

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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ALINORM 01/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-fourth Session
Geneva, 2-7 July 2001

REPORT OF THE TWENTY-EIGHTH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING

Ottawa, Canada, 5-9 May 2000

Note: This document incorporates Circular Letter CL 2000/16-FL

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CX 5/15

**CL 2000/16-FL
May 2000**

TO: - Codex Contact Points
- Interested International Organizations

FROM: - Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, 00100 Rome, Italy

SUBJECT: **Distribution of the Report of the 28th Session of the Codex Committee on Food Labelling (ALINORM 01/22)**

A. MATTERS FOR ADOPTION BY THE 24th SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Draft Standards and Guidelines at Step 8 of the Procedure

1. Draft Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (livestock production) (para. 29, Appendix II)
2. Draft Amendment to the General Standard for the Labelling of Prepackaged Foods - Section 4.2.2 (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Generic Engineering) (para. 37, Appendix III)

Governments wishing to propose amendments or comments on the above documents should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 (see Procedural Manual of the Codex Alimentarius Commission) to the Secretary, Joint FAO/WHO Food Standards Programme, FAO, via delle Terme di Caracalla, 00100 Rome, Italy **before 15 March 2001**.

B. REQUEST FOR COMMENTS AND INFORMATION

Draft Standards and Guidelines at Step 6 of the Procedure

3. Draft Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (Provisions for bees and for additives) (para. 29, Appendix IV)
4. Draft Amendment to the General Standard for the Labelling of Prepackaged Foods – Section 2 Definitions (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Generic Engineering) (para. 38, Appendix V)
5. Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (class names) (para. 53, Appendix VI)

Governments and international organizations wishing to submit comments should do so in writing to the Secretary, Joint FAO/WHO Food Standards Programme, FAO, viale delle Terme di Caracalla, 00100 Rome, Italy, with a copy to the Secretary of the Committee, Mr. Ron B. Burke, Director, Bureau of Food Regulatory International and Interagency Affairs, Health Protection Branch, Health Canada, HPB Bldg, Room 200, Tunney's Pasture, Ottawa K1A 0L2, Canada (Telefax N° 613.941.3537, e-mail: codex_canada@hc-sc.gc.ca , **before 15 October 2000.**

Proposed Draft Guidelines at Step 3 of the Procedure

6. Proposed Draft Amendment to the Guidelines on Nutrition Labelling (para. 64, Appendix VII)
7. Proposed Draft Recommendations for the Use of Health Claims (para. 73, Appendix VIII)

Governments and international organizations wishing to submit comments should do so in writing to the Secretary, Joint FAO/WHO Food Standards Programme, FAO, viale delle Terme di Caracalla, 00100 Rome, Italy, with a copy to the Secretary of the Committee, Mr. Ron B. Burke, Director, Bureau of Food Regulatory International and Interagency Affairs, Health Protection Branch, Health Canada, HPB Bldg, Room 200, Tunney's Pasture, Ottawa K1A 0L2, Telefax N° 613.941.3537, e-mail: codex_canada@hc-sc.gc.ca , **before 15 November 2000.**

SUMMARY AND CONCLUSIONS

The summary and conclusions of the 28th Session of the Codex Committee on Food Labelling are as follows:

Matters for adoption by the Commission:

The Committee:

- agreed to advance to Step 8 of the Draft Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (livestock production) (para. 29, Appendix II);
- agreed to advance to Step 8 the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods – section 4.2.2 on allergens (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/ Generic Engineering) (para. 37, Appendix III);

Other Matters of Interest to the Commission

- agreed to retain at Step 7 the Draft Amendment to the Standard for Quick Frozen Fish Sticks (declaration of fish core) pending advice from the Committee on Fish and Fishery Products (para. 10);
- agreed to return to Step 6 the sections on bees and on additives in the Draft Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (para. 29, Appendix IV);
- agreed to return to Step 6 the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods – section 2 Definitions (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/ Generic Engineering) (para. 38, Appendix V)
- agreed to return to Step 6 the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (class names) (para. 53, Appendix VI);
- agreed to return to Step 3 the Proposed Draft Amendment to the Guidelines on Nutrition Labelling (para. 64, Appendix VII);
- agreed to return to Step 3 the Proposed Draft Recommendations for the Use of Health Claims (para. 73, Appendix VIII);
- agreed to return to Step 3 for redrafting and comments the Proposed Draft Recommendations for the Labelling of Foods Obtained through Biotechnology (additional mandatory labelling) (para. 49);
- agreed to discontinue work on Proposed Draft Guidelines for the Use of the Term "Vegetarian" (para. 77);
- endorsed the labelling provisions submitted for consideration, except for those in the Proposed Draft Standard for Aqueous Coconut Products (paras. 15-21).

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INTRODUCTION

1) The Codex Committee on Food Labelling held its Twenty-Eighth Session in Ottawa, from 9 to 12 May 2000, at the kind invitation of the Government of Canada. The meeting was attended by 275 delegates and observers representing 44 Members and 30 international organizations. The meeting was chaired by Dr. Anne MacKenzie, Associate Vice-President, Science Evaluation, Canadian Food Inspection Agency. The complete list of participants is attached as Appendix I to this report.

OPENING OF THE SESSION

2) The Session was opened by Ms. Diane Gorman, Assistant Deputy Minister, Health Protection Branch, Health Canada, who recalled the considerable achievement of the Committee since its creation, with the completion of several essential texts which had been developed to ensure consumer information. Ms. Gorman stressed the importance of risk analysis principles for public health protection issues and the need to involve all interested parties in the review of national policies. This was reflected in the current review of nutrition labelling policy in Canada, which had been conducted on a wide consultative basis and would soon be completed. Ms. Gorman pointed out that the Committee was scheduled to consider very complex issues, especially as regards biotechnology, and that its conclusions would contribute to facilitate the current debate on biotechnology, and she wished delegates all success in this important work.

3) Mr Thomas Billy, Chairman of the Codex Alimentarius Commission, highlighted the areas of priority in order to ensure the success of Codex work: the scientific basis of decisions; support from the parent organizations; the increased participation of developing countries, and the involvement of non-Governmental Organizations. He stressed the importance of transparency as well as efficiency in the decision process in order to address the critical issues that the Committee had to consider, especially as regards biotechnology.

ADOPTION OF THE AGENDA

4) The Committee adopted the Provisional Agenda (CX/FL 00/1) as the Agenda for the Session and agreed to consider the following issues under Agenda item 10 (Other Business and Future Work): country of origin labelling, as proposed by the Delegation of the United Kingdom; and an amendment to the *Guidelines for the Production Processing, Labelling and Marketing of Organically Produced Foods* (Lists of Substances) as proposed by the Delegation of Malaysia.

MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER COMMITTEES (Agenda Item 2)¹

5) In addition to the matters referred in the document, the Secretariat informed the Committee of the conclusions and current work of the first Session of the Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology, particularly with reference to the development of guidelines for risk assessment and a list of analytical methods. It was also noted that an FAO/WHO Expert Consultation on Foods Derived from Biotechnology would be held in Geneva from 29 May to 2 June 2000.

Labelling of Fish Sticks

6) The Committee recalled that the Commission had returned the Draft Amendment to the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets, Breaded or in Batter (declaration of fish core) to Step 6 for further comments and consideration.

7) The Delegation of Brazil expressed the view that there was no need to require a declaration of fish core since the standard required a minimum percentage of fish of 50%.

¹ CX/FL 00/2, CX/FL 00/2-Add.1 (comments of Cuba), CRD 6 (comments of Canada), CRD 21 (Malaysia, Mexico), CRD 29 (Philippines)

8) The Delegation of the United Kingdom expressed the view that the term ‘fish core’ as currently used might include ingredients other than fish, especially water and this could be misleading for consumers. The term ‘fish content’ was therefore preferable as it would reflect the actual proportion of fish in fish sticks. This position was supported by several delegations and observers. It was also noted that the questions related to the definition and the methodology of fish core or fish content required more clarification.

9) The Committee agreed in principle that the declaration of fish content should be included in the labelling section and asked the Committee on Fish and Fishery Products to consider a definition of ‘fish content’, and the method for its determination. The Committee noted that this question was already scheduled for consideration by the CCFFP on the basis of a document prepared by the United Kingdom (CX/FP 00/2-Add.2).

Status of the Draft Amendment to the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets, Breaded or in Batter

10) The Committee agreed to hold the Draft Amendment at Step 7 and to consider it further at its next session in the light of the information provided by the CCFFP, with a view to its finalization.

Proposal for a new Class Name

11) The Committee considered the proposal from the Committee on Milk and Milk Products to include a new class name for ‘Coagulating Enzymes’ in the General Standard for the Labelling of Prepackaged Foods. This question had been discussed in relation to the Proposed Draft Standard for Unripened Cheese.²

12) The Committee noted that the following issues should be addressed in relation to the declaration of enzymes. It was proposed to restrict the use of the proposed class name to the standards for cheeses, as necessary, without including it in the General Standard on the Labelling of Prepackaged Foods, which is applicable to all foods. It was proposed to establish a distinction between rennet and coagulating enzymes, since rennet should be declared as an ingredient. The Committee noted that currently rennet was declared in the list of ingredients in the standards for cheeses.

13) Some delegations pointed out that rennet and coagulating enzymes were listed in the Codex Inventory of Processing Aids and that section 4.2.3.2 of the General Standard exempts processing aids from labelling; consequently there was no need for a class name to declare these products.

