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CODEx COMMITTEE ON FOOD ADDITIVES

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Xi'an, China, 14-18 March 2016

PROPOSED DRAFT REVISION OF SECTIONS 4.1(C) AND 5.1(C) OF THE GENERAL STANDARD FOR THE LABELLING OF FOOD ADDITIVES WHEN SOLD AS SUCH (CODEX STAN 107-1981)

Prepared by the United States of America with the assistance of Armenia, Belgium, Brazil, Canada, China, Costa Rica, European Union, Ghana, India, Indonesia, Iran, Japan, Malaysia, Morocco, Netherlands, New Zealand, Norway, Peru, Republic of Korea, Russian Federation, Spain, United Kingdom, Calorie Control Council (CCC), FoodDrinkEurope, International Council of Beverages Association (ICBA), International Chewing Gum Association (ICGA), International Council of Grocery Manufacturers (ICGMA), International Dairy Federation (IDF), International Glutamate Technical Committee (IGTC), and the International Organization of the Flavor Industry (IOFI)

Governments and international organizations in Observer status with the Codex Alimentarius Commission wishing to submit comments at Step 3 on the proposed draft revision of Sections 4.1(c) and 5.1(c) of the **General Standard for the Labelling of Food Additives when Sold as Such (CODEX STAN 107-1981)** (Annex 1) are invited to do so no later than **31 January 2016** as follows: Secretariat, Codex Committee on Food Additives, China National Center for Food Safety Risk Assessment (CFSA), Building 2, No. 37 Guangqu Road, Chaoyang District, Beijing 100022, China, (E-mail: ccfa@cfsa.net.cn), with a copy to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, Viale delle Terme di Caracalla, 00153 Rome, Italy (E-mail: Codex@fao.org).

Format for submitting comments: In order to facilitate the compilation of comments and prepare a more useful comments document, Members and Observers are requested to provide their comments in word file.

Background and Objective

1. The 47th Session of the Codex Committee on Food Additives (CCFA47) recalled that CCFA46 had agreed that there was a need to address the inconsistent terminology regarding flavourings in various Codex texts, and that the United States of America (USA) would prepare a discussion paper on this issue for CCFA to consider at the CCFA47^{1,2}. The discussion paper included: (i) a summary of the relevant definitions in the *Guidelines for the Use of Flavourings* ([CAC/GL 66-2008](#))³; (ii) a comparison of the definitions contained in [CAC/GL 66-2008](#) and other Codex texts that address the use of flavourings, including the *General Standard for the Labelling of Prepackaged Foods* ([CODEX STAN 1-1985](#)) and the *General Standard for the Labelling of Food Additives When Sold as Such* ([CODEX STAN 107-1981](#)); and (iii) options for addressing the identified inconsistencies. The discussion paper also included a project document for new work to address the identified inconsistencies in terminology in the various Codex texts.⁴

2. CCFA47 generally supported new work to address the inconsistent terminology related to flavourings. The Committee noted that the *General Standard for the Labelling of Food Additives When Sold as Such* ([CODEX STAN 107-1981](#)) was within the mandate of CCFA, and that CCFA also had the responsibility for revising food additive sections of commodity standards developed by inactive (adjourned or abolished) committees. CCFA47 also noted that it could make specific recommendations regarding the need to revise texts developed by active committees for consideration by the relevant committee. The CCFA47 noted that inconsistencies might arise if different committees worked simultaneously on revising the identified texts

¹ [CX/FA 15/47/20](#).

² Comments were provided by India, Indonesia, Peru, Thailand, and African Union ([FA/47 CRD17](#)); by the Russian Federation ([FA/47 CRD20](#)); and Egypt ([FA/47 CRD21](#)).

³ The *Guidelines for the Use of Flavourings* ([CAC/GL 66-2008](#)) is referred to as "the *Guidelines*" in [CX/FA 15/47/20](#) and in the revised project document ([REP 15/FA](#), Appendix XIV).

⁴ [REP 15/FA](#), paras. 150 – 151.

under their purview. Therefore, CCFA47 agreed that it would be appropriate for CCFA to first revise the *General Standard for the Labelling of Food Additives When Sold as Such* ([CODEX STAN 107-1981](#)) so that the provisions in Sections 4.1(c) and 5.1(c) are consistent with the *Guidelines for the Use of Flavourings* ([CAC/GL 66-2008](#)) before other committees would consider revising texts under their purview, or before CCFA would consider revising texts developed by inactive committees.⁵

3. CCFA47 considered the project document included in [CX/FA 15/47/20](#), and amended it to limit the scope of the new work to the revision of Sections 4.1(c) and 5.1(c) of the *General Standard for the Labelling of Food Additives When Sold as Such* ([CODEX STAN 107-1981](#))⁶. The Committee agreed to forward the revised project document to the Codex Executive Committee for critical review. And to request CAC38 to approve this as new work.⁷

4. CCFA47 agreed to establish an electronic Working Group (eWG), led by the USA, open to all Members and Observers and working in English only, to prepare, subject to the approval of the Commission, a proposed draft revision of Sections 4.1(c) and 5.1(c) of the *General Standard for the Labelling of Food Additives when Sold as Such* ([CODEX STAN 107-1981](#)) for circulation for comments at Step 3 and consideration at the 48th Session of the CCFA.⁸

5. The revised project document³ stated that the main aspects to be covered by the proposed revisions were:

“ removing inconsistencies between the current Sections 4.1(c) and 5.1(c) of the [CODEX STAN 107-1981](#) and Section 2.2.1 of the Guidelines. The definitions in the Guidelines only differentiate the origin of the flavouring as natural or synthetic, whereas [CODEX STAN 107-1981](#) states that flavourings may be qualified as natural, nature-identical, and artificial. Furthermore, the current labelling provisions refer to “herbs” and “spices” which are not flavourings as defined by the Codex Alimentarius.”

