS

Substance	Description; compositional requirements; conditions for use
1. Tea meal (AA)	
2. Rotenone (AA)	
3. Potassium permanganate (PA) – listed above	Only allowed in the hatching stage with an advice from fishery biologist or veterinarian
4. Hydrogen peroxide (PA) - listed above	Only allowed in the hatching stage with an advice from fishery biologist or veterinarian
5. Povidone iodine (PA)	Only allowed in the hatching stage with an advice from fishery biologist or veterinarian

TABLE 2D - **TO BE DEVELOPED**

TABLE 3
INGREDIENTS OF NON-AGRICULTURAL ORIGIN REFERRED TO IN SECTION 3 OF THESE GUIDELINES

[TABLE UNCHANGED AND NOT REPRODUCED HERE]

Table 4

PROCESSING AIDS WHICH MAY BE USED FOR THE PREPARATION OF PRODUCTS OF AGRICULTURAL ORIGIN REFERRED TO IN SECTION 3 OF THESE GUIDELINES

[TABLE UNCHANGED AND NOT REPRODUCED HERE]

ANNEX 3

MINIMUM INSPECTION REQUIREMENTS AND PRECAUTIONARY MEASURES UNDER THE INSPECTION OR CERTIFICATION SYSTEM

1. Inspection measures are necessary across the whole of the food chain to verify product labelled according to Section 3 of these guidelines conforms to internationally agreed practices. The official or officially recognized certification body or authority and the competent authority should establish policies and procedures in accordance with these guidelines.

2. Access by the inspection body to all written and/or documentary records and to the establishment under the inspection scheme is essential. The operator under an inspection should also give access to the competent or designated authority and provide any necessary information for third party audit purposes.

A. PRODUCTION UNITS

3. Production according to these guidelines should take place in a unit where the land parcels, production areas, farm buildings and storage facilities for crop, livestock and aquaculture and algae sites are clearly separate from those of any other unit which does not produce

according to these guidelines; preparation and/or packaging workshops may form part of the unit, where its activity is limited to preparation and packaging of its own agricultural produce.

4. When the inspection arrangements are first implemented, the operator and the official or officially recognized certification body or authority should draw up and sign a document which includes:

   a) a full description of the unit and/or collection areas, showing the storage and production premises, land parcels, aquaculture and algae sites and, where applicable, premises where certain preparation and/or packaging operations take place;

   b) and, in the case of collection of wild plants and wild algae, the guarantees given by third parties, if appropriate, which the producer can provide to ensure that the provisions of Annex 1, para 9 are satisfied;

   c) all the practical measures to be taken at the level of the unit to ensure compliance with these guidelines;

   d) the date of the last application on the land parcels, aquatic sites and/or collection areas concerned of products the use of which is not compatible with Section 4 of these guidelines;

   e) an undertaking by the operator to carry out operations in accordance with Sections 3 and 4 and to accept, in event of infringements, implementation of the measures as referred to in Section 6, paragraph 9 of these guidelines.

5. Each year, before the date indicated by the certification body or authority, the operator should notify the official or officially recognized certification body or authority of its schedule of production of crop products and livestock, giving a breakdown by land parcel/herd, flock or hive.

6. Written and/or documentary accounts should be kept which enable the official or officially recognized certification body or authority to trace the origin, nature and quantities of all raw materials bought, and the use of such materials; in addition, written and/or documentary accounts should be kept of the nature, quantities and consignees of all food products sold. Quantities sold directly to the final consumer should preferably be accounted for on a daily basis. When the unit itself processes food products, its accounts must contain the information required in B2, third dash point of this Annex.

7. All livestock should be identified individually or, in the case of small mammals or poultry, by herd or flock or in the case of bees by hive and in the case of aquaculture animals by lot. Written and/or documentary accounts should be kept to enable tracking of livestock and bee colonies or aquaculture animals within the system at all times and to provide adequate traceback for audit purpose. The operator should maintain detailed and up-to-date records of:

   a) breeding and/or origins of livestock or aquaculture animals;

   b) registration of any purchases;

   c) the health plan to be used in the prevention and management of disease, injury and reproductive problems;

   d) all treatments and medicines administered for any purpose, including quarantine periods and identification of treated animals or hives;

   e) feed provided and the source of the feedstuffs;

   f) stock movements within the unit and hive movements within designated forage areas as identified on maps;

   g) transportation, slaughter and/or sales.

   h) extraction, processing and storing of all bee products.

8. Storage, on the unit, of input substances, other than those whose use is with paragraph 4.1(b) of these guidelines is prohibited.

9. The official or officially recognized certification body or authority should ensure that a full physical inspection is undertaken, at least once a year, of the unit. Samples for testing of products not listed in these guidelines may be taken where their use is suspected. An inspection report should be drawn up after each visit. Additional occasional unannounced visits should also be undertaken according to need or at random.

