

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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WORLD
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ORGANIZATION



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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING
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IMPLEMENTATION OF THE WHO GLOBAL STRATEGY ON DIET,
PHYSICAL ACTIVITY AND HEALTH

PROPOSED DRAFT CRITERIA/PRINCIPLES FOR LEGIBILITY AND
READABILITY OF NUTRITION LABELS

GOVERNMENT COMMENTS AT STEP 3

COMMENTS FROM:

AUSTRALIA
BRAZIL
CANADA
COSTA RICA
MEXICO

**IMPLEMENTATION OF THE WHO GLOBAL STRATEGY ON DIET,
PHYSICAL ACTIVITY AND HEALTH - PROPOSED DRAFT
CRITERIA/PRINCIPLES FOR LEGIBILITY AND READABILITY OF
NUTRITION LABELS**

GOVERNMENT COMMENTS AT STEP 3

AUSTRALIA:

Australia wishes to provide the following comments in response to Annex 1 of CX/FL 09/37/6 Discussion Paper on Criteria or Principles for Legibility and Readability of Nutrition Labelling

General Principles

- (4) Australia considers that the principle of Section 8.1.1 of the GSLPF should also apply. Section 8.1.1 states that where a supplementary label is used, it shall be applied in such a way that it will not become separated from the container.

Specific Elements of Presentation

- (8) Australia does not support prescribing font size, except where warranted in specific circumstances. Flexibility in determining font size is required as legibility and readability can be achieved through different combinations of text size, color and contrast. If font size is prescribed, special consideration needs to be given to small packages.
- (10) (iii) Australia agrees with the option to declare vitamins and minerals as a percentage of Nutrient Reference Values, however, we suggest that this should be clarified as 'national Nutrition Reference Values' to take into account individual countries' requirements.
- (10) (v) Australia considers that section (10)(v) requires further clarification. It is not clear what is meant by the words "In countries where serving sizes are normally used....." and whether this refers to circumstances where serving sizes for foods are prescribed or where serving sizes are required to be declared on the label (but serving size is at the discretion of the manufacturer).

Other Provisions for Consideration

- (1) Australia agrees with this provision.
- (2) Australia agrees with this provision.
- (3) Australia agrees with this provision
- (4) Australia considers that further guidance is required in relation to what is an 'insignificant' amount of a nutrient and consideration of the implications for labeling purposes.
- (5) Australia agrees with this provision.

- (6) Australia agrees that nutrition information could be provided on or in connection with the display of the food or provided to the purchaser upon request. The provision of a website to or phone number to obtain the required nutrition information may not be feasible for all countries, particularly those with limited infrastructure.
- (7) Australia requests further clarification regarding where and how these containers are used to better understand their purpose and content.
- (8) Australia agrees with this provision.

BRAZIL:

GENERAL PRINCIPLES

(1) Nutrition labelling shall be applied in such a manner that it will not become separated from the container. (EXISTING – SECTION 8.1.1 OF THE GSLPF)

Brazilian comments:

We agree to apply section 8.1.1 of the GSLPF to nutrition labelling.

(2) Nutrition labelling shall be clear, prominent, indelible, and readily legible by the consumer under normal conditions of purchase and use. (EXISTING – SECTION 8.1.2 OF THE GSLPF)

Brazilian comments:

We support this provision as we understand that section 8.1.2 of the Codex General Standard for the Labelling of Prepackaged Foods should be applied to nutrition labelling whether mandatory or voluntary.

(3) Where the container is covered by a wrapper, the wrapper shall carry the nutrition labelling or the existing nutrition labelling on the inner container shall either be readily legible through the outer wrapper or not be obscured by the outer wrapper. (EXISTING – SECTION 8.1.3 OF THE GSLPF)

Brazilian comments:

We agree with the proposed principle. It will ensure nutrition labelling visibility in the moment of food purchase.

(4) If the language on the original nutrition label is not acceptable to [or not in a language that is understood by/under national legislation in the country of sale for] the consumer for whom it is intended, a supplementary nutrition label containing the information in the required language may be used instead of relabelling. In the case of either relabelling or a supplementary nutrition label, the information provided shall fully and accurately reflect that in the original nutrition label. (EXISTING, MODIFIED – SECTION 8.2 OF THE GSLPF)

Brazilian comments:

We agree with the proposed principle. However, it may not be adequate to establish that all the information provided shall fully and accurately reflect that in the original nutrition label, because each country may have its own rules for nutrition labeling, such as a specific format of nutrition labeling, the values used as Nutrient Reference Values and the base for nutrition declaration (100g, portion, serving size).