Procedure of the eWG

6. A first circular that included analysis of the existing text of Sections 4.1(c) and 5.1(c), as well as proposals for revision, was distributed to the eWG. The eWG was requested to provide comments on the proposals of the first circular, as well as to provide alternative options. Twenty eWG Members provided comments on the first circular. These comments were then collated and became the basis for proposals presented in a second circular. Comments to the first circular were summarized in a separate document, which was distributed to the eWG accompanying the second circular, with a request for further comment. Seventeen eWG Members provided comments on the second draft circular. The comments to the second circular were collated and became the basis for the recommendations presented in this working document. The compilation of the proposals listed in the first and second circulars, as well as the compilation of the comments of the eWG members on those proposals, are presented in the Annex 1 to this working document.

Working document

Background

7. Section 4 of [CODEX STAN 107-1981](#) specifies the mandatory labelling requirements of prepackaged food additives sold by retail (i.e. to the consumer)⁹. Sections 4.1(a), (b), and (c) apply to the listing of additives in the “ingredient list” for the prepackaged food additive.¹⁰ Section 4.1(a) states that the specific name of the individual additive must be included in the list of ingredients.¹¹ Section 4.1(b) states that, for food additive preparations that consist of two or more additives, those component additives should be individually listed in the order of the proportion by weight that they occur in the preparation.¹² Both Section

⁵ [REP 15/FA](#), paras. 152-159.

⁶ [REP 15/FA](#), Appendix XIV.

⁷ [REP 15/FA](#), paras. 160-161 and 164(i).

⁸ [REP 15/FA](#), para. 164(ii).

⁹ Section 2(h) of [CODEX STAN 107-1981](#) states: “**sale by retail** means any sale to a person buying otherwise than for the purpose of resale but does not include a sale to caterers for the purposes of their catering business or a sale to manufacturers for the purposes of their manufacturing business.”

¹⁰ Section 4.1 also includes subsections (d) and (e), but these subsections do not apply to the listing of additives in the “ingredient list” for prepackaged food additives and therefore are not discussed in this eWG report.

¹¹ Section 4.1(a) states: “The name of each food additive present shall be given. The name shall be specific and not generic and shall indicate the true nature of the food additive. Where a name has been established for a food additive in a Codex list of additives, that name shall be used. In other cases the common or usual name shall be listed or, where none exists, an appropriate descriptive name shall be used.”

¹² Section 4.1(b) states: “If two or more food additives are present, their names shall be given in the form of a list. The list shall be in the order of the proportion by weight which each food additive bears to the total contents of the container, the food additive present in the greatest proportion by weight being listed first. Where one or more of the food additives is

4.1(a) and (b) are generally applicable to most food additives, and would be applicable to single flavourings sold individually as well as single flavourings which are the components of food additive preparations. For example, diluted pure vanillin and oregano oil are flavourings that are offered as single additives. These single flavourings would be listed on the label as such (i.e., “vanillin” or “oregano oil”).

8. Section 4.1(c) of [CODEX STAN 107-1981](#) provides an exemption for mixtures of flavourings from the individual naming requirement of Section 4.1(a). The text of Section 4.1(c) is as follows:

“In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given. The generic expression “flavour” or “flavouring” may be used, together with a true indication of the nature of the flavour. The expression “flavour” or “flavouring” may be qualified by the words “natural,” “nature-identical,” “artificial,” or a combination of these words, as appropriate. This provision does not apply to flavour modifiers, but does apply to “herbs” and “spices,” which generic expressions may be used where appropriate.”

9. Section 5 of [CODEX STAN 107-1981](#) specifies the mandatory labelling requirements of prepackaged food additives sold other than by retail (i.e., between businesses or manufacturers; not to the consumer). Sections 5.1(a), (b), and (c) apply to the listing of additives in the “ingredient list” for the prepackaged food additive.¹³ The text of these subsections does not differ from that presented in Section 4 of [CODEX STAN 107-1981](#).

eWG Analysis and Recommendations

10. The eWG considered the text in Section 4.1(c) and 5.1(c) sentence by sentence. As the text between these sections does not differ, recommendations for these sentences are applicable to both Section 4.1(c) and 5.1(c), unless noted otherwise.

First Sentence:

“In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given.”

11. The first sentence states that, contrary to other food additives which must be listed individually in the ingredients list as per Section 4.1(a), when two or more flavourings are present (i.e. a “mixture of flavourings”) in a food additive it is not required that the flavourings be listed individually. The eWG noted that this reflects current trade practice; it is a principle applied by many national food regulations. As mixtures of flavourings are typically composed of 50 to 150 starting materials, labels with detailed lists would not be practical. There was consensus within the eWG to maintain the current wording.

Recommendation 1

The eWG recommends that the 48th Session of the CCFA maintain the current wording of the first sentence in Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#) without revision.

Second Sentence:

“The generic expression “flavour” or “flavouring” may be used, together with a true indication of the nature of the flavour.”