14) The Committee agreed that there was no justification to establish a new class name for coagulating enzymes at this stage and agreed to ask the Committee on Milk and Milk Products to provide a background document to clarify the issues mentioned above, especially the distinction between ingredients and processing aids in relation to the standards for cheeses.

CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS

(Agenda Item 3)³

Draft Revised Standard for Honey⁴

15) The Committee endorsed the labelling provisions as proposed.

Draft Group Standard for Unripened Cheese including Fresh Cheese⁵

16) The Delegation of the United States pointed out that the use of the term ‘skim’, which corresponded to ‘non-fat’ in its national regulations, was not defined as a nutrition claim in Codex, and proposed to amend the text to ensure that consumers were not misled by the use of this term.

² ALINORM 01/11, paras. 46-47

³ CX/FL 00/3, CRD 7 (comments of Canada), CRD 22 (Mexico)

⁴ ALINORM 01/25, Appendix II

⁵ ALINORM 01/11, Appendix II

17) The Committee agreed that the second sentence of Section 7.2 Declaration of Milk Fat Content should be amended as follows: *'The following terms may be used provided their use is not misleading to consumers in the country of retail sale'*

Proposed Draft Revised Standard for Whey Powders ⁶

Proposed Draft Revised Standard for Edible Casein Products ⁷

18) The Committee endorsed the labelling provisions in the above standards as proposed.

Proposed Draft Standard for Aqueous Coconut Products ⁸

19) The Committee recalled that the Proposed Draft, developed by the Coordinating Committee for Asia, would be considered by the Executive Committee for adoption at Step 5, and forwarded to the Committee on Processed Fruits and Vegetables for finalization as a world-wide standard.

20) The Delegation of the United States, supported by other delegations, pointed out that the use of the term 'light' is defined in the Guidelines for Use of Nutrition Claims, that the term 'skim' could be misleading for consumers, and that 'coconut cream concentrate' and 'concentrated coconut cream' should be combined as they appeared to describe the same product. The Delegation of Brazil proposed that coconut water should also be included in the standard.

21) The Committee agreed that the labelling provisions could not be endorsed at this stage and that the concerns mentioned above should be brought to the attention of the CCPFV, to be addressed when finalizing the standard.

DRAFT GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS (LIVESTOCK PRODUCTION) (Agenda item 4) ⁹

22) The Committee recalled that the provisions on livestock production had been returned to Step 6 by the 27th Session for further consideration. These sections and the comments received in reply to CL 1999/10-FL were considered by the Working Group which met prior to the current Session. The Chairperson of the Working Group, Ms. Ruth Lovisolo (Australia), presented the revised sections of the Draft Guidelines to the Committee and indicated that consensus had been reached on the major provisions for livestock production, while consideration of aquaculture had been deferred until a later date. The Committee considered the following points.

23) As regards the use of the term 'traditional', it was agreed that this term was generally understood and used in Codex and there was no need to define it further in the Guidelines.

24) While the use of vaccines was approved under certain circumstances within the Guidelines, it was recognized that many vaccines are derived from genetic modification/engineering. It was noted that this issue was beyond the expertise of the Working Group and would need to be addressed by the organic industry in the short term. The Committee noted that the method used to obtain the vaccine is not currently a factor to determine the suitability of the vaccine in the Guidelines.

25) It was agreed that the Guidelines should not include restrictive time frames for achieving compliance and that competent authorities should have the ability to establish implementation periods depending on national requirements.

26) The Committee noted that the revision of the draft resulted in proposed consequential amendments and/or additional text to be included in the Foreword, Section 1- Scope, Section 2- Description, Section 4- Rules of Production and Preparation, Annex 1B Livestock and Livestock Products, and to Annex III.

⁶ ALINORM 01/11, Appendix III

⁷ ALINORM 01/11, Appendix VII

⁸ ALINORM 01/15, Appendix II

⁹ ALINORM 99/22A - Appendix IV, CX/FL 00/4 (comments of Japan, Paraguay, Poland, Switzerland, United States, IFOAM), CX/FL 00/4- Add.1 (comments of EC), CRD 3 (India), CRD 8 (Canada), CRD 17 (Thailand), CRD 27 (IDF), CRD 33 (Report of the Working Group)

27) The Committee agreed that the Working Group should be convened again prior to the 29th Session in order to consider the following sections: Specific Species: bees, and the list of additives and processing aids (Annex 2, Table 3). The Committee noted that the Working Group would also consider the specific amendment to the list of substances proposed by the Delegation of Malaysia (see Agenda item 10).

28) The Committee expressed its thanks to Ms. Lovisolo and to the Working Group for their constructive work in a spirit of cooperation which had allowed for considerable progress in a short time on the finalization of the livestock provisions.

Status of the Draft Guidelines for the Production Processing Labelling and Marketing of Organically Produced Foods

29) The Committee advanced the Draft Guidelines (Livestock Production) to Step 8 for adoption by the 24th Session of the Commission (see Appendix II). The Committee agreed to return to Step 6 for further comments the section on bees, and the list of additives and processing aids for livestock products (see Appendix IV).

PROPOSED DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH BIOTECHNOLOGY (PROPOSED DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS) (Agenda item 5)¹⁰

Sections 2: Definition of Terms and Section 4: Mandatory Labelling of Prepackaged Food

30) The Committee recalled that the 23rd Session of the Commission had adopted the proposed draft amendment to Section 2 and 4 at Step 5 and that the draft amendment had been circulated for government comments at Step 6. It also noted that the Working Group, coordinated by the delegation of Canada, proposed revisions to the Section 2 in connection with its deliberation on Section 5. The text prepared by the Working Group was presented to the Committee as CX/FL 00/6.

31) After an exchange of opinions, the Committee decided not to use the term “modern biotechnology” as the term covers a broad range of techniques, not only genetic modification and genetic engineering that were the primary focus of the discussion in the Committee. It agreed to replace the words “food and food ingredients obtained through modern biotechnology” with the words “food and food ingredients obtained through certain techniques of genetic modification/ genetic engineering” throughout Section 2 and in the Title. The Committee further agreed to remove the square brackets enclosing the words “obtained through gene technology”.

32) The Committee agreed to remove the brackets around the two references to cell fusion, as the text had been further clarified in view of the government comments submitted and the final text of the Cartagena Protocol on Biosafety.

33) Concerning the use of the words “genetically modified / engineered organism”, many delegations and observer organizations supported the use of the word “modified” as they believed that consumers were more familiar with “modified” than “engineered”, while other delegations preferred the word “engineered” since it was currently used in their countries. The Committee decided to leave both words in the Section taking into account the different situations in different countries and to remove the square brackets.

34) Regarding the definition of “no longer equivalent /differs significantly“, many delegations noted that this paragraph was closely related to the provisions set forth in Section 5 and therefore it was premature to decide on the necessity and the exact wording of the definition before the Committee had discussed Section 5. Some delegations and observers proposed to delete this paragraph since they supported comprehensive labelling of all foods obtained through gene technology irrespective of the differences with corresponding foods or ingredients. Other delegations and observer organizations supported the inclusion of the paragraph because specific labelling would be required for foods and ingredients that were significantly different. The Committee agreed to leave the proposed text of the paragraph as it was in square brackets.

¹⁰ ALINORM 99/22 – Appendix VII, CX/FL 00/6, CX/FL 00/5-B (comments of Denmark, Japan, Peru, EC, IACFO, IFOAM), CRD 4 (India), CRD 9 (Canada), CRD 16 (Cuba, South Africa, Thailand, United States), CRD 20 (Norway, CI), CRD 29 (Philippines), CRD 30 (Chile), CRD 32 (United States)

35) Several delegations pointed out that the need for individual definitions in Section 2 depended on the provisions of Section 5, and that discussion on both Sections should be closely interrelated and should proceed in parallel in the Step Procedure.

36) The Committee noted that no comments had been received at Step 6 on Section 4.2.2 concerning the declaration of allergens transferred from any of the products listed in Section 4.2.1.4, and agreed that it should be advanced to Step 8 for inclusion in the General Standard as a new section.

Status of the Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification / Genetic Engineering (Draft Amendment to the General Standard for the Labelling of Prepackaged Foods - Sections 2 and 4)

37) The Committee agreed to advance the draft amendment to Section 4.2.2 to Step 8 for adoption at the 24th Session of the Commission (Appendix III) .

38) The Committee agreed that the draft amendment to Section 2, as amended at the present session, should be returned to Step 6 for government comments (Appendix V).

Section 5: Additional Mandatory Labelling

39) The Committee noted that the Working Group established at the last session under the chairmanship of Canada had presented a revised proposed draft amendment to Section 5, which contained two options for consideration (CX/FL 00/6). The first option requires labelling when products obtained through biotechnology differ significantly from the corresponding food as regards composition, nutritional value, or intended use. The second option requires the declaration of the method of production for foods and ingredients composed of or containing genetically modified / engineered organisms, or food or food ingredients produced from but not containing GMO/GEOs if they contain protein or DNA resulting from gene technology or differ significantly from the corresponding food. The Committee expressed its appreciation to the Chair of the Working Group, Mr. G. Reasbeck, and the members of the Working Group for their constructive work in clarifying complex issues to facilitate discussion at the current session.

40) Several delegations and observer organizations supported Option 1 in document CX/FL 00/6 with the view that the information on the change of composition, nutritional value, or intended use was the most important element for consumer information, rather than the method of production.

41) Many other delegations and observer organizations supported Option 2 in the document, which required the declaration of the method of production under certain conditions because this approach would provide better information to the consumers and allow the possibility to make an informed choice.