SPECIFIC ELEMENTS OF PRESENTATION

(5) These recommendations related to specific elements of presentation are intended to facilitate and enhance the legibility and readability of nutrition labelling. However, national authorities may determine any additional alternate means of nutrition presentation taking into account approaches and practical issues at the national level and based on the needs of their consumers. (NEW)

Brazilian comments:

We agree with the text. It will provide flexibility to specific elements in order to allow national authorities to adapt the nutrition labelling to the different needs of consumers in each country.

(6) Format – Nutrient content should be declared in a numerical, tabular format. Consideration may be given to an outline or border around the nutrient declaration to enhance prominence. Alignment of numbers may also be considered. Where there is insufficient space for a tabular format, nutrient declaration may be presented in a linear format. (NEW)

Brazilian comments:

We support this action. Guidance on the format can ensure that nutrient information is presented within an adequate structure. It can contribute to nutrition labelling standardization and improve its legibility.

(7) Order (NEW) –

(i) Nutrients should be declared in the following order:

Energy

Total Fat

Sub-group declaration, as appropriate

Sub-group nutrients for which a nutrition or health claim is made

Carbohydrate

Sub-group declaration, as appropriate

Sub-group nutrients for which a nutrition or health claim is made

Protein

Any other nutrient for which a nutrition or health claim is made

Any other mandatory nutrients (minerals, vitamins)

Brazilian comments:

We understand that the specific order of nutrient declaration should be decided by national authorities. In Brazil, for example, the order of declaration is energy, carbohydrates, protein, fat,

saturated fat, trans fat, dietary fiber and sodium. We could agree in relation to basic order of nutrient declaration. For example, energy, macronutrients, micronutrients.

(8) Font – A font type size of at least X mm [TO BE DETERMINED] should be used. A significant contrast should be maintained between the text and background so as to be clearly visible. (NEW)

Brazilian comments:

We agree with the proposed action. In Brazil, a font size type of at least 1 mm has to be used in the label.

(9) Language – The language of nutrient declaration should be according to national legislation in the country of sale. See also (4) above. (NEW)

Brazilian comments:

We support this provision.

(10) Numerical declaration –

(i) Energy – Energy should be expressed in kJ and/or kcal rounded to X [TO BE DETERMINED] per 100 g (or per 100 mL). In addition, this information may be given per serving as quantified on the label or per portion provided the number of portions contained in the package is stated. (EXISTING, MODIFIED – SECTION 3.4 OF THE GUIDELINES ON NUTRITION LABELLING)

(ii) Protein, Carbohydrate, and Fat – Protein, carbohydrate, and fat (and their sub-group nutrients) should be expressed in g rounded to X [TO BE DETERMINED] per 100 g (or per 100 mL). In addition, this information may be given per serving as quantified on the label or per portion provided the number of portions contained in the package is stated. Protein content may also be expressed as a percentage of Nutrient Reference Value. (EXISTING, MODIFIED – SECTION 3.4 OF THE GUIDELINES ON NUTRITION LABELLING)

(iii) Vitamins and Minerals – Vitamins and minerals should be expressed in metric units and/or as a percentage of Nutrient Reference Value rounded to X [TO BE DETERMINED] per 100 g (or per 100 mL). In addition, this information may be given per serving as quantified on the label or per portion provided the number of portions contained in the package is stated. (EXISTING, MODIFIED – SECTION 3.4 OF THE GUIDELINES ON NUTRITION LABELLING)

(iv) If the package contains only a single serving/portion, nutrient values [should/may] be declared on a per package basis. (EXISTING, MODIFIED – SECTION 3.4 OF THE GUIDELINES ON NUTRITION LABELLING)

(v) In countries where serving sizes are normally used, the information required by this section may be given per serving only as quantified on the label or per portion provided that the number of portions contained in the package is stated. (EXISTING – SECTION 3.4 OF THE GUIDELINES ON NUTRITION LABELLING)

Brazilian comments:

We do not support establishing that the numerical declarations of energy, protein, carbohydrate and fat have to be done only in absolute terms and that the numerical declarations of vitamins and minerals have to be expressed only as a percentage of Nutrient Reference Values.

The text should be broad enough to allow the national authorities to decide the better way to express the nutrient content. As mentioned before, we understand that the declaration of nutrient content in absolute terms and as a percentage of NRV could be an alternative to enhance consumers understanding of nutrition labelling.