12. The first portion of the second sentence clarifies that, if the component flavourings of a flavouring mixture are not listed in the ingredients list individually, they may be grouped and listed generically as “flavour” or “flavouring”. Within the eWG, it was discussed that the term “flavour” is defined in the *Guidelines for the Use of Flavourings* ([CAC/GL 66-2008](#)) as an organoleptic property of food, and as such, the use of the term “flavour” to refer to a flavouring substance was not appropriate. However, it was also noted that labelling a flavouring substance as “flavour” is current practice in the marketplace. In addition, the inclusion of the term “flavour” in the second sentence is consistent with the use of the term “flavour” in Section 3.2 of [CODEX STAN 107-1981](#).¹⁴ A recommendation on the use of “flavour” in the second sentence is provided in the discussion of the third sentence below.

subject to a quantitative limitation in a food covered by a Codex standard, the quantity or proportion of that additive may be stated. If food ingredients are part of the preparation, they shall be declared in the list of ingredients in descending order of proportion.”

¹³ Section 5.1 also includes subsections (d) and (e), but these subsections do not apply to the listing of additives in the “ingredient list” for prepackaged food additives and therefore are not discussed in this eWG report.

¹⁴ It should be noted that para. 16 of [CX/FA 15/47/20](#) discussed that the use of the term “flavour” in Section 3.2 of [CODEX STAN 107-1981](#) pertains to the use of that term in the general name of the product, and not to the use of the term “flavour” in the ingredients list.

13. The last portion of the second sentence describes clarifications of the generic expression listing for mixtures of flavourings. The eWG discussed that this text was ambiguous, as it was unclear if it referred to the organoleptic property of the flavouring (i.e., “nature” referring to the flavour the mixture imparts to food; e.g. “apple flavouring” or “toffee flavour”) or if this text was a prelude to sentence three, which deals with the source or origin of the flavourings (i.e. whether the flavouring is actually derived from nature; “true indication of the nature of the flavour” introduces the qualifiers “natural,” “nature-identical,” and “artificial” in sentence three). It was also discussed that the intent of including “true” as a clarifier for “indicator” was also unclear. There was consensus within the eWG that this sentence should be revised to remove the word “true” and to allow for clarification of both the organoleptic property of the flavouring (and include an example of such a clarification) and its origin or source.

Recommendation 2

The eWG recommends that the 48th Session of the CCFA revise the second sentence of Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#) as follows:

*“The generic expression “flavour” or “flavouring” may be used, together with an indication of the organoleptic properties (e.g. “apple flavouring”) and/or the origin or source of the product”.**

*Further discussion of the inclusion of the term “flavour” is presented below in the discussion of the third sentence.

Third Sentence:

“The expression “flavour” or “flavouring” may be qualified by the words “natural,” “nature-identical,” “artificial,” or a combination of these words, as appropriate.”

14. The first part of the third sentence repeats the clarification of the second sentence that, if the component flavourings of a flavouring mixture are not listed in the ingredients list individually, they may be grouped and listed generically as “flavour” or “flavouring”. The discussion of the eWG on the use of the term “flavour” as stated above for the second sentence is also applicable to the use of the term “flavour” in the third sentence.

15. The last part of the third sentence lists specific qualifiers that can be associated with these generic terms to specify the source or origin of the flavouring mixture. The eWG discussed whether the inclusion of qualifiers to specify the source or origin of the flavouring mixture should be mandatory (i.e. replace “may” with “shall”). The large majority of the eWG agreed that current practice is that the use of such qualifiers is optional and that this practice should be maintained.

16. When the third sentence was presented to the eWG for revision, it was noted that two of the specific qualifiers (i.e. “nature identical” and “artificial”) listed in that sentence are not listed or defined in the *Guidelines for the Use of Flavourings* ([CAC/GL 66-2008](#)). [CAC/GL 66-2008](#) only differentiates the origin or source of flavourings as “natural” or “synthetic”. The eWG also noted that the mandate of the eWG was to revise Sections 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#) so that these provisions are consistent with [CAC/GL 66-2008](#).¹⁵ However, the eWG could not reach consensus on an approach to revise the third sentence to achieve consistency between [CODEX STAN 107-1981](#) and [CAC/GL 66-2008](#).

17. Many eWG members supported a proposal to replace the specific qualifiers listed in the third sentence of Sections 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#) with a reference to Section 2.2 of [CAC/GL 66-2008](#). These eWG members noted that this approach would resolve any inconsistency between [CODEX STAN 107-1981](#) and [CAC/GL 66-2008](#).

18. Other eWG members noted that “nature-identical” and “artificial” are terms that are in wide use and generally understood when associated with flavourings. They also noted that these terms are included in many national food labelling regulations while the term “synthetic” is not. These eWG members asserted that only allowing the use of terms listed in Section 2.2 of [CAC/GL 66-2008](#) would have large implications for trade without added benefit to the consumer. It was also noted that the section of [CAC/GL 66-2008](#) that specifies the labeling requirements of flavorings is Section 6.0 “Labeling” and not Section 2.2. Section 6.0 of [CAC/GL 66-2008](#) does not itself list any specifications for the labeling of flavourings in food additives, but instead refers to [CODEX STAN 107-1981](#).

19. Several eWG members put forth a compromise proposal that the third sentence be revised to refer only to the term “natural.” This would allow manufacturers to qualify flavourings that are of plant or animal origin as “natural” without requiring the use of the term “synthetic” for flavourings formed by chemical synthesis. These eWG members noted many national labeling regulations only allow for the use of the term “natural,” and that the term “synthetic” is not a common labeling term for flavourings. However, other eWG

¹⁵ [REP15/FA](#), para 155 and Appendix XIV.

members noted that, since the inclusion of qualifiers to specify the source or origin of the flavouring mixture is optional due to the use of the word “may” in the third sentence, the intent of the compromise proposal is met by the original proposal that the third sentence be revised to refer to Section 2.2 of [CAC/GL 66-2008](#). Since the use of the qualifiers is optional, a reference to [CAC/GL 66-2008](#) would still allow a manufacturer to list flavourings that are of plant or animal origin as “natural” while not requiring the use of the term “synthetic”.