42) Several delegations expressed the view that the requirement for mandatory labelling was essential throughout the food chain. The Observer from IFOAM pointed out that laboratory analysis should only be carried out in addition to product flow analysis and process oriented labelling, such as already existed for organically produced foods.

43) The Delegation of the United States, supported by some delegations and observers, stressed the need to address all the implications of labelling of foods derived from biotechnology as regards enforcement, methodology, economic cost, and consumer perception, and proposed that the Committee, with assistance of the Working Group, should consider these aspects carefully before taking a decision on mandatory labelling provisions. It was also pointed out that developing countries would face technical difficulties in implementing provisions for the labelling of foods derived from biotechnology.

44) As regards the threshold levels indicated in Option 2, several delegations pointed out that analytical methods should be considered by the Codex Committee on Method of Analysis and Sampling (CCMAS). It was noted that the *ad hoc* Intergovernmental Task Force on Foods Derived from Biotechnology had decided to discuss this issue at its next Session in March 2001. The Committee recognized the importance of close collaboration among Codex bodies and decided to ask the CCMAS to study the analytical methods for the detection or identification of food and food ingredients derived from biotechnology. The Chairman of the CCMAS, Dr. Biacs (Hungary) informed the Committee that CCMAS would be ready to discuss the matter at its next Session in February 2001,

taking into account the work already being done by various organizations in this area. A Circular Letter would invite governments and international organizations to submit relevant material to that Committee. It was also noted that the Task Force on Foods Derived from Biotechnology would consider a discussion paper prepared by France on the issue of traceability.

45) The Delegations of Norway and India, supported by other delegations and observer organizations (CI, RAFI, IACFO), expressed the view that of all food and food ingredients produced by means of genetic engineering should be labelled, that labelling should be mandatory, and that the Committee should continue its consideration of this proposal. Labelling should be required whether or not the product had different properties or characteristics compared to conventional foods and/or contained protein or DNA resulting from gene technology. The Delegations stressed that only this approach would ensure consumer confidence in new products and new technologies. The Delegation of India informed the Committee that India was currently in the process of enacting new legislation based on this approach.

46) The Delegation of Japan proposed that the ideas described in Option 2 could be developed as a separate guideline, like in the case of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*, rather than as an amendment to the mandatory labelling section of the General Standard for the Labelling of Prepackaged Foods. The Delegation indicated that the provisions in Option 2 included a broad spectrum of aspects, such as threshold levels and the mode of declaration as well as examples for labelling, and that the proposed approach would allow for flexibility in the application of these concepts in national legislation by Member countries. This proposal was supported by several delegations.

47) The Committee noted that many Member countries were currently reviewing their national legislation on the labelling of foods obtained through biotechnology to ensure better information for consumers and that it was important for the Committee to continue its progress on this matter to achieve international harmonization.

48) The Committee, recognizing the diversity of opinions among Member countries, decided to return the proposed draft amendment to Step 3. It was also agreed that the Working Group, coordinated by Canada, would continue its deliberations and combine Options 1 and 2, in the light of the proposal from Japan on the development of guidelines, and consider the proposal from Norway and India for comprehensive labelling. The Working Group would also consider all key issues related to labelling discussed by the Plenary Session including, as appropriate, the questions raised by the United States and others.

Status of the Proposed Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification / Genetic Engineering (Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods - Section 5)

49) The Committee agreed to return the text to Step 3 for redrafting by the Working Group, which would prepare a revised version for circulation and consideration by the next session.

DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS (CLASS NAMES) (Agenda Item 6)¹¹

50) The Committee recalled that the Proposed Draft Amendment had been adopted at Step 5 by the 23rd Session of the Commission. Following the request of the last session of the CCFL, the Committee on Milk and Milk Products had considered the class name for milk protein products and had proposed the following definition:

Milk Protein Products: Milk products containing a minimum of 35% (m/m) of any type(s) of milk protein. If the content exceeds 50% (m/m), the word 'product' may be omitted.

51) Some delegations supported this proposal. However, several other delegations supported the definition of a single category of milk protein, as agreed by the last session, and pointed out that the term 'milk protein' should not be used for products containing only 50% milk protein since this would be misleading for consumers. The Delegation of Portugal, speaking on behalf of the Member States of the European Union, proposed that the Committee should go back to the earlier proposal for a single class name for 'milk protein' as initially defined

¹¹ ALINORM 99/22 – Appendix V, CX/FL 00/7 (comments of Spain), CRD 10 (comments of Canada), CRD 30 (Chile), CRD 31 (Thailand)

in part 2 of Appendix IX, ALINORM 99/22. Other delegations proposed to refer to 30% instead of 35% milk protein as a minimum, or to define different levels of protein content, as in the case of fat content, such as low, medium and high.

52) The Committee recognized that there was no consensus to advance the definition of 'milk protein/milk protein product' to Step 8 and agreed that the text considered by the last session of the CCFL should be further discussed.

Status of the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods
(Class Names)

53) The Committee agreed to return the Draft Amendment, as proposed by the last session, to Step 6 for further comments and consideration at the next session (see Appendix VI).

PROPOSED DRAFT AMENDMENT TO THE GUIDELINES ON NUTRITION LABELLING
(SECTION 3.2 - LISTING OF NUTRIENTS) (Agenda Item 7)¹²

54) The Committee recalled that the Proposed Draft Amendment requiring labelling of sugars, fibre, saturated fats and sodium when a nutrition claim is made for one or more of these nutrients, had been returned to Step 3 by the 23rd Session of the Commission, since there was no consensus on its adoption at Step 5.

55) The Delegation of Malaysia proposed to defer consideration of this question until the Committee on Nutrition and Foods for Special Dietary Uses could provide advice on the public health need for nutrition labelling. The Committee recalled that the CCNFSDU had not come to a final conclusion on this question at its last session and had agreed to consider it further. The Committee agreed that this should not hold the progress of the revision of the Guidelines, which had been approved as new work under its responsibility.

56) The Delegation of Brazil, supported by other delegations, expressed the view that the necessity for nutrition labelling should be determined by national authorities, taking into account the specific needs and situation of the country, and that the present Guidelines should be retained. The Observer from CIAA supported the current Guidelines as they provide flexibility and stressed the need to consider other means of information besides food labelling.

57) The Observer from the EC, supported by several delegations, indicated that nutrient declaration for sugars, fibre, saturated fat and sodium, should not only be required when a claim is made but also when a manufacturer voluntarily provides information on one of the four nutrients, since it would provide important information to the consumer.

58) The Committee noted a proposal to include a reference to the source of protein. The Committee however recalled that the purpose of the Guidelines was to provide information on the nutrient contents while the General Standard for the Labelling of Prepackaged Foods provided the relevant information on the source of nutrients through the declaration of ingredients, which was always included in the labelling.

59) The Committee noted several proposals to provide further detail on the nutrients which should be included: the declaration of cholesterol; monounsaturated and trans-fatty acids, in addition to saturated fat and polyunsaturated fatty acids; and a reference to total dietary fibre to clarify the term 'fibre'.

60) The Committee agreed to introduce some changes to the current text, as proposed by the delegations of Brazil, New Zealand, United States, and EC with the understanding that they would require further comments and consideration. The text of section 3.2.1.2 of the current Guidelines was retained; additional nutrient declaration (sugars, fibre, saturated fatty acids and sodium) was included in a new section 3.2.2 (in square brackets) referring also to voluntary declaration. The text of section 3.2.2 of the current Guidelines (now numbered 3.2.3) was reintroduced. In section 3.2.3 (renumbered 3.2.4) on fatty acids, the declaration of cholesterol was included in square brackets, as well as a reference to 'other fatty acid constituents'.

¹² ALINORM 99/22 – Appendix VI, CX/FL 00/8 (comments of Brazil, Denmark, Singapore, Slovak Republic, Thailand, EC, CIAA), CRD 5 (India), CRD 11 (Canada), CRD 23 (Malaysia, Mexico), CRD 29 (Philippines), CRD 30 (Chile)

61) The Delegation of Malaysia expressed the view that if a claim was made in relation to saturated fatty acids, the text should include a reference to trans-fatty acids in view of the link between trans-fatty acids and coronary heart disease, as recognized by the FAO/WHO Expert Consultation on Fats and Oils in Human Nutrition. The Secretariat recalled that the Guidelines for Use of Nutrition Claims include a footnote specifying that for claims concerning cholesterol and saturated fat, trans-fatty acids should be taken into account where applicable.

62) The Observers from IACFO and CI stated that they support mandatory comprehensive nutrition information on all foods regardless of whether manufacturers choose to make marketing claims or to report the amounts of specified nutrients. The Observer from IACFO encouraged the Committee to consider the benefits of setting a mandatory nutrition labelling Codex standard that leaves the selection of nutrient lists to national authorities and noted that several countries were currently considering national mandatory labelling laws.

63) The Committee recognized that there was no consensus at this stage to advance the revised text to Step 5, and that the amendments proposed at the session required further discussion. Member countries were invited to provide detailed comments prior to the session in order to clarify the debate and facilitate further progress.

Status of the Proposed Draft Amendment to the Guidelines on Nutrition Labelling

64) The Committee agreed to return the Proposed Draft, as amended at the current session, to Step 3 for further comments and consideration at the next session (see Appendix VII).