We agree that the declaration of nutrient content could be done per 100g, serving size or portion. The text should specify the metric units (mg, g, kcal, g) that have to be used for each nutrient and energy in the absolute declaration of nutrient content.

We do not support section (v). We understand that the nutrient declaration should relate to the food as it is sold. The declaration of nutrient content relate to the proportion of the food as so reconstituted could be done additionally to the declaration of nutrient content related to the food as it is sold.

EXEMPTIONS AND SPECIAL PROVISIONS (NEW)

(11) Small packages may be exempt from nutrient declaration, provided no nutrition or health claim is made in the labelling of that food. Small packages are defined as packages with a largest surface of less than XX cm² [TO BE DETERMINED].

Brazilian comments:

We agree with the proposed provision. In Brazil food packages with labels that are smaller than 100 cm² do not require nutrition labelling. The exemption does not apply to foods with nutrition claims or foods for special dietary uses. In this case, nutrition labelling could be presented in a linear format or in a simplified format.

(12) To accommodate nutrition labelling of small packages, national authorities may also consider the declaration of a shortened, minimum set of key nutrients.

Brazilian comments:

We agree with this provision.

OTHER PROVISIONS FOR CONSIDERATION

(1) Nutrition labelling shall appear in a prominent position and all of the required nutrient contents shall appear in the same field of vision. (EXISTING, MODIFIED – SECTION 8.1.4 OF THE GSLPF)

Brazilian comments:

We understand that this principle is a modified version of section 8.1.4 of the Codex General Standard for the Labelling of Prepackaged Foods that is related to the name of the food and net content.

However, it is not clear what “prominent position” means. Does it mean that nutrition labelling shall appear in the front part of the label? In Brazil the name of the food and the net content must appear in the front part of the label.

Nutrition labelling in Brazil is mandatory. However, it is not necessary to place it in the front part of the label. Actually, most foods have the nutrition labelling in the back or lateral part of the label. Would it be considered a prominent position?

(2) The contents of only those nutrients that are listed in section 7(i) may be declared within the nutrition table. Other substances or ingredients should not be declared within the nutrition table. (NEW)

Brazilian comments:

We do not support this provision. In Brazil, nutrition labelling is mandatory and there is a list of basic nutrients that always have to be declared. However, it is allowed to declare other nutrients (ie. vitamins and minerals can be declared if the portion of the food provides at least 5% of NRV).

(3) 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.

Brazilian comments:

We agree with this provision.

CANADA:

General Principles

(1) – (3) Canada agrees with the recommendations.

(4) If the language on the original nutrition label is not acceptable to [or not in a language that is understood by/under national legislation in the country of sale for] the consumer for whom it is intended, a supplementary nutrition label containing the information in the required language may be used instead of relabelling. In the case of either relabelling or a supplementary nutrition label, the information provided shall fully and accurately reflect that in the original nutrition label. (EXISTING, MODIFIED – SECTION 8.2 OF THE GSLPF)

Comments: Canada agrees with General Principle (4), but believes that the statement “Principles (1) and (2) shall apply to the supplementary label” should be added at the end of the paragraph.

Specific Elements of Presentation

(5) – (6) Canada agrees with the recommendations.

(7) Order (NEW) –

(i) Nutrients should be declared in the following order:

Energy
Total Fat
 Sub-group declaration, as appropriate
 Sub-group nutrients for which a nutrition or health claim is made
Carbohydrate
 Sub-group declaration, as appropriate
 Sub-group nutrients for which a nutrition or health claim is made
Protein
Any other nutrient for which a nutrition or health claim is made
Any other mandatory nutrients (minerals, vitamins)

NOTE: THE ORDER/GROUPING OF NUTRIENTS IS TO BE DISCUSSED FURTHER AND DETERMINED TAKING INTO ACCOUNT THE CONCLUSIONS OF THE E-WG ON MANDATORY NUTRIENTS.

Comments: This is not the order that is currently in place in Canada. While it is important that the order remains the same, Canada considers that decisions regarding which order to present nutrients should be left to individual countries. As for the specific order that is presented in (7), Canada feels strongly that sodium should be presented higher in the list if it is one of the nutrients that should always be declared.

(8) Font – A font type size of at least X mm [TO BE DETERMINED] should be used. A significant contrast should be maintained between the text and background so as to be clearly visible. (NEW)

Comments: Canada feels that specifications may need to be added. In Canada, preference is given to mixed case, to avoid the use of all upper case letters. As well, the ascending and descending parts of letters contribute to legibility by assisting readers to more easily and efficiently identify words according to their characteristic shapes. Regarding contrast, it should be sufficient for people to clearly and legibly make out the information. In Canada, the contrast requirements for nutrition labelling require that type be presented in a single colour that is a visual equivalent of 100% solid black type on a white background or on a uniform neutral background with a maximum 5% tint of colour.