20. The following recommendation is put forth by the eWG chair for consideration by CCFA48. This recommendation is based on the discussion of the eWG and the consideration of information provided in background documents which formed the basis of the eWG’s discussion, including [CX/FA 15/47/20](#), REP 15/FA, and FA/46 CRD13. When discussing this proposal, the eWG chair requests the Committee to consider the following:

- a. The original basis for the current work is to provide consistent guidance to national regulators who are in the process of establishing national or regional regulations for flavourings.¹⁶The inconsistent terminology related to flavourings in Codex texts can cause confusion to national regulators who are looking to Codex texts for guidance on flavouring regulations. In that context, it is noted that the definitions for flavourings in [CAC/GL 66-2008](#) reflect terms utilized by JECFA and other risk assessors.¹⁷ The chair of the eWG notes that the discussion of the eWG indicates that terminology utilized for risk assessment may not be suitable for trade or labelling purposes of flavourings, but that the relationship between the terminology used in both contexts should be clear.
- b. The discussion of the eWG noted that removing the qualifier “artificial” listed in the third sentence–will have a large impact on the trade of flavourings and pre-packaged foods that contain flavouring. However, the eWG did not express strong support for the inclusion of the term “*nature-identical*.”
- c. Information was not provided that removing the term “*flavour*” from the second and third sentence would have a large impact on trade.

Recommendation 3

The chair of the eWG recommends that the CCFA48 consider revising the third sentence of Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#) as follows:

“When indicating the origin or source of the product, the generic expression may be qualified by the words “natural” in the case of natural flavourings as defined in [CAC/GL 66-2008](#), “artificial” in the case of synthetic flavourings as defined in [CAC/GL 66-2008](#), or a combination of these words, as appropriate.”

As part of this recommendation, the term “*flavour*” would be removed from the second sentence of Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#).

Fourth Sentence:

“This provision does not apply to flavour modifiers, but does apply to “herbs” and “spices,” which generic expressions may be used where appropriate.”

21. The first part of the fourth sentence excludes “*flavour modifiers*” from the generic labelling option for flavourings—that is, the fourth sentence as currently written requires that flavour modifiers be listed individually. When [CODEX STAN 107-1981](#) was originally adopted, the term “*flavour modifier*” was included in the *Class Names and the International Numbering System for Food Additives* ([CAC/GL 36-1989](#)) as a subclass of the food additive functional class “*flavour enhancer*”. Flavourings are not listed in [CAC/GL 36-1989](#). However, the term “*flavour modifier*” was deleted from [CAC/GL 36-1989](#) at CAC29¹⁸ upon the recommendation of the 38th Committee on Food Additives and Contaminants (CCFAC)¹⁹ –after the adoption of [CODEX STAN 107-1981](#). CCFA38 recommended the deletion, as “*flavour modifier*” was found to be inconsistent with the definition of “*flavour enhancer*.” Therefore, the term “*flavour modifier*” is not currently listed in [CAC/GL 36-1989](#).

22. It was proposed to the eWG that the term “*flavour modifiers*” should be deleted from the fourth sentence, as flavour modifiers are not clearly defined within the context of Codex, and the inclusion of this term in the fourth sentence is ambiguous. Several eWG members asserted that JECFA considers flavour modifiers to be flavourings.²⁰ The eWG also noted that Section 2.2 of the *Guidelines for the Use of*

¹⁶ [FA/46 CRD 13](#).

¹⁷ [CX/FA 15/47/20](#), para. 4.

¹⁸ [ALINORM 06/29/41](#), para. 99.

¹⁹ [ALINORM 06/29/12](#), para. 96.

²⁰ Annex 3 of the Summary and Conclusions of the [76th JECFA meeting](#), 5-14 June 2012: “A number of flavouring agents submitted at the present meeting [...] modify the flavour of other dietary components. At the present meeting the

Flavourings ([CAC/GL 66-2008](#)) defines flavourings as “products that are added to food to... modify the flavour of food.” Some eWG members also suggested that, if such additives were used for purposes other than as flavouring substances, their labeling requirements would be covered under Section 4.1(b) and 5.1(b), and as such, listing them in Section 4.1(c) and 5.1(c) is redundant. The consensus of the eWG was that the term “flavour modifiers” should be deleted from the fourth sentence.

23. The last part of the fourth sentence states that, when two or more herbs or spices are present in a food additive, the specific component herbs or spices are not required to be listed individually in the ingredients list. Rather, they may be grouped and listed generically as “herbs” or “spices”. Within the eWG it was noted that herbs and spices are not food additives, but rather are considered foods (or food ingredients) within Codex. They appear in the food category system (12.2.1) of the GSFA. The consensus of the eWG was that, as herbs and spices are food and not flavourings they should be removed from Section 4.1(c) and 5.1(c), which deals specifically with mixtures of flavourings.

Recommendation 4

The eWG recommends that CCFA48 delete the fourth sentence from Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#).