PROPOSED DRAFT RECOMMENDATIONS ON THE USE OF HEALTH CLAIMS (Agenda Item 8)¹³

65) The Committee recalled that the 27th Session of CCFL decided to establish a Working Group to facilitate consideration of this matter. In March 2000, to prepare for the Working Group meeting, the comments received on the Proposed Draft Recommendations (Appendix VII, ALINORM 99/22A) were considered by a small drafting group composed of Canada, France, the United Kingdom, and the United States. The result was the text used for discussion by the Working Group, which met immediately prior to the 28th Session and further revised the text.

66) The Chairperson of the Working Group, Dr M. Cheney (Canada) presented the revised text (CRD 34) to the Committee and explained several discussion points considered by the Working Group such as: 1) the Working Group reached a general agreement on the boxed preamble and the definition of ‘health claims’; 2) “Nutrient Function Claim” was removed from nutrition claims and included under health claims; and 3) “Reduction of Disease Risk Claims” and the provisions in Section 7 required further discussion. Dr. Cheney indicated that current work should lead to the amendment to the existing Codex Guidelines for Use of Nutrition Claims. Many delegations and observer organizations expressed their appreciation to the work of the Working Group.

67) Several delegations and observer organizations expressed their concern on health claims, as it would greatly mislead and confuse the consumer on their relevance, especially if provided without appropriate consumer education programmes. The Delegation of India and several delegations and observers stated that they did not support, in particular, the development of international standards for health claims as the situations surrounding health claims differ significantly from country to country. The Delegation of Malaysia proposed that the Committee request the Committee on Nutrition and Foods for Special Dietary Uses to discuss the revised Proposed Draft and to establish the scientific basis for the health claims defined in the revised text (CRD 34). The Observer from ICGMA pointed out that national health policies (referred to in the boxed Preamble) should be consistent with international trade obligations.

¹³ ALINORM 99/22 – Appendix VII, CX/FL 00/9 (comments of Australia, Brazil, Cuba, Denmark, Finland, New Zealand, Norway, Slovak Republic, Spain, Sweden, United Kingdom, CIAA, IACFO, IADSA), CX/FL 00/9-Add.1 (revised document), CX/FL 00/9-Add.2 (Thailand, EC) CRD 2 (ILSI), CRD 12 (Canada), CRD 15 (Thailand, CI, EFLA), CRD 24 (Malaysia, Mexico), CRD 28 (IDF), CRD 29 (Philippines), CRD 30 (Chile), CRD 33 (Japan), CRD 34 (Revised Text prepared by the Working Group and the report of the discussion)

68) Regarding the definition of Enhanced Function Claims (Section 2.2.2), several delegations stated that the concept of this claim was vague and proposed to enclose the entire section in square brackets. As a part of section 2.2.2. was in square brackets, the Delegation of the United States proposed that the examples should also be presented in square brackets, and the Committee agreed with this proposal. Many delegations expressed the view that the Reduction of Disease Risk Claim (Section 2.2.3) would need further deliberation on its relationship with prevention claims, as well as on the provision that required the presentation of the claims in two parts.

69) Many delegations and observers stressed the importance of Section 7 – Health Claims and requested careful consideration of each subsection. The Observer from IACFO urged that health claims be supported by scientific consensus and recommended that a working group fully consider issues relating to consumer perception, enforcement and related matters. Regarding Section 7.1, conditions for health claims, further clarification and discussion were sought on the concepts/words such as “scientific substantiation”, “generally acceptable scientific data” (Section 7.1.1). It was also proposed to consider the concept of ‘significant scientific agreement’ in order to substantiate health claims. Further clarification was also needed on the reference to “reasonable quantity” (Section 7.1.4), or “significant and high source” (Section 7.1.5).

70) In Section 7.3, a question was raised concerning the definition of “a valid method to quantify the food constituent that forms the basis of the claim”. It was suggested by the Delegation of Hungary that valid methods should be those endorsed by the Codex Committee on Method of Analysis and Sampling. As for Section 7.4, clarification was sought as to who would monitor the impact of health claims and how this would be done.

71) Regarding Section 7.5, information that should appear on the label, further clarification and consideration were sought on: 1) the responsible party to check the accuracy and appropriateness of the labelling; 2) the need for the reference to the Codex Guidelines on Nutrition Labelling (Section 7.5.1); 3) the need for consistency with the standards developed by the CCNFSDU with regard to “target groups”; and 4) the possibility to consolidate the provisions concerning the maximum safety intake and related matters in Sections 7.2, 7.5.3, and 7.5.5.

72) The Committee noted the importance of the discussion on the issue of health claims and its progress, recognising the importance of the subject for public health, the confusion prevailing among consumers, and the need for immediate action to ensure consumer protection.

Status of the Proposed Draft Recommendations on the Use of Health Claims (Proposed Draft Guidelines for Use of Health and Nutrition Claims)

73) The Committee agreed to return the Proposed Draft Recommendations, as presented in CRD 34, to Step 3 for further comments and consideration (see Appendix VIII) and that a Working Group chaired by the Delegation of Canada would meet immediately prior to the next session. It also agreed that the Proposed Draft Recommendations should be incorporated into the Guidelines for Use of Nutrition Claims, and subsequently the title should be changed to “Guidelines for Use of Health and Nutrition Claims”.

PROPOSED DRAFT GUIDELINES FOR THE USE OF THE TERM `VEGETARIAN` (Agenda item 9)¹⁴

74) The last session of the Committee had agreed that the Delegation of South Africa, in collaboration with India, would redraft the Proposed Draft Guidelines in the light of the discussion held at the session.

75) The Delegation of South Africa, supported by the Delegation of India and other delegations, indicated that current differences in the definition and understanding of the term ‘vegetarian’ from country to country were too wide to allow the development of guidelines at the international level, and it was not possible to establish a common definition at this stage.

76) The Committee expressed its appreciation to the Delegations of South Africa and India for their efforts to address this complex question and agreed that there was no need to continue work in this area. The Committee however recommended that member countries consider this question carefully at the national level in order to facilitate the choice of consumers.

¹⁴ CX/FL 00/10, CX/FL 00/10- Add.1 (comments of Sweden), CRD 13 (Canada), CRD 18 (Thailand, CI), CRD 25 (Mexico), CRD 29 (Philippines), CRD 30 (Chile)

Status of the Proposed Draft Guidelines for the Use of the Term Vegetarian

77) The Committee agreed to discontinue work on the Proposed Draft Guidelines.

OTHER BUSINESS, FUTURE WORK AND DATE AND PLACE OF THE NEXT SESSION (Agenda item 10)¹⁵

Quantitative Declaration of Ingredients

78) The Committee recalled that the Commission had asked the Committee to consider the recommendation of IACFO for quantitative declaration of ingredients. The Observer from IACFO expressed the view that current labelling provisions did not allow consumers to make informed choices and proposed to require a quantitative declaration for all ingredients representing at least 5% of the final product.

79) Some delegations supported further consideration of this issue but noted that the implications should be considered carefully, especially the threshold for declaration. The Delegation of the United States supported further consideration of voluntary application of quantitative declaration, but objected to mandatory declaration. It was noted that where legislation existed on quantitative declaration, the requirements for such labelling were based on various criteria but did not apply to all ingredients above 5%.

80) The Observer from ICGMA expressed its concern at the implications of this proposal for manufacturers since it would prevent flexibility in the use of ingredients and might require the disclosure of proprietary information, without providing significant benefit to consumers.

81) The Committee agreed to undertake new work on a Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (section 5.1). Subject to the approval of the Executive Committee as new work, the Proposed Draft would be circulated for comments and consideration by the next session, on the basis of the text included in the discussion paper (CX/FL 00/12).

Misleading Claims

82) The Delegation of the United States informed the Committee that more time would be needed to prepare a discussion paper on misleading claims in the context of all labelling and it was agreed that this question would be considered by the next session.

Country of Origin Labelling

83) The Delegation of the United Kingdom introduced CRD 1 that proposed to start new work on country of origin labelling. The Delegation stated that there was considerable concern among consumers and producers in the United Kingdom that current practice in country of origin labelling was failing to provide consumers with the information they need to make informed choices. Consequently, there was a need to review the current provisions of the Codex General Standard for the Labelling of Prepackaged Foods, both Section 4.5.1 and Section 4.5.2. The Observer from Consumers International stressed the importance of this work to enable consumers to make a more informed choice. The Delegation of the United Kingdom offered to draft a discussion paper for the next session to explore the necessity to start new work on a revision of the General Standard. The Delegations of Switzerland and Malaysia supported this proposal and wished to participate in the drafting.

84) The Delegation of the United States, supported by some delegations and observer organizations, pointed out that the World Customs Organization had worked on this issue and that the result would be discussed at the World Trade Organization. The Delegation stated that this point should be fully taken into account in the deliberation of the Committee in order to avoid any duplication of work. It was also pointed out that such declaration would be difficult to apply for composite ingredients.

85) The Committee appreciated the proposal by the United Kingdom, Malaysia and Switzerland to prepare a discussion paper for circulation prior to the next session. All delegations were invited to send any relevant comments to the United Kingdom as soon as possible.

¹⁵ CX/FL 00/12 (proposal of IACFO), CRD 14 (comments of Canada), CRD 19 (comments of Thailand), CRD 1 (Proposal of the United Kingdom), CRD 26 (Proposal of Malaysia)

Substances Used in Organic Production

86) The Delegation of Malaysia proposed to add by-products of oil palm, cocoa and coconut to the substances for use in soil fertilization and conditioning in Table 1 of *the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*.

