



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

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NRVS-R FOR OLDER INFANTS AND YOUNG CHILDREN

Discussion Paper

(Prepared by Australia)

Australia welcomes the achievement of the CCNFSDU in finalising the review of general labelling NRVs-R and notes the recent difficulties in finding a chair for a new CCNFSDU EWG to consider NRVs-R for older infants and young children.

Australia recalls the 37th session 2015 of the Committee discontinued consideration of the EWG's recommendations 18 and 19 on guiding principles for setting NRVs-R for the older infants and young children (CX/NFSDU 15/37/4). Following discussion, the CCNFSDU agreed preparatory work would be needed before particular NRVs-R could be developed and agreed the following terms of reference (TORs) now referenced in footnote 2 of the provisional agenda for the 39th session (paras 46–51, REP16/NFSDU).

In light of the above discussion, the Committee agreed as follows:

1. To establish an EWG with the following terms of reference:

- A. Assess the need and value for the establishment of NRV-R for older infants and young children in Codex texts in relation to:
 - i. the purpose of such NRVs-R in the *Guidelines for Nutrition Labelling* (CXG 2-1985) and Codex texts for special dietary use for older infants and young children; and
 - ii. the specific population groups to which these NRV-R may apply.
- B. Where a need is established under TOR A above, and taking account of the discussion in sections 7 and 8 of CX/NFSDU15/37/4, recommend parameters for NRV-R with respect to the:
 - i. essential nutrients;
 - ii. appropriate population groups; and
 - iii. scope of application of NRV-R to Codex texts in TOR A(i).
- C. Where a need is established under TOR A above, assess the need for scientific advice provided by JEMNU.
- D. Review the operation of nutrition labelling provisions in Codex texts under TOR1 (i) and where appropriate develop a request to CCFL to provide advice on the potential for amendments to provide further clarity.

Australia urges the Committee to continue this work to provide a solid basis for further decision making, even if the decision is ultimately to discontinue setting NRVs-R for older infants and young children. To help this we have given thought to how the work could be taken forward.

We consider that the TORs do not need to be followed consecutively; rather TORs A and D should be the first steps in the preparatory work followed by TORs B and C.

TOR A (i) aims to clarify the purpose and extent to which the Committee wishes to establish NRVs-R for older infants and young children. In considering the purpose, it is useful to review the need for them in relation to relevant Codex texts and also the extent to which they might support Codex members' legislation. Part of that consideration is to decide which foods would be eligible to be labelled with percentage NRVs-R. Assuming there is interest in setting NRVs-R for this population group, TOR A(ii) aims to determine in general the population groups for which NRVs-R should be established.

For example, NRVs-R may be established for relevant general foods, or foods for special dietary use or both. They may apply to older infant and young children as a combined group, or separately, or only to one group or a variety of these depending on the relevance to the selected foods. For example, NRVs-R relevant to only older infants may be appropriate for canned baby foods. At this stage, selection of the relevant foods is likely to guide decisions on the appropriate population group(s).

Should the Committee wish to proceed, TOR D aims to review the current nutrition labelling provisions in the relevant Codex standards and guidelines applicable to the range of selected foods. Attending to TOR D earlier in the process also provides a basis for liaising with CCFL to obtain that Committee's views ahead of consideration of specific changes to the selected standards and guidelines. CCFNSDU could provide CCFL with an analysis of relevant nutrition labelling provisions and either develop, or request CCFL to develop, framework provisions in preparation for the values of new NRVs-R. The Codex secretariat may be able to provide advice on the scope of work applicable to the role of both committees.

The work would consider the type of possible amendments needed to accommodate reference to NRVs-R for this younger group. Such issues as whether the age ranges in selected standards should be more closely standardised, or whether these NRVs-R could be used in conditions for certain claims may need consideration by one or both Codex committees. Issues previously considered by the 2015 eWG relating to some of these elements are discussed in sections 7.1, 7.2 and 7.3 of CX/NFSDU 15/37/4. The Attachment provides Australia's preliminary review of issues associated with the selection of relevant standards.

TOR B aims to determine details of which nutrients and the specifics of the age groups and foods if not already determined. The 2015 eWG assumed NRVs-R would be set for the same range of nutrients for the younger age group as for the general population, providing dietary intake reference values (DIRVs) were available from WHO/FAO or other cited recognised authoritative scientific bodies (RASBs). However, after further consideration, a more limited range of nutrients may be selected for the younger age group based on such possible criteria as public health and consumer information needs.

Consideration of TORs A, D and B would provide the framework for then reviewing the draft general principles for establishing NRVs-R for the younger age group given in Section 8 of CX/NFSDU 15/37/4. This work will draw on the technical issues raised in sections 7.4, 7.5, 7.6, 7.7 and 7.8 of CX/NFSDU 15/37/4 dealing with choice, alignment of selected DIRVs and potential consistency with the basis of the same nutrient's NRV-R set for the general population.