10. The operator should give the certification body or authority, for inspection purposes, access to the storage and production premises and to the parcels of land or aquatic sites, as well as to the accounts and relevant supporting documents. The operator should also provide the inspection body with any information deemed necessary for the purposes of the inspection.

11. Products referred to in Section 1 of these guidelines which are not in their packaging for the end consumer should be transported in a manner which should prevent contamination or substitution of the content with substances or product not compatible with these guidelines and the following information, without prejudice to any other indications required by law:

– the name and address of the person responsible for the production or preparation of the product;

– the name of the product; and

– that the product is of organic status.

12. Where an operator runs several production units in the same area (parallel cropping), units in the area producing crop, crop products or algae and their products not covered by Section 1 should also be subject to the inspection arrangements as regards the dash points of paragraph 4 and paragraphs 6 and 8 above. Plants of indistinguishable varieties as those produced at the unit referred to in paragraph 3 above should not be produced at these units:

– If derogations are allowed by the competent authority, the authority must specify the types of production and circumstances for which derogations are granted and the supplementary inspection requirements, such as unannounced site visits; extra inspections during harvest; additional documentary requirements; assessment of an operation's ability to prevent co-mingling, etc., which are to be implemented.

– Pending further review of these guidelines, member countries can accept parallel cropping of the same variety, even if it is not distinguishable, subject to adequate inspection measures being applied.

13. In organic livestock and aquaculture animal production, all livestock on one and the same production unit must be reared in accordance with the rules laid down in these Guidelines. However, livestock not reared in accordance with these Guidelines may be present on the organic holding provided that they are separated clearly from livestock produced in accordance with these Guidelines. The competent authority can prescribe more restrictive measures, such as different species.

14. The competent authority may accept that animals reared in accordance with the provisions of these Guidelines may be grazed on common land, or reared in aquatic zones held in common, provided that:

a) this land has not been treated with products other than those allowed in accordance with Section 4.1 (a) and (b) of these Guidelines, for at least three years;

b) a clear segregation between the animals reared in accordance with the provisions of these Guidelines, and the other animals can be organized.

15. For livestock or aquatic animal production, the competent authority should ensure, without prejudice to the other provisions in this Annex, that the inspections related to all stages of production and preparation up to the sale to the consumer ensure, as far as technically possible, the traceability of products from the production unit through processing and any other preparation until final packaging and/or labelling.

B. PREPARATION AND PACKAGING UNITS

1. The producer and/or operator and should provide:

– a full description of the unit, showing the facilities used for the preparation, packaging and storage of food products before and after the operations concerning them;

– all the practical measures to be taken at the level of the unit to ensure compliance these guidelines.

This description and the measures concerned should be signed by the responsible person of the unit and the certification body.

The report should include an undertaking by the operator to perform the operations in such a way as to comply with Section 4 of these guidelines and to accept, in the event of

infringements, the implementation of measures as referred to in paragraph 6.9 of these guidelines and be countersigned by both parties.

2. Written accounts should be kept enabling the certification body or authority to trace:

   – the origin, nature and quantities of food products as referred to in Section 1 of these guidelines which have been delivered to the unit;

   – the nature, quantities and consignees of products as referred to in Section 1 of these guidelines which have left the unit;

   – any other information such as the origin, nature and quantities of ingredients, additives and manufacturing aids delivered to the unit and the composition of processed products, that is required by the certification body or authority for the purposes of proper inspection of the operations.

3. Where products not referred to in Section 1 of these guidelines are also processed, packaged or stored in the unit concerned:

   – the unit should have separate areas within the premises for the storage of products as referred to in Section 1 of these guidelines, before and after the operations;

   – operations should be carried out continuously until the complete run has been dealt with, separated by place or time from similar operations performed on products not covered by Section 1 of these guidelines;

   – if such operations are not carried out frequently, they should be announced in advance, with a deadline agreed on with the certification body or authority;

   – every measure should be taken to ensure identification of lots and to avoid mixtures with products not obtained in accordance with the requirements of these guidelines.

4. The official or officially recognized certification body or authority should ensure that a full physical inspection, at least once a year, of the unit. Samples for testing of products not listed in these guidelines may be taken where their use is suspected. An inspection report must be drawn up after each visit countersigned by the person responsible for the unit inspected. Additional occasional unannounced visits should also be undertaken according to need or at random.

5. The operator should give the official or officially recognized certification body or authority or authority, for inspection purposes, access to the unit and to written accounts and relevant supporting documents. The operator should also provide the inspection body with any information necessary for the purposes of inspection.