87) In view of the specific and non-controversial nature of this amendment, the Committee agreed to seek the approval of the Executive Committee to consider it under the Accelerated Procedure. The Committee noted that this amendment was limited to the specific products proposed by Malaysia and would not entail a review of the permitted substances for the organic production of foods in the Guidelines at this time.

Date and Place of the Next Session

88) The Committee was informed that the next session was tentatively scheduled to be held in Ottawa from 1 to 4 May 2001, the exact arrangements to be determined between the host country and the Codex Secretariat.

SUMMARY STATUS OF WORK

Subject Matter	Step	Action by	Document Reference in ALINORM 01/22
Draft Guidelines for Organically Produced Foods (livestock)	8	Governments 24 th CAC	para. 29 Appendix II
Draft Recommendations on Labelling/Biotechnology (allergens)	8	Governments 24 th CAC	para. 37 Appendix III
Draft Amendment to the Standard for Quick Frozen Fish Sticks (fish core/content)	7	CCFFP 29 th CCFL	para. 10
Draft Guidelines for Organically Produced Foods (bees and additives)	6	Governments 29 th CCFL	para. 29 Appendix IV
Draft Recommendations on Labelling/Biotechnology (section 2 – Definitions)	6	Governments 29 th CCFL	para. 38 Appendix V
Draft Amendment to the General Labelling Standard (class names)	6	Governments 29 th CFL	para. 53 Appendix VI
Proposed Draft Recommendations on Labelling/Biotechnology (section 5 – additional mandatory labelling)	3	Canada Governments 29 th CCFL	para. 49
Proposed Draft Amendment to the Guidelines on Nutrition Labelling	3	Governments 29 th CCFL	para. 64 Appendix VII
Proposed Draft Recommendations for the Use of Health Claims	3	Governments 29 th CCFL	para. 73 Appendix VIII
Proposed Draft Guidelines for Use of the Term "Vegetarian"	3	CCEXEC	para. 77
Labelling provisions (aqueous coconut products)		CCPFV	paras. 19-21
Proposals for new work: 1) Quantitative declaration of ingredients 2) Substances for use in soil conditioning and fertilization: Amendment - Accelerated Procedure	1/2/3	CCEXEC Secretariat Governments 29 th CCFL	1) paras. 78-81 2) paras. 86-87

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**DRAFT GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING
AND MARKETING OF ORGANICALLY PRODUCED FOODS
LIVESTOCK and LIVESTOCK PRODUCTS**
(at Step 8 of the Procedure)

[Editorial notes are provided in bold italic type.]

FOREWORD

Insert the following consequential amendment

3. third dash point

- 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.

SECTION 1. SCOPE

Consequential amendments including footnote

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, **livestock and livestock 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 and livestock** products¹ **intended** for human consumption derived from (a) above.

SECTION 2. DESCRIPTION AND DEFINITIONS

2.1 Description

Add following new text at end of para 2.1:

...The basis for organic livestock husbandry is the development of a harmonious relationship between land, plants and livestock, and respect for the physiological and behavioural needs of livestock. This is achieved by a combination of providing good quality organically grown feedstuffs, appropriate stocking rates, livestock 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

Add the following definitions

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 food². The products of hunting or fishing of wild animals shall not be considered part of this definition.

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 behaviour³.

¹ 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.

² Provisions for aquaculture will be elaborated at a future date.

³ Codex Alimentarius Commission Procedural Manual, Definitions

SECTION 4. RULES OF PRODUCTION AND PREPARATION

Add the following new paragraph

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 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.

ANNEX 1

B. Livestock and livestock products

Include the following new text

General Principles

1. Where livestock for organic production are maintained, they should be an integral part of the organic farm unit and should be raised and held according to these guidelines.
2. Livestock can make an important contribution to an organic farming system by:
 - (a) improving and maintaining the fertility of the soil;
 - (b) managing the flora through grazing;
 - (c) enhancing biodiversity and facilitating complementary interactions on the farm; and
 - (d) increasing the diversity of the farming system.
3. Livestock production is a land related activity. Herbivores must have access to pasture and all other animals must have access to open-air runs; the competent authority may allow exceptions when the animals' physiological state, inclement weather conditions, and state of the land so permit, or the structure of certain 'traditional' farming systems restrict access to pasture, providing the welfare of the animals can be guaranteed.
4. Stocking rates for livestock should be appropriate for the region in question taking into consideration feed production capacity, stock health, nutrient balance, and environmental impact.
5. Organic livestock management should aim to utilize natural breeding methods, minimize stress, prevent disease, progressively eliminate the use of chemical allopathic veterinary drugs (including antibiotics), reduce the feeding of animals with products of animal origin (e.g. meat meal), and maintain animal health and welfare.

Livestock Sources/Origin

6. The choice of breeds, strains and breeding methods shall be consistent with the principles of organic farming, taking into account in particular:
 - a) their adaptation to the local conditions;
 - b) their vitality and resistance to disease;
 - c) the absence of specific diseases or health problems associated with some breeds and strains (porcine stress syndrome, spontaneous abortion etc).
7. Livestock used for products satisfying Section 1.1 (a) of these guidelines must come, from birth or hatching, from production units complying with these guidelines, or have been the offspring of parents raised under the conditions set down in these guidelines. They must be raised under this system throughout their life.
 - Livestock may not be transferred between organic and non-organic units. The competent authority can establish detailed rules for the purchase of livestock from other units complying with these Guidelines.

- Livestock existing on the livestock production unit, but not complying with these Guidelines, may be converted.
8. When an operator can demonstrate to the satisfaction of the official or officially recognized inspection/certification body that livestock satisfying the requirements indicated in the previous paragraph are not available, the official or officially recognized inspection/ certification body may allow livestock not raised according these guidelines under circumstances such as:
- a) for considerable expansion of the farm, when a breed is changed or when new livestock specialization is developed;
 - b) for the renewal of a herd, e.g., high mortality of animals caused by catastrophic circumstances;
 - c) males for breeding.
- The competent authority may set the specific conditions under which livestock from non-organic sources may be allowed or not allowed, taking into account that animals be brought in as young as possible as soon as they are weaned.
9. These livestock qualified by the derogations indicated in the previous paragraph must comply with the conditions set out in paragraph 12. These conversion periods must be observed if the products are to be sold as organic according to Section 3 of these guidelines.

Conversion

10. The conversion of the land intended for feeding crops or pasture must comply with the rules set out in Part A paragraphs 1, 2, and 3 of this Annex.
11. The competent authority may reduce the conversion periods or conditions established in paragraph 10 (for the land) and/or paragraph 12 (for livestock and livestock products) in the following cases:
- a) pasture, open-air runs and exercise areas used by non-herbivore species;
 - b) for bovine, equine, ovine and caprine coming from extensive husbandry during an implementation period established by the competent authority or dairy herds converted for the first time;
 - c) if there is simultaneous conversion of livestock and land used only for feeding within the same unit, the conversion period for both livestock, pasture and/or land used for animal feed, may be reduced to two years only in the case where the existing livestock and their offspring are fed mainly with products from the unit.
12. Once the land has reached organic status and livestock from a non-organic source is introduced, and if the products are to be sold as organic, such livestock must be reared according to these Guidelines for at least the following compliance periods:
- Bovine and equine:
 - i. meat products: 12 months and at least $\frac{3}{4}$ of their lifespan in the organic management system;
 - ii. Calves for meat production: 6 months when brought in as soon as they are weaned and less than 6 months old;
 - iii. milk products: 90 days during the implementation period established by the competent authority, after that, six months.
 - Ovine and caprine:
 - i. meat products: six months;
 - ii. milk products: 90 days during the implementation period established by the competent authority, after that, six months.
 - Porcine:
 - Meat products: Six months.
 - Poultry/laying hens
 - i. meat products: whole of lifespan as determined by the competent authority;
 - ii. eggs: six weeks.

Nutrition

13. All livestock systems should provide the optimum level of 100% of the diet from feedstuffs (including 'in conversion' feedstuffs) produced to the requirements of these guidelines.

14. For an implementation period to be set by the competent authority, livestock products will maintain their organic status providing feed, consisting of at least 85% for ruminants and 80% for non-ruminants and calculated on a dry matter basis, is from organic sources produced in compliance with these Guidelines.

15. 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 13 above are not available, as a result of, for example, unforeseen severe natural or manmade events or extreme climatic 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.

16. Specific livestock rations should take into account:

- the need of young mammals for natural, preferably maternal, milk;
- that a substantial proportion of dry matter in the daily rations of herbivores needs to consist of roughage, fresh or dried fodder, or silage;
- that polygastric animals should be not fed silage exclusively;
- the need for cereals in the fattening phase of poultry;
- the need for roughage, fresh or dried fodder or silage in the daily ration for pigs and poultry.

17. All livestock must have ample access to fresh water to maintain the full health and vigour of the livestock.

18. If substances are used as feedstuffs, nutritional elements, feed additives or processing aids in the preparation of feedstuffs, the competent authority shall establish a positive list/s of substances in compliance with the following criteria:

a) general criteria:

- substances are permitted according to national legislation on animal feeding;
- substances are necessary/essential to maintain animal health, animal welfare and vitality; and
- such substances:
 - contribute to an appropriate diet fulfilling the physiological and behavioural needs of the species concerned; and
 - do not contain genetically engineered/modified organisms and products thereof; and
 - are primarily of plant, mineral or animal origin.

b) specific criteria for feedstuffs and nutritional elements:

- feedstuffs of plant origin from non-organic sources can only be used, under the conditions of paragraphs 14 and 15, if they are produced or prepared without the use of chemical solvents or chemical treatment;
- feedstuffs of mineral origin, trace elements, vitamins, or provitamins can only be used if they are of natural origin. In case of shortage of these substances, or in exceptional circumstances, chemically well-defined analogic substances may be used;
- feedstuffs of animal origin, with the exception of milk and milk products, fish, other marine animals and products derived therefrom should generally not be used or, as provided by national legislation. In any case, the feeding of mammalian material to ruminants is not permitted with the exception of milk and milk products;
- synthetic nitrogen or non-protein nitrogen compounds shall not be used.

