

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
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Agenda Item 5

CX/FL 21/46/5 Add.2

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

46th Session

Virtual

27 September – 1 October and 7 October 2021

DRAFT GUIDANCE FOR THE LABELLING OF NON-RETAIL CONTAINERS

Comments in reply to CL 2021/45-FL

Comments of Australia, Canada, Chile, Colombia, Costa Rica, Ecuador, European Union, Honduras, Indonesia, Iran, Iraq, New Zealand, Peru, Saudi Arabia, Singapore, Switzerland, Thailand, Uruguay, United States of America, Food Industry Asia, FoodDrinkEurope, IFU, World Processing Tomato Council, ICBA

Background

1. This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2021/45-FL issued in June 2019. Under the OCS, comments are compiled in the following order: general comments are listed first, followed by comments on specific sections.

Explanatory notes on the appendix

2. The comments submitted through the OCS are hereby attached as **Annex I** and are presented in table format.

ANNEX I

GENERAL COMMENTS	Member / Observer
Canada thanks India and the CCFL Canadian Secretariat for their efforts in drafting the revised guidance for the labelling of non-retail containers. We would like to offer the following comments for consideration.	Canada
<p>After the revision of the circular letter Peru has the following conclusions:</p> <ol style="list-style-type: none"> 1) It is accepted that the document "Draft guidance for the labelling of non-retail food containers" will go to Step 8. 2) It is considered that the revised document should be classified as a Standard. 3) The amendment proposed in the "Preliminary draft amendment to the Procedures Manual, Section II, Development of Codex standards and related texts: Format of codex standards for commodities: Labelling Section " is approved. 	Peru
agree	Iraq