TOR C could then be addressed after these draft general principles are agreed. This could consider the EWG's interest and capacity to formulate recommendations on particular NRVs-R or whether this work should be referred to JEMNU guided by the Committee's general principles.

Developing NRVs-R for the younger age group will be more complex than for the general population because Codex Nutrition Labelling texts already have well integrated provisions relating to the use of NRVs-R for protein, vitamins and minerals. The implications for review of Codex nutrition labelling of food for the younger age group need to be carefully considered as part of this work. Depending on the CCFNSDU's desire to proceed and the envisaged workload, recommendations based on the EWG's assessment of all four TORs or particular TORs could be presented to CCFNSDU's 2018 session. If work proceeds, Australia's offer at the 38th session to assist as a member and mentor technical advisor of the EWG Chair(s) still stands.

Appendix I

NRVs-R in Codex texts related to infants and young children

The original project document for the revisions/establishment of NRVs-R (Appendix VII, ALINORM 08/31/26) set out terms of reference, the last two steps of which were: *if appropriate, to establish general principles and NRVs-R for a population 6–36 months of age.*

In considering the purpose of establishing NRVs-R for older infants and young children, it is useful to review the need for them in relation to relevant Codex texts and the extent to which they might support Codex members' legislation.

Codex texts

The Guidelines on Use of Nutrition and Health Claims (CXG 23-1997) indicate that nutrition (e.g. nutrient content) and health claims shall not be permitted on foods for infants and young children except where specifically provided for in relevant Codex standards or national legislation (paragraph 1.4). There are no specific permissions for nutrition or health claims in the five Codex texts that may be considered as foods for special dietary uses relevant to older infants and young children^{1,2}. Therefore any general conditions based on older infant and young child %NRVs-R for 'source' and 'high' content claims in the Guidelines could currently only apply to regulations established in national legislation for nutrition (or health) claims on food for infants and young children.

However, establishing NRVs-R for older infants and young children in the Guidelines on Nutrition Labelling (CXG 2-1985) would provide reference values to enable label declaration of protein, vitamin and mineral content expressed as %NRV-R when present in amounts greater than 5% NRV-R (subparagraph 3.2.6.2) in a nutrition statement on general foods (assuming general foods directed to infants and young children). Also, two recently reviewed Codex standards that may be considered as foods for special dietary uses for older infants and young children – Processed cereal-based foods and Formulated complementary foods – either apply or recommend that nutrition labelling be undertaken in accordance with the Codex Guidelines on Nutrition Labelling.

However, no reference is made to NRVs-R in the nutrition labelling provisions in the General Standard for Labelling of and Claims for Prepackaged Foods for Special Dietary Use (which includes foods for infants and children) (CXS 146–1985).

The Codex Guidelines on Formulated Complementary Foods and associated Annex recommend that labelling be in accordance with the Guidelines on Nutrition Labelling but they also list reference nutrient intakes (INL₉₈) for young children for 22 vitamins and minerals, mostly from WHO (2004), for the purpose of guiding micronutrient composition. Given the recommendation to follow the Guidelines on Nutrition Labelling, it is unclear whether any new NRVs-R for older infants and young children established in these Guidelines or the 22 reference values listed in the Annex should be, or could be, applied to nutrition labelling of these products. Section 10.2.3(c) of these Guidelines merely refers to vitamin and mineral declaration as “expressed in metric units”.

The other Codex standards that may be considered as foods for special dietary uses – Follow-Up Formula (CXS 156-1987) and Canned Baby Foods (CXS 73-1981) – do not refer to the Guidelines on Nutrition Labelling but specific paragraphs refer to declaration of nutritional value only per 100 g or per suggested amount for consumption.

From this brief review of Codex texts, the establishment of NRVs-R for infants and young children in the Guidelines on Nutrition Labelling may introduce uncertainties for nutrition labelling of certain foods that could be considered as for special dietary use. A subsequent review of all nutrition labelling provisions in Codex texts relevant to older infants and young children could be useful to clarify the appropriate use of %NRVs-R in the labelling of foods for this age group.

¹ General Standard for the labelling of and claims for prepackaged foods for special dietary uses (CXS 146-1985) define Foods for Special Dietary Uses as *those foods which are specially processed or formulated to satisfy particular dietary requirements which exist because of a particular physical or physiological conditions and/or specific diseases and disorders and which are presented as such* (Footnote 1: this includes foods for infants and young children)

² Processed cereal-based foods (CXS 74-1981); Formulated complementary foods (CXG 8-1991); Follow-Up Formula (CXS 156-1987) and Canned Baby Foods (CXS 73-1981)