- c) specific criteria for additives and processing aids:
- binders, anti-caking agents, emulsifiers, stabilizers, thickeners, surfactants, coagulants: only natural sources are allowed;
 - antioxidants: only natural sources are allowed;
 - preservatives: only natural acids are allowed;
 - colouring agents (including pigments), flavours and appetite stimulants: only natural sources are allowed;
 - probiotics, enzymes and microorganisms are allowed;
 - antibiotics, coccidiostatics, medicinal substances, growth promoters or any other substance intended to stimulate growth or production shall not be used in animal feeding.

19. Silage additives and processing aids may not be derived from genetically engineered/modified organisms or products thereof, and may be comprised of only:

- sea salt;
- coarse rock salt;
- yeasts;
- enzymes;
- whey;
- sugar; or sugar products such as molasses;
- honey;
- lactic, acetic, formic and propionic bacteria, or their natural acid product when the weather conditions do not allow for adequate fermentation, and with approval of the competent authority.

Health Care

20. Disease prevention in organic livestock production shall be based on the following principles:

- a) the choice of appropriate breeds or strains of animals as detailed in paragraph 6 above;
- b) the application of animal husbandry practices appropriate to the requirements of each species, encouraging strong resistance to disease and the prevention of infections;
- c) the use of good quality organic feed, together with regular exercise and access to pasture and/or open-air runs, having the effect of encouraging the natural immunological defence of the animal;
- d) ensuring an appropriate density of livestock, thus avoiding overstocking and any resulting animal health problems.

21. If, despite the above preventative measures, an animal becomes sick or injured it must be treated immediately, if necessary in isolation and in suitable housing. Producers should not withhold medication where it will result in unnecessary suffering of the livestock, even if the use of such medication will cause the animal to lose its organic status.

22. The use of veterinary medicinal products in organic farming shall comply with the following principles:

- a) where specific disease or health problems occur, or may occur, and no alternative permitted treatment or management practice exists, or, in cases required by law, vaccination of livestock, the use of parasiticides, or therapeutic use of veterinary drugs are permitted;
- b) 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 and the condition for which the treatment is intended;
- c) if the use of the above products is unlikely to be effective in combating illness or injury, chemical allopathic veterinary drugs or antibiotics may be used under the responsibility of a veterinarian; withholding periods should be the double of that required by legislation with, in any case, a minimum of 48 hours;
- d) the use of chemical allopathic veterinary drugs or antibiotics for preventative treatments is prohibited.

23. Hormonal treatment may only be used for therapeutic reasons and under veterinary supervision.

24. Growth stimulants or substances used for the purpose of stimulating growth or production are not permitted.

Livestock Husbandry, Transport and Slaughter

25. Maintenance of livestock should be guided by an attitude of care, responsibility and respect for living creatures.

26. Breeding methods should be in compliance with the principles of organic farming taking into account:

- i) the breeds and strains suitable for raising under local conditions and under an organic system;
- ii) the preference for reproduction through natural methods, although artificial insemination may be used;
- iii) that embryo transfer techniques and the use of hormonal reproductive treatment shall not be used;
- iv) that breeding techniques employing genetic engineering must not be used.

27. Operations such as attaching elastic bands to the tails of sheep, tail-docking, cutting of teeth, trimming of beaks and dehorning are generally not allowed in the organic management system. Some of these operations may, however, be authorized in exceptional circumstances by the competent authority or its delegate, for reasons of safety (e.g. dehorning in young animals) or if they are intended to improve the health and welfare of the livestock. Such operations must be carried out at the most appropriate age and any suffering to the animals must be reduced to a minimum. Anaesthetic should be used where appropriate. Physical castration is allowed in order to maintain the quality of products and traditional production practices (meat-type pigs, bullocks, capons, etc) but only under these conditions.

28. The living conditions and the management of the environment should take into account the specific behavioural needs of the livestock and provide for:

- sufficient free movement and opportunity to express normal patterns of behaviour;
- company of other animals, particularly of like kind;
- the prevention of abnormal behaviour, injury and disease;
- arrangements to cover emergencies such as the outbreaks of fire, the breakdown of essential mechanical services and the disruption of supplies.

29. The transport of living stock should be managed in a calm and gentle way and in a manner which avoids stress, injury and suffering: the competent authority should establish specific conditions in order to meet these objectives and may establish maximum transport periods. In transporting livestock, the use of electric stimulation or allopathic tranquilizers is not permitted.

30. The slaughter of livestock should be undertaken in a manner which minimizes stress and suffering, and in accordance with national rules.

Housing and Free-Range Conditions

31. Housing for livestock will not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors.

32. Housing conditions should meet the biological and behavioural needs of the livestock by providing:

- easy access to feeding and watering;
- insulation, heating, cooling and ventilation of the building to ensure that air circulation, dust level, temperature, relative air humidity and gas concentration are kept within limits which are not harmful to the livestock;
- plentiful natural ventilation and light to enter;

33. Livestock may be temporarily confined during periods of inclement weather, when their health, safety or well being could be jeopardized, or to protect plant, soil and water quality.

34. The stocking density in buildings should:
- provide for the comfort and well being of the livestock having regard for the species, the breed and the age of the livestock;
 - take into account the behavioural needs of the livestock with respect to the size of the group and the sex of the livestock;
 - provide them with sufficient space to stand naturally, lie down easily, turn round, groom themselves, and assume all natural postures and movements such as stretching and wing flapping.
35. Housing, pens, equipment and utensils should be properly cleaned and disinfected to prevent cross infection and the build-up of disease carrying organisms.
36. Free-range, open-air exercise areas, or open-air runs should, if necessary, provide sufficient protection against rain, wind, sun and extreme temperatures, depending on the local weather conditions and the breed concerned.
37. The outdoor stocking density of livestock kept on pasture, grassland, or other natural or semi-natural habitats, must be low enough to prevent degradation of the soil and over-grazing of vegetation.

Mammals

38. All mammals must have access to pasture or an open-air exercise area or run which may be partially covered, and they must be able to use those areas whenever the physiological condition of the animal, the weather conditions and the state of the ground permit.
39. The competent authority may grant exceptions for :
- the access of bulls to pasture or, in case of cows to an open-air exercise area or run during the winter period;
 - the final fattening phase.
40. Livestock housing must have smooth, but not slippery floors. The floor must not be entirely of slatted or grid construction.
41. The housing must be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction. Ample dry bedding strewn with litter material must be provided in the rest area.
42. The housing of calves in individual boxes and the tethering of livestock are not permitted without the approval of the competent authority.
43. Sows must be kept in groups, except in the last stages of pregnancy and during the suckling period. Piglets may not be kept on flat decks or in piglet cages. Exercise areas must permit dunging and rooting by the animals.
44. The keeping of rabbits in cages is not permitted.

Poultry

45. Poultry must be reared in open-range conditions and have free access to open-air run whenever the weather conditions permit. The keeping of poultry in cages is not permitted.
46. Water fowl must have access to a stream, pond or lake whenever the weather conditions permit.
47. Housing for all poultry should provide an area of solid construction covered with litter material such as straw, wood shavings, sand or turf. A sufficiently large part of the floor area must be available to laying hens for the collection of droppings, Perches/higher sleeping areas of a size and number commensurate with the species and size of the group and of the birds and exit/entry holes of an adequate size must be provided.
48. In the case of laying hens, when natural day length is prolonged by artificial light, the competent authority shall prescribe maximum hours respective to species, geographical considerations and general health of the animals.

49. For health reasons, between each batch of poultry reared buildings should be emptied, and runs left empty to allow the vegetation to grow back.

Manure Management

50. Manure management practices used to maintain any area in which livestock are housed, penned or pastured should be implemented in a manner that:

- i) minimizes soil and water degradation;
- ii) does not significantly contribute to contamination of water by nitrates and pathogenic bacteria;
- iii) optimizes recycling of nutrients; and
- iv) does not include burning or any practice inconsistent with organic practices.

51. All manure storage and handling facilities, including composting facilities should be designed, constructed and operated to prevent contamination of ground and/or surface water.

52. Manure application rates should be at levels that do not contribute to ground and/or surface water contamination. The competent authority may establish maximum application rates for manure or stocking densities. The timing of application and application methods should not increase the potential for run-off into ponds, rivers and streams.

Record Keeping and Identification

53. The operator should maintain detailed and up-to-date records as set out in Annex 3, paras 7 – 15. *(revised paragraph numbering)*

ANNEX 3

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

Consequential amendments to paras 3 and 5.

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 and livestock**, 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.

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

Insert new paragraph 7 (6.bis)

7. All livestock should be identified individually or, in the case of small mammals or poultry, by herd or flock. Written and/or documentary accounts should be kept to enable tracking of livestock 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:

- i) breeding and/or origins of livestock;
- ii) registration of any purchases;
- iii) the health plan to be used in the prevention and management of disease, injury and reproductive problems;
- iv) all treatments and medicines administered for any purpose, including quarantine periods and identification of treated animals;
- v) feed provided and the source of the feedstuffs;
- vi) stock movements within the unit;
- vii) transportation, slaughter and/or sales.