24. Although the eWG reached consensus that reference to herbs and spices should be deleted from Section 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#), the eWG also recognized that allowing for generic listing of mixtures of herbs and spices on ingredient lists for food additives is necessary. The eWG considered the inclusion of a new subsection in Sections 4.1 and 5.1 of [CODEX STAN 107-1981](#) to address listing specifications for food ingredients in food additives. However, the eWG did not have time to reach consensus as to the text for this new subsection. One proposal was that the new subsection not only include a generic listing allowance for herbs and spices, but also for all food ingredients for which class names are set out in Section 4.2.3.1 of the *General Standard for the Labelling of Prepackaged Foods* ([CODEX STAN 1-1981](#)). One eWG member voiced concern that some herbs and spices are considered allergenic, and should be individually labelled. Other eWG members noted that Section 4.2.1.4 of [CODEX STAN 1-1981](#) identifies foods and ingredients that are known to cause hypersensitivity, and that reference to this section could be made to qualify any generic listing allowance for food ingredients. It was also noted that there are no herbs or spices listed in Section 4.2.1.4 of [CODEX STAN 1-1981](#). It was also noted that Section 4.2.1.4 of [CODEX STAN 1-1981](#) states “Future additions to and/or deletions from this list will be considered by the Codex Committee on Food Labelling taking into account the advice provided by the Joint FAO/WHO Expert Committee on Food Additives (JECFA).”

Recommendation 5

The eWG recommends that CCFA48 discuss the inclusion of a new subsection in Sections 4.1 and 5.1 of [CODEX STAN 107-1981](#) to allow for generic listing of food ingredients, including, but not necessarily limited to, herbs and spices. The eWG recommends that the CCFA consult with the Codex Committee on Food Labeling (CCFL) as to whether it is appropriate to include text regarding the labeling of allergens in [CODEX STAN 107-1981](#).

As a starting point, CCFA could consider the proposed language from Canada in response to the second draft circular:

“If food ingredients are part of the food additive preparation, they shall be declared in the list of ingredients in descending order of proportion. Ingredients for which class names are set out in section 4.2.3.1 in the General Standard for the Labelling of Prepackaged Foods ([CODEX STAN 1-1985](#)) may be declared by the applicable class name, except for those ingredients that are identified in section 4.2.1.4 of the General Standard for the Labelling of Prepackaged Foods ([CODEX STAN 1-1985](#)) as foods or ingredients that are known to cause hypersensitivity.”

Summary

25. Based on the recommendations above, the following text summarizes the suggested revisions for Sections 4.1(c) and 5.1(c) of [CODEX STAN 107-1981](#), to be circulated for comment at Step 3 and consideration at CCFA48:

“In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given. The generic expression “flavouring” may be used, together with an indication of the organoleptic properties (e.g. “apple flavouring”) and/or the origin or source of the product. When indicating the origin or source of the product, the generic expression may be qualified by the words “natural” in the case of natural flavourings as defined in [CAC/GL 66-2008](#), “artificial” in the case of synthetic flavourings as defined in [CAC/GL 66-2008](#), or a combination of these words, as appropriate.”

Annex 1

PROPOSED DRAFT REVISION OF SECTIONS 4.1(C) AND 5.1(C) OF THE *GENERAL STANDARD FOR THE LABELLING OF FOOD ADDITIVES WHEN SOLD AS SUCH*
(CODEX STAN 107-1981)

(N15-2015)

(At Step 3)

Note: New text is presented in **bold and underlined font**; deletion in ~~strikethrough font~~

Sections 4.1(c) and 5.1(c) ~~“In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given. The generic expression “flavour” or “flavouring” may be used, together with a true indication of the nature of the flavour~~ **an indication of the organoleptic properties (e.g. “apple flavouring”) and/or the origin or source of the product.** ~~The expression “flavour” or “flavouring” may be qualified by the words “natural,” “nature identical,” “artificial,” or a combination of these words, as appropriate. This provision does not apply to flavour modifiers, but does apply to “herbs” and “spices,” which generic expressions may be used where appropriate.~~ **When indicating the origin or source of the product, the generic expression may be qualified by the words “natural” in the case of natural flavourings as defined in CAC/GL 66-2008, “artificial” in the case of synthetic flavourings as defined in CAC/GL 66-2008, or a combination of these words, as appropriate.**

Summary of comments received in response to two Draft Circulars

Revision of Section 4.1(c) and Section 5.1(c) of CODEX STAN 107-1981:**First Sentence: *In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given.***

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
Maintain existing wording: <i>In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given.</i>	All eWG Members that provided comment on this sentence agreed to maintain the existing wording. One Member (Canada) suggested alternative wording: <i>"In the case of mixtures of flavourings, the flavourings may be declared individually, or they may be declared collectively by the generic term "flavour" or "flavouring"."</i>	There was consensus for maintaining the existing wording. However, comments to the first circular proposed further revision to Option III. The eWG is requested to comment as to whether they prefer: 1. To maintain the existing wording; or 2. The alternate proposed revised wording: <i>"In the case of mixtures of flavourings, the flavourings may be declared individually, or they may be declared collectively by the generic term "flavour" or "flavouring"."</i>	All 17 eWG Members that provided comment on this sentence agreed to maintain the existing wording.