(9) Canada agrees with the recommendation.

(10) Numerical declaration –

- (i) – (v) Canada agrees with the recommendations. However, single serving may need to be defined. In Canada, single serving is defined as “a serving of stated size shall be the net quantity of the food in the package if:
- a) the quantity of the food can reasonably be consumed by one person at a single eating occasion;
 - b) the reference amount of the food is less than 100 g or 100 mL and the package contains less than 200% of that reference amount; or
 - c) the reference amount of the food is 100g or 100 mL or more and the package contains 150% or less of that reference amount. Based on experience, b) could also apply to beverages.

Exemptions and Special Provisions (New)

(11) – (12) Canada agrees with the recommendations.

Other Provisions for Consideration

Comments: Canada supports the inclusion of all provisions, but particularly of provisions (2), (4) – (6) and (8).

COSTA RICA:

Costa Rica would like to thank the Working Group led by the United States for coordinating the development of the draft proposal on criteria or principles for legibility and readability of nutrition labelling which will be discussed in more detail by the physical Working Group that shall meet immediately before the 37th Session of the CCFL. Regarding this issue Costa Rica would like to present the following comments:

Recommendations for General Principles

In Section 4) regarding language, the following wording should be used: “When the language in which the original label is written is not the local language, a supplementary label or sticker in the local language should be added”

“When a supplementary label or sticker is applied, the mandatory information offered should reflect fully and accurately the information shown in the original labelling, although this information should be adjusted to what has been established in the national legislation presently in force and, therefore, may not be a faithful translation of the original label of the product”.

Regarding section 8.1.4 of the Codex General Standard for the Labelling of Prepackaged Foods (Codex Stan 1-1985 rev. 1991) (GSLPF), Costa Rica considers that only sections 8.1.2 and 8.2 should be applied to nutritional labelling, and that these sections should be specifically referred to in this general standard. We consider that section 8.1.4 does not apply to nutritional labelling, as it refers to placing the information in the same field of vision than the product name. Following criteria and principles to enhance the legibility and readability, we find no justification to also establish that the nutritional information should appear in the same field of vision or in any specific place in the label. We consider therefore that sections 8.1.2 and 8.2 should be an integral part of the Nutrition Labelling Standard.

Specific elements of presentation

Regarding points 5), 6) and 7) of the document, Costa Rica does not agree with a specific mandatory format.

Regarding the Font, Costa Rica considers a font size no less than one millimetre (1 mm) high, understanding that height as the distance between the base line and the upper base of an upper case character. Further discussions are needed to consider exceptions related to the size of the package for declaring the nutritional information.

Regarding the numeric declaration, indent 10 (iv), Costa Rica considers that nutrient values **may** be declared on a per package basis.

Exemptions and special provisions (new)

Costa Rica supports the work achieved by the electronic working group (points 11 and 12). It also believes that “special provisions should be considered for small packages” and that the term

“small packages” needs to be defined. Suggestions for this definition include an area of less than 100 cm² with a largest surface of less than 25 cm².

Other provisions for consideration

In point (2), Costa Rica requests that the following sentence be eliminated: “Other substances or ingredients should not be declared within the nutrition table”.

In point (5) Costa Rica considers that:

“Where a food should be reconstituted with water before consumption, nutrient content [should/**may**] relate to the proportion of the food so reconstituted. Similarly, where the food is labelled with directions that it should be drained before consumption, the label [should/**may**] indicate the nutrient content relates to the drained food. (NEW)”

Point (7) Alternate means of presentation of nutrition information may be considered for refillable glass containers (**or reusable containers**).

Furthermore, we agree with point (6) “With respect to small packages, consideration may be given to allowing the label to provide a website or phone number where consumers can obtain the nutrition information, or requiring that nutrition information be provided on or in connection with the display of the food or provided to the purchaser upon request. (NEW)”

MEXICO:

Mexico reassures its commitment with the Global Strategy on Diet, Physical Activity and Health. We highlight the importance of attacking the public health problems related with overweight and obesity; nevertheless we consider that labeling by itself does not solve the problem. However, it can be considered as a possible tool. We consider that educating consumers just through labeling is difficult to carry out, and not feasible. Non-communicable chronic diseases derive from multiple factors, so the nutritional labeling by itself would not attack all the other factors related to those diseases.