Consequential amendment to existing para 11. becomes para 12.

11. Where an operator runs several production units in the same area (parallel cropping), units in the area producing crop, crop 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.

Insert following new paragraphs at end of Annex 3, A.

13. In organic livestock 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, 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 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 livestock and livestock products from the livestock production unit through processing and any other preparation until final packaging and/or labelling.

**DRAFT AMENDMENT TO THE GENERAL STANDARD
FOR THE LABELLING OF PREPACKAGED FOODS
(DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOOD AND
FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC
MODIFICATION/GENETIC ENGINEERING)
(At Step 8 of the Procedure)**

Section 4.2.2

The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in Section 4.2.1.4 shall be declared.

When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed.

**DRAFT GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING
AND MARKETING OF ORGANICALLY PRODUCED FOODS
(LIVESTOCK and LIVESTOCK PRODUCTS)**
(At Step 6 of the Procedure)

ANNEX 1, B: Livestock and livestock products

Species Specific Requirements

Bees

54. Hives for beekeeping should be placed in:

- i) areas where cultivated or spontaneous vegetation comply with the rules of production as set out in Section 4 of these guidelines, or
- ii) areas designated by the inspection/certification body and which meet the conditions for organic production.

55. Feeding of bee colonies where conditions require reserves to be built up for winter may be undertaken. Feeding must be carried out between the last honey harvest and the period of dormancy of the colony. Feeding should preferably include organic honey or organic sugar syrup.

- Where unavailable, or in cases of extreme climatic or other extenuating circumstances, feed not satisfying these guidelines may be used.

56. The health of bee colonies should be maintained by good agricultural practice. This includes:

- i) the use of hardy breeds that adapt well to the local conditions;
- ii) regular renewal of queen bees;
- iii) regular cleaning and disinfection of equipment;
- iv) destruction of contaminated materials;
- v) regular renewal of beeswax; and
- vi) availability in hives of sufficient pollen and honey.

**TABLE [3]: INGREDIENTS OF NON AGRICULTURAL ORIGIN REFERRED TO
IN SECTION 3 OF THESE GUIDELINES**

A1. Food additives, including carriers

INS	Name	Specific conditions
331	Sodium citrates	meat products
332	Potassium citrates	meat products
333	Calcium citrates	meat products

**DRAFT AMENDMENT TO THE GENERAL STANDARD
FOR THE LABELLING OF PREPACKAGED FOODS
(DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOOD AND
FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC
MODIFICATION/GENETIC ENGINEERING)**
(At Step 6 of the Procedure)

Section 2. Definition of Terms

For the purpose of the General Standard:

“Food and food ingredients obtained through certain technologies of genetic modification / genetic engineering” means food and food ingredients composed of or containing genetically modified / engineered organisms obtained through gene technology, or food and food ingredients produced from, but not containing genetically modified / engineered organisms obtained through gene technology.

“Organism” means any biological entity capable of replication or of transferring genetic material.

“Genetically modified / engineered organism” means an organism in which the genetic material has been changed through gene technology in a way that does not occur naturally by multiplication and/or natural recombination.

Examples of these techniques used in gene technology include but are not limited to:

- recombinant DNA techniques that use vector systems
- techniques involving the direct introduction into the organism of hereditary materials prepared outside the organism⁴
- Cell fusion (including protoplast fusion) or hybridization techniques that overcome natural physiological, reproductive, or recombination barriers, where the donor cells/protoplasts do not fall within the same taxonomic family.

Unless the donor/recipient organism is derived from any of the above techniques, examples of excluded techniques include but are not limited to the following:

- *in vitro* fertilization
- conjugation, transduction, transformation, or any other natural process,
- polyploidy induction
- mutagenesis
- Cell fusion (including protoplast fusion) or hybridization techniques where the donor cells/protoplasts fall within the same taxonomic family

[“no longer equivalent”/ “differs significantly” means a food or food ingredient obtained through certain technologies of genetic modification/genetic engineering where a scientific assessment demonstrates, through an appropriate analysis of data, that the characteristics assessed are different in comparison to those of the corresponding existing food or food ingredient, having regard to accepted limits of natural variation for that food or food ingredient”]

⁴ [Examples of these techniques include, but are not limited to, micro-injection, macro-injection, chemoporation, electroporation, micro-encapsulation and liposome fusion.]

**DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE
LABELLING OF PREPACKAGED FOODS (CLASS NAMES)**
(At Step 6 of the Procedure)

Section 4.2 List of Ingredients

4.2.2.1 The following class names may be used for the ingredients falling within these classes:

[Milk Protein /Milk Protein Products]: Milk products containing a minimum of [30/35]% of milk protein (m/m) in dry matter *.

* Calculation of milk protein content : Kjeldahl nitrogen x 6.38

**PROPOSED DRAFT AMENDMENT TO THE GUIDELINES
ON NUTRITION LABELLING**
(At Step 3 of the Procedure)⁵

3.2 Listing of Nutrients

3.2.1 Where nutrient declaration is applied, the declaration of the following should be mandatory:

3.2.1.1 Energy value; and

3.2.1.2 The amounts of protein, available carbohydrate (i.e., carbohydrate excluding dietary fibre), fat..

3.2.1.3 The amount of any other nutrient for which a nutrition claim is made; and

3.2.1.4 The amount of any other nutrient considered to be relevant for maintaining a good nutritional status, as required by national legislation.

[3.2.2 Where one or more of the following: sugars, fibre, saturated fat and sodium are declared voluntarily [or because a nutrition claim for one of these nutrients is made] then the nutrient declaration will consist of information on the sugars, fibre, saturated fatty acids and sodium in addition to the requirements of 3.2.1]

3.2.3 Where a claim is made regarding the amount and/or the type of carbohydrate, the amount of total sugars should be listed in addition to the requirements in Section 3.2.1. The amounts of starch and/or other carbohydrate constituent(s) may also be listed. ~~Where a claim is made regarding the dietary fibre content, the amount of dietary fibre should be declared.~~

3.2.4 Where a claim is made regarding the amount and/or type of fatty acids [or cholesterol], the amounts of saturated fatty acids [or cholesterol] and of polyunsaturated fatty acids should be declared in accordance with Section 3.4.7 and 3.2.1. [The amounts of any other fatty acid constituent(s) may also be listed.]

3.2.5 In addition to the mandatory declaration under 3.2.1, , 3.2.3 and 3.2.4 vitamins and minerals may be listed in accordance with the following criteria:

3.2.5.1 Only vitamins and minerals for which recommended intakes have been established and/or which are of nutritional importance in the country concerned should also be declared.

3.2.6 When nutrient declaration is applied, only those vitamins and minerals which are present in significant amounts should be listed.⁶

3.2.7 In the case where a product is subject to labelling requirements of a Codex standard, the provisions for nutrient declaration set out in that standard should take precedence over but not conflict with the provisions of Sections 3.2.1 to 3.2.6 of these guidelines.

⁵ Amendments to the current text of the Guidelines are underlined

⁶ As a rule, 5% of the recommended intake (of the population concerned) supplied by a serving as quantified on the label should be taken into consideration in deciding what constitutes a significant amount.

**PROPOSED DRAFT GUIDELINES FOR USE OF HEALTH AND NUTRITION CLAIMS
(PROPOSED DRAFT RECOMMENDATIONS FOR THE USE OF HEALTH CLAIMS)**

(At Step 3 of the Procedure)⁷

Nutrition claims should be consistent with national nutrition policy and support that policy. Only nutrition claims that support national nutrition policy should be allowed.

Health claims must be consistent with national health policy, including nutrition policy, and support such policies. Health claims should be [accompanied/ supported] by specific consumer education. Claims of the type described in section 3.4 of the Codex General Guidelines on Claims are prohibited.

1. SCOPE

- 1.1 These guidelines relate to the use of health and nutrition claims in food labelling.
- 1.2 These guidelines apply to all foods for which health and nutrition claims are made without prejudice to specific provisions under Codex standards or Guidelines relating to Foods for Special Dietary Uses and Foods for Special Medical Purposes.
- 1.3 These guidelines are intended to supplement the Codex General Guidelines on Claims and do not supersede any prohibitions contained therein.

2. DEFINITIONS

- 2.1 *Nutrition claim*⁸ means any representation which states, suggests or implies that a food has particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins and minerals. The following do not constitute nutrition claims:
 - (a) the mention of substances in the list of ingredients;
 - (b) the mention of nutrients as a mandatory part of nutrition labelling;
 - (c) quantitative or qualitative declaration of certain nutrients or ingredients on the label if required by national legislation.

⁷

Additions to the current text of the *Guidelines for Use of Nutrition Claims* are underlined

⁸

This definition is identical to the definition in the Codex Guidelines on Nutrition Labelling (CAC/GL 2-1985, Rev.1-1993).

2.1.1 **Nutrient content claim** is a nutrition claim that describes the level of a nutrient contained in a food.

(Examples:⁹ "source of calcium"; "high in fibre and low in fat";)

2.1.2 **Comparative claim** is a claim that compares the nutrient levels and/or energy value of two or more foods.

(Examples: "reduced"; "less than"; "fewer"; "increased"; "more than".)