Second Sentence: *The generic expression "flavour" or "flavouring" may be used, together with a true indication of the nature of the flavour.*

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
<i>The generic expression "flavour" or "flavouring" may be used</i> <u>Option I:</u> <i>together with a true indication of the organoleptic properties of the product.</i> <u>Option II:</u> <i>together with a true indication of the origin or source of the product.</i> <u>Option III:</u> <i>together with a true indication of the organoleptic properties and/or the origin or source of the product.</i>	Of the eWG Members that provided comment on this sentence, 13 preferred Option III, 2 preferred Option II, and 2 preferred Option I. This indicates consensus within the eWG for Option III. Of those Members in favour of Option III, several suggested alternative wording. One Member (New Zealand) suggested: <i>"The generic expression "flavour" or "flavouring" may be used to satisfy the mandatory naming requirement together with a true indication of the organoleptic properties and/or the origin or source of the product."</i> One Member (Canada) suggested alternative	There was consensus for Option III. However, the eWG is requested to comment on any portion of the proposed revisions for Option III presented below: <i>"The generic expression "flavouring" may be used to satisfy the mandatory naming requirement together with an indication of the organoleptic properties (e.g. "Apple flavouring") and/or the origin or source of the product."</i>	All 17 eWG Members provided comment. There was consensus (14 Members) for Option III, as proposed in the first draft circular. However, alternative wording that further revises Option III to include a specific example (" e.g., apple flavouring ") to clarify "organoleptic properties" was proposed. Three comments (Canada, EU, and USA) provided new proposals.

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
	<p>wording that removed the word “true” and provided examples of terms indicating the organoleptic properties of the flavouring: <i>“The generic term may be qualified with an indication of the organoleptic properties of the flavouring (e.g. “Apple flavour” or “Apple flavouring”).</i></p> <p>Although in favour of Option I, one Member (UK) noted that the term “flavour” should be deleted as CAC/GL 66-2008 defines “flavour” as referring to the organoleptic properties of a substance, and not to the substance itself.</p>		

Third Sentence: The expression “flavour” or “flavouring” may be qualified by the words “natural”, “nature-identical”, “artificial”, or a combination of these words, as appropriate.

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
<p><i>The indication of the origin or the source of the flavouring may be qualified by the definitions and terms in Section 2 of Guidelines for the Use of Flavourings (CAC/GL 66-2008).</i></p>	<p>Of the eWG Members that provided comment on this sentence, 11 preferred a reference to CAC/GL 66-2008, and 6 did not support reference to CAC/GL 66-2008.</p> <p>Those Members that did not support a reference to CAC/GL 66-2008 indicated that CAC/GL 66-2008 uses terms that are not consistent with terms in CODEX STAN 1-1985 (<i>General Standard for the Labelling of Prepackaged Food</i>). In their view, the labelling of flavourings informs manufacturers of prepackaged food, therefore, the terms used in CODEX STANs 107-1981 and 1-1985 should be consistent. They noted that food manufacturers are familiar with the “natural,” “nature identical,” and “artificial” terms, and these terms are used in national legislations. The majority of these comments suggested only designating the qualifier “natural” in CODEX STAN 107-1981, while one suggested revising CAC/GL 66-2008 to use the terms “nature identical” and “artificial,” and one other suggested CODEX STAN 107-1981 designate that synthetic</p>	<p>The eWG was split, with the majority in support of the proposed revised wording. Further input from the eWG is needed:</p> <ol style="list-style-type: none"> Comments to the first circular proposed further revisions to the wording proposed in the first circular. The eWG is requested to comment on any portion of the proposed revisions for Option III presented below: <i>“The indication of the origin or the source of the flavouring may shall be qualified by the definitions and terms in Section 2.2 of Guidelines for the Use of Flavourings (CAC/GL 66-2008).”</i> The eWG is requested to comment on the impact on the international trade of flavourings and of pre-packaged food if CODEX 	<p><u>Item # 1</u></p> <p>Of the 15 eWG Members providing comments, the majority of the comments were split between the current wording (6 Members) and either the proposed revised wording from the first draft circular (see column 1; 2 Members), or the amended proposed revised wording from the second first draft circular (see column 3; 4 Members). Two comments (Canada and ICGA) did not support reference to the <i>Guidelines</i> (CAC/GL 66-2008), and proposed alternative text. Comments preferring retaining the current wording did not support the proposed reference to the <i>Guidelines</i> (CAC/GL 66-2008), nor the use of “shall” in the proposed revised wording. Several comments preferring the amended proposed revised wording from the second first draft circular (see column 3) supported retaining “may” instead of “shall” in order to provide the necessary flexibility for manufacturers.</p> <p>One Member (Canada) provided a new proposal for the entire Sections 4.1(c) and 5.1(c). <i>“(c) In the case of mixtures of flavourings, the flavourings</i></p>