6. The requirements in respect to the transport as laid down in paragraph A.10 of this Annex are applicable.

7. On receipt of a product referred to in Section 1 of these Guidelines, the operator shall check:

   – the closing of the packaging or contained where it is required;

   – the presence of the indications referred to in A.10 of this Annex. The result of this verification shall be explicitly mentioned in the accounts referred to in point B.2. When there is any doubt that the product cannot be verified according to the production system provided for in Section 6 of this Guidelines, it must be placed on the market without indication referring to the organic production method.

C. IMPORTS

Importing countries should establish appropriate inspection requirements for the inspection of importers and of imported organic products.

Appendix IV

Proposed Draft Revision to the General Standard for the Labelling of Prepackaged Foods: Date marking (At Step 3)

2. DEFINITION OF TERMS:

For use in ***Date Marking*** of prepackaged food:

"Date of Manufacture" means the date on which the food becomes the product as described. This is not an indication of the durability of the product.

"Date of Packaging" means the date on which the food is placed in the immediate container in which it will be ultimately sold. This is not an indication of the durability of the product.

~~***"Sell-by-Date"** means the last date of offer for sale to the consumer after which there remains a reasonable storage period in the home.~~

"Date of Minimum Durability" *or* ***"Best before Date" or "Best Quality Before Date"*** means the date which signifies the end of the ~~**estimated**~~ period, under any stated storage conditions, during which the product will remain fully marketable and will retain any specific qualities for which ~~tacit~~ **implied** or express claims have been made. However, beyond the date the food may still be **acceptable for consumption**.

"Use-by Date" or "Use or Consume by date" or "Expires by" or "***Expiration Date"*** means the date which signifies the end of the ~~estimated~~ period ~~shelf life~~ under any stated storage conditions, after which the product should not be sold or consumed due to safety reasons. ~~After this date, the food should not be regarded as marketable.~~

4.7 Date marking and storage instructions

4.7.1 If not otherwise determined in an individual Codex standard, the following date marking shall apply unless clause 4.7.1(v) applies:

(i) When a food must be consumed before a certain date to ensure its safety ~~**or nutritional adequacy [for a particular population group for which the product is intended]**~~ the "Use-by Date***" or "Use or Consume by date" or "Expires by"*** or "***Expiration Date"*** shall be declared[1]

(ii) Where a Use-by Date **or Use or Consumed by date or Expires by or Expiration Date** is not required the Best before Date **or Best Before Quality Date** or Date of **Minimum Durability shall be declared.**

(iii) **The** date marking **should be as follows :**

- On products with a ~~minimum~~ durability of not more than three months the day and month **and year** shall be declared; ~~**more than three month the month and year shall be declared.**~~
- On products with a durability of more than three months **at least** the month and year shall be declared.

(iv) The date shall be **introduced** by the words:

- **"**Use-by ….." or "Best before ….." as **applicable** where the day is indicated; or

"Use-by end…." or "Best before end ..." as applicable in other cases.The words referred to in **this** paragraph (~~iv~~**v**) shall be ~~introduced and used by~~ accompanied by:

- either the date itself; or
- a reference to where the date is given.

The day and year ~~shall~~ **may** be declared by uncoded numbers ~~numerical sequence except that~~ with the year to be denoted by **2 or** 4 digits, and the month shall be declared by letters or characters **or numbers**~~. in those countries where such use will not confuse the consumer~~. **Where only numbers are used to declare the date or where the year is**

[1] **Consideration should be given to other Codex texts**

expressed as only ~~t~~two digits, the sequence of the day month year *m*ust be given by appropriate abbreviations accompanying the date mark~~.~~ (e.g. DD/MM/YYYY) ~~The declaration of the month in date marking shall be consistent with 8.2~~.

(v) [(Notwithstanding 4.7.1 (i) and 4.7.1 (ii) a date of minimum ~~mark~~ durability **or best before date or best before quality date** shall not be required for:

- fresh fruits and vegetables, including ~~potato~~es **tubers** which have not been peeled, cut or similarly treated;
- wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines;
- **alcoholic beverages containing at least 10% alcohol by volume, except those beverages that contain ingredients with protein such as milk and dairy products, eggs and derivatives and plant material which will have a different stability behaviour related to their shelf life.**
- bakers' or pastry-cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;
- **naturally fermented white or brown vinegar and white or brown acetic acid** vinegar;
- **non-iodized** food grade salt;
- solid sugars;
- confectionery products consisting of flavoured and/or coloured sugars;
- chewing gum.

Where a product is not required to bear a date mark in accordance with **~~4.7.1(vii)~~provision** the "Date of Manufacture" or the "Date of Packaging" **may/shall** be used.]

[(x) Only one [type of] date mark should be used on a product at any one time.]

4.7.2 In addition to the date of minimum durability date mark, any special conditions for the storage of the food shall be declared on the label where they are required to support the integrity of the date mark. **~~if the validity of the date depends thereon~~**