2.2 Health claim means any representation that states, suggests, or implies that a relationship exists between a food or a constituent of that food and health. Health claims include the following:

2.2.1 Nutrient Function Claims - a nutrition claim that describes the physiological role of the nutrient in growth, development and normal functions of the body.¹⁰

(Examples:

“Calcium aids in the development of strong bones and teeth”;

“Protein helps build and repair body tissues”;

“Iron is a factor in red blood cell formation”;

“Vitamin E protects the fat in body tissues from oxidation”.

“Contains folic acid: folic acid contributes to the normal growth of the fetus”)

2.2.2 Enhanced Function Claims - These claims concern specific beneficial effects of the consumption of foods and their constituents in the context of the total diet on physiological functions or biological activities but do not include nutrient function claims. Such claims relate to a positive contribution to health [or to a condition linked to health] or to the improvement of a function or to modifying or preserving health.

[Examples:

“Certain non-digestible oligosaccharides improve the growth of specific bacterial flora in the gut”

“Folate can help reduce plasma homocysteine levels”]

2.2.3 Reduction of disease risk claims - Claims relating the consumption of a food or food constituent, in the context of the total diet, to the reduced risk of developing a disease [or health-related condition]. The claim must consist of two parts:

1) Information on an accepted diet-health relationship; followed by

2) Information on the composition of the product relevant to the relationship.

Risk reduction means significantly altering a major risk factor(s) for a disease [or health-related condition]. Diseases have multiple risk factors and altering one of these risk factors may or may not have a beneficial effect. The presentation of risk reduction claims must ensure, for example, by use of appropriate language and reference to other risk factors, that consumers do not interpret them as prevention claims.

⁹ Examples included for clarification of definitions.

¹⁰ This definition is identical to the definition in Section 2.1.3 of the Codex Guidelines for Use of Nutrition Claims (CAC/GL 23-1997)

(Examples:

“Iron can help reduce the risk of anaemia. Food A is a high source of iron.”;

“A diet low in saturated fat may reduce the risk of heart disease. Food B is low in saturated fat.”;

“Folate may reduce a woman’s risk of having a child with neural tube defects. Food C is high in folate.”

“Sufficient calcium intake may reduce the risk of osteoporosis in later life. Food D is high in calcium.”)

3. NUTRITION LABELLING

Any food for which a nutrition claim is made should be labelled with a nutrient declaration in accordance with Section 3 of the Codex Guidelines on Nutrition Labelling.

4. NUTRITION CLAIMS

4.1 The only nutrition claims permitted shall be those relating to energy, protein, carbohydrate, and fat and components thereof, fibre, sodium and vitamins and minerals for which Nutrient Reference Values (NRVs) have been laid down in the Codex Guidelines for Nutrition Labelling.

5. NUTRIENT CONTENT CLAIMS

5.1 When a nutrient content claim that is listed in the Table to these Guidelines or a synonymous claim is made, the conditions specified in the Table for that claim should apply.

5.2 Where a food is by its nature low in or free of the nutrient that is the subject of the claim, the term describing the level of the nutrient should not immediately precede the name of the food but should be in the form "a low (naming the nutrient) food" or "a (naming the nutrient)-free food".

6. COMPARATIVE CLAIMS

Comparative claims should be permitted subject to the following conditions and based on the food as sold, taking into account further preparation required for consumption according to the instructions for use on the label:

6.1 The foods being compared should be different versions of the same food or similar foods. The foods being compared should be clearly identified.

6.2 A statement of the amount of difference in the energy value or nutrient content should be given. The following information should appear in close proximity to the comparative claim:

6.2.1 The amount of difference related to the same quantity, expressed as a percentage, fraction, or an absolute amount. Full details of the comparison should be given

6.2.2 The identity of the food(s) to which the food is being compared. The food(s) should be described in such a manner that it (they) can be readily identified by consumers.

6.3 The comparison should be based on a relative difference of at least 25% in the energy value or nutrient content, except for micronutrients where a 10% difference in the NRV would be acceptable, between the compared foods and a minimum absolute difference in the energy value or nutrient content equivalent to the figure defined as "low" or as a "source" in the Table to these Guidelines¹.

- 6.4 The use of the word "light" should follow the same criteria as for "reduced" and include an indication of the characteristics which make the food "light".

7. HEALTH CLAIMS

- 7.1 Health claims should be permitted provided that the following conditions are met:
- 7.1.1 Health claims must be based on relevant scientific substantiation and the level of proof must be sufficient to substantiate the type of claimed effect as recognised by generally acceptable scientific data [and the scientific substantiation should be reviewed as new knowledge becomes available.]¹¹
- 7.1.2 Any health claim must be accepted by or be acceptable to the competent authorities of the country where the product is sold. Only health claims that support national health policy and goals should be allowed.
- [7.1.3 The claim about a food or food constituent should be stated within the context of the total diet.]
- 7.1.4 The claimed benefit should arise from the consumption of a reasonable quantity of a food in the context of a normal diet.
- 7.1.5 If the claimed benefit is attributed to a constituent in the food, the food in question should be:
(i) - a significant or high source of the constituent in the case where increased consumption is recommended; or,
(ii) - low in, reduced in, or free of the constituent in the case where reduced consumption is recommended.
- Where appropriate, the conditions for nutrient content claims and comparative claims will be used to determine the levels for "high", "low", "reduced", and "free".¹²
- 7.1.6 Only those nutrients for which a Nutrient Reference Value (NRV) has been established in the Codex Guidelines on Nutrition Labelling or those nutrients which are mentioned in officially recognized dietary guidelines of the national authority having jurisdiction, should be the subject of a nutrient function claim.¹³
- 7.2 Health claims should have a clear framework for qualifying and/or disqualifying conditions for eligibility to use the specific claim, including the ability of competent national authorities to prohibit claims made for foods that contain nutrients in amounts that increase the risk of disease [or a health-related condition]. The health claim should not be made if it encourages or condones excessive consumption of any food or disparages good dietary practice.
- 7.3 If the claimed effect is attributed to a constituent of the food, there must be a valid method to quantify the food constituent that forms the basis of the claim.

¹¹ Reference to the Scientific Criteria for Health-related Claims being developed by the CCNFSDU to be inserted here

¹² Guidelines for Use of Nutrition Claims (CAC/GL 23-1997)

¹³ This section is identical to Section 7.3 of the Codex Guidelines for Use of Nutrition Claims (CAC/GL 23-1997)

- 7.4 The impact of health claims on consumers' eating behaviours and dietary patterns should be monitored.
- 7.5 The following [minimum] information should appear on the label or labelling of the food bearing health claims:
- 7.5.1 A statement of the quantity of any nutrient or other constituent of the food that is the subject of the claim.
- 7.5.2 Information on the target group, if appropriate
- 7.5.3 Information on how to use the food to obtain the claimed benefit, if appropriate
- 7.5.4 If appropriate, advice to vulnerable groups on how to use the food and to groups, if any, who need to avoid the food.
- [7.5.5 Maximum safe intake of the food where necessary.]
- 7.5.6 Full nutrition labelling.

8. CLAIMS RELATED TO DIETARY GUIDELINES OR HEALTHY DIETS

Claims that relate to dietary guidelines or "healthy diets" should be permitted subject to the following conditions:

- 8.1 Only claims related to the pattern of eating contained in dietary guidelines officially recognized by the appropriate national authority.
- 8.2 Flexibility in the wording of claims is acceptable, provided the claims remain faithful to the pattern of eating outlined in the dietary guidelines.
- 8.3 Claims related to a "healthy diet" or any synonymous term are considered to be claims about the pattern of eating contained in dietary guidelines and should be consistent with the guidelines.
- 8.4 Foods which are described as part of a healthy diet, healthy balance, etc., should not be based on selective consideration of one or more aspects of the food. They should satisfy certain minimum criteria for other major nutrients related to dietary guidelines.
- 8.5 Foods should not be described as "healthy" or be represented in a manner that implies that a food in and of itself will impart health.
- 8.6 Foods may be described as part of a "healthy diet" provided that the label carries a statement relating the food to the pattern of eating described in the dietary guidelines.

TABLE OF CONDITIONS FOR NUTRIENT CONTENTS

COMPONENT	CLAIM	CONDITIONS
NOT MORE THAN		
Energy	Low	40 kcal (170 kJ) per 100 g (solids) or 20 kcal (80 kJ) per 100 ml (liquids)
	Free	4 kcal per 100 ml (liquids)
Fat	Low	3g per 100 g (solids) 1.5 g per 100 ml (liquids)
	Free	0.5 g per 100 g (solids) or 100 ml (liquids)
Saturated Fat	Low ¹⁴	1.5 g per 100 g (solids) 0.75 g per 100 ml (liquids) and 10% of energy
	Free	0.1 g per 100 g (solids) 0.1 g per 100 ml (liquids)
Cholesterol	Low ¹⁴	0.02 g per 100 g (solids) 0.01 g per 100 ml (liquids)
	Free	0.005 g per 100 g (solids) 0.005 g per 100 ml (liquids) and, for both claims, less than: 1.5 g saturated fat per 100 g (solids) 0.75 g saturated fat per 100 ml (liquids) and 10% of energy of saturated fat
Sugars	Free	0.5 g per 100 g or 100 ml
	Low Very Low Free	0.12 g per 100 g 0.04 g per 100 g 0.005 g per 100 g

¹⁴ In the case of the claim for "low in saturated fat", trans fatty acids should be taken into account where applicable. This provision consequentially applies to foods claimed to be "low in cholesterol" and "cholesterol free".