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
	<p>flavourings be labelled as “artificial”, “imitation,” or “simulated.”</p> <p>The following proposals were made by those Members that supported the revised wording proposed in the first circular:</p> <p>One Member (Brazil) suggested alternative wording to refer to the specific sub-section in CAC/GL 66-2008:</p> <p><i>“The indication of the origin or the source of the flavouring may be qualified by the definitions and terms in Section 2 2.2 of Guidelines for the Use of Flavourings (CAC/GL 66-2008).”</i></p> <p>One Member (New Zealand) suggested alternative wording requiring an indication of origin or source, and that the indication is qualified as per the guidelines:</p> <p><i>“The indication of the origin or the source of the flavouring may shall be qualified by the definitions and terms in Section 2 of Guidelines for the Use of Flavourings (CAC/GL 66-2008).”</i></p> <p>One Member (Indonesia) suggested specifying the qualifiers of origin or source in CODEX STAN 107-1985 itself rather than referring to CAC/GL 66-2008. However, the qualifiers specified in the standard would correspond to those specified in the Guidelines:</p> <p><i>“The expression “flavour” or “flavouring” may be qualified by the words “natural”, “nature identical”, “artificial”, “synthetic”, or a combination of these words, as appropriate.”</i></p>	<p>STAN 107-1981 is revised to include a reference to CAC/GL 66-2008 to specify the qualifiers of the origin or source of flavourings.</p>	<p><i>may be declared individually, or they may be declared collectively by the generic term “flavour” or “flavouring”. The generic term may be qualified with an indication of the organoleptic properties of the flavouring (e.g. “Apple flavour” or “Apple flavouring”; “Smoke flavour” or “Smoke flavouring”). The generic term may be further qualified with the descriptor “natural” in the cases of natural flavouring substances and natural flavouring complexes as defined in the Guidelines for the Use of Flavourings (CAC/GL 66-2008) or by the descriptor “artificial” in the case of a synthetic flavouring as defined in the Guidelines. A combination of these descriptors may also be used, as appropriate.</i></p> <p>One Member (EU) provided a new proposal that combined the concepts in the current wording and the proposed revised wording from the first draft circular (column 1).</p> <p><i>“The generic expression “flavouring” may be used and may be further clarified with an indication of a more specific name or description of the flavouring by the definitions and terms in Section 2 of Guidelines for the Use of Flavourings (CAC/GL 66-2008).”</i></p> <p>Item # 2</p> <p>Of the 10 eWG Members providing comment, 2 did not have information to address the issue, 5 indicated that international trade would be affected, and 3 indicated that international trade would not be affected by the proposed revision to this sentence (see Item #1). The comments indicating that international trade would be affected (Costa Rica, CCC, ICBA, ICGA and ICGMA) cited cost associated with revising labels, and confusion regarding terms that are included in the Guidelines (CAC/GL 66-2008) compared to the terms “natural,” “nature-identical,” and “artificial” that are currently used in CODEX STAN 107-1981.</p>

Fourth Sentence: This provision does not apply to flavour modifiers, but does apply to “herbs” and “spices”, which generic expressions may be used where appropriate.

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
<p><u>Option I:</u> delete the sentence</p> <p><u>Option II:</u> separate texts are proposed for Section 4.1(c) and Section 5.1(c) as follows:</p> <p>Section 4.1(c): <i>Food additives and other food ingredients should be labelled in accordance with Section 4.1 (b). The presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s).”</i></p> <p>Section 5.1(c): <i>Food additives and other food ingredients should be labelled in accordance with Section 5.1 (b). The presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s).”</i></p>	<p>Of the eWG Members providing comment on this sentence, 8 preferred Option I, and 8 preferred Option II.</p> <p>One Member (Malaysia) suggested alternative wording for Section 5.1(c) of Option II because detailed information on other ingredients or food additives used in the flavouring are usually already provided in specifications, COAs, technical data sheet, or questionnaires that are provided to food manufacturer:</p> <p>“Section 5.1(c): Food additives and other food ingredients should be labelled in accordance with Section 5.1 (b). The presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s).”</p> <p>One Member (Canada) suggested alternative wording for Option II:</p> <p>“Section 4.1(c): <i>Food additives and other food ingredients in mixtures of flavourings shall be declared in accordance with Section 4.1(b), except that herbs and spices may be declared using the class names “herbs” and “spices”.</i></p> <p>Section 5.1(c): <i>Food additives and other food ingredients in mixtures of flavourings shall be declared in accordance with Section 5.1(b), except that herbs and spices may be declared using the class names “herbs” and “spices”.</i></p> <p>One Member (Spain) suggested alternative wording for Option II to include labelling of allergens:</p> <p>“Section 4.1(c): <i>Food additives and other food ingredients should be labelled in accordance with Section 4.1 (b). The presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s)” as long as they are not considered as substances or products causing allergies or intolerances. In case one of them are considered as an allergenic product, the specific name of the herb(s) or spice(s)</i></p>	<p>There was no consensus in the eWG as to preference for Option I or Option II, and several Members proposed alternate wording. Further input from the eWG is needed:</p> <ol style="list-style-type: none"> The eWG is requested to comment on whether herbs, spices and other food ingredients are used in flavour preparations or other food additive preparations. Preference for Option I, Option II, or the alternative option to revise Section 4.1 and Section 5.1 of CODEX STAN 107-1981: <p><i>“(a) The name of each food additive present shall be given. The name shall be specific and not generic and shall indicate the true nature of the food additive. Where a name has been established for a food additive in a Codex list of additives, that name shall be used. In other cases the common or usual name shall be listed or, where none exists, an appropriate descriptive name shall be used.</i></p> <p><i>(b) If two or more food additives are present, their names shall be given in the form of a list. The list shall be in the order of the proportion by weight which each food additive bears to the total contents of the container, the food additive present in the greatest proportion by weight being listed first. Where one or more of the food additives is subject to a quantitative limitation in a food covered by a Codex standard, the quantity or proportion of that additive may be stated. If food ingredients are part of the preparation, they shall be declared in the list of ingredients in descending order of proportion.</i></p> <p><i>(c) In the case of mixtures of flavourings, the name of each flavouring present in the mixture need not be given. The generic expression “flavour” or “flavouring” may be used, together with a true indication of the nature of the flavour. The expression “flavour” or “flavouring” may be qualified by the words “natural”, “nature-identical”, “artificial”, or a combination of these words, as appropriate.</i></p>	<p>Item # 1</p> <p>Of the 11 eWG Members providing comment, most comments indicated the Members were not aware of (3), or did not have information on (5), the use of herbs, spices and other food ingredients in flavour preparations or other food additive preparations. However, 3 comments indicated that herbs, spices, and other food ingredients were used for this purpose. One comment (ICGA) recommended obtaining further information on this issue, in particular from manufacturers of flavouring preparations and food additive preparations to better inform CCFA’s discussion. This discussion may lead to further revision of the text of Section 4.1(d) and Section 5.1(d) (see Item #2).</p> <p>Item #2</p> <p>Of the 16 comments received, the eWG is still split on the approach to remove the sentence: Simply delete: (Option I: 5 Members); or to incorporate a new subsection in Section 4.1 and Section 5.1 (see column 3) with additional edits: 6 Members). Three Members preferred Option II.</p> <p>One Member (Canada) also provided a new proposal for Sections 4.1(d) and 5.1(d).</p> <p><i>“(d) If food ingredients are part of the food additive preparation, they shall be declared in the list of ingredients in descending order of proportion. Ingredients for which class names are set out in section 4.2.3.1 in the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985) may be declared by the applicable class name, except for those ingredients that are identified in section 4.2.1.4 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985) as foods or ingredients that</i></p>

First Draft Circular		Second Draft Circular	
Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
	<p>must appear in the label.</p> <p>Section 5.1(c): <i>Food additives and other food ingredients should be labelled in accordance with Section 5.1 (b). The presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s)” as long as they are not considered as substances or products causing allergies or intolerances. In case one of them are considered as an allergenic product, the specific name of the herb(s) or spice(s) must appear in the label.</i></p> <p>Several Members were of the view that flavour modifiers are not outside the scope of the definition of flavourings, while several others considered flavour modifiers to be food additives.</p> <p>One Member (New Zealand) agreed with exclusion of flavour modifiers. However, with regard to herbs and spices, requests that, in the future, the Codex Committee on Food Labelling (CCFL) confirm whether these substances are used in food additive preparations. As such, in the interim, herbs and spices should be retained in the text. Another member (Brazil) also questioned the use of herbs and spices in flavouring preparations.</p> <p>One Member (UK) suggested moving the exemption for herbs and spices to Sections 4.1 (b) and 5.1 (b) because CAC/GL 66-2008 states herbs and spices are food ingredients, and Sections 4.1 (b) and 5.1 (b) covers how food ingredients should be labelled:</p> <p>“Sections 4.1 (b) and 5.1 (b): <i>If food ingredients are part of the preparation, they shall be declared in the list of ingredients in descending order of proportion. However, the presence of one or more herbs and spices may be labelled by using the generic terms “herb(s)” and “spice(s).”</i></p> <p>One Member (USA) proposed a revision to Section 4.1 and 5.1:</p> <p><i>“(a) The name of each food additive present shall be given. The name shall be specific and not</i></p>	<p><i>This provision does not apply to flavour modifiers, but does apply to “herbs” and “spices”, which generic expressions may be used where appropriate.</i></p> <p>(d) If food ingredients are part of the food additive preparation, they shall be declared in the list of ingredients in descending order of proportion. Mixtures of herbs and/or spices may be indicated by the generic expressions “herbs” and “spices.”</p> <p><i>(d e) Food additives with a shelf-life not exceeding 18 months shall carry the date of minimum durability using words such as “will keep at least until”</i></p> <p><i>(e f) The words “For Food Use” or a statement substantially similar thereto shall appear in a prominent position on the label.”</i></p> <p>3. CCFA should consult with CCFL as to whether it is appropriate to include the following text regarding labelling of allergens in any subparagraph of Section 4.1 and Section 5.1 of CODEX STAN 107-1981 that discusses herbs and spices, and if so, who would make the determination as to whether these substances are considered allergenic:</p> <p><i>“... as long as they are not considered as substances or products causing allergies or intolerances. In case one of them is considered as an allergenic product, the specific name of the herb(s) or spice(s) must appear in the label.”</i></p>	<p><i>are known to cause hypersensitivity.”</i></p> <p>One Member (Russia) requested clarification of the basis for the requirement “Food additives with a shelf-life not exceeding 18 months shall carry the date of minimum durability using words such as “will keep at least until”. (paragraph (e)).</p> <p>Three Members (Costa Rica, ICBA, and ICGMA) observed the use of the term “flavour” and of the qualifiers “natural,” “nature-identical,” and “artificial,” contradict the proposals to remove these terms from the second and third sentences, respectively. It is noted that the proposal for the second sentence, above, retains the term “flavour.” However, as the inclusion or omission of the qualifier terms (third sentence) requires further discussion, any consequential changes to the fourth sentence will need to be taken into account.</p> <p>Item # 3</p> <p>Of the 15 eWG Members providing comment, there was consensus in the eWG to refer the issue regarding inclusion of text regarding labelling of allergens in any subparagraph of Section 4.1 and Section 5.1 of CODEX STAN 107-1981 to CCFL. CCFL should be asked whether CODEX STAN 107-1981 should contain:</p> <p>i. a cross-reference to Section 4.2.1.4 of the <i>General Standard for the Labelling of Prepackaged Foods</i> (CODEX STAN 1-1985); or</p> <p>i. the specific text for paragraph (d)</p>

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Proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG	Amended proposed revised wording of Sections 4.1(c) and 5.1(c)	Comments from eWG
	<i>generic and shall indicate the true nature of the food additive. Where a name has been established for a food additive in a Codex list of additives, that name shall be used. In other cases the common or usual name shall be listed or, where none exists, an appropriate descriptive name shall be used.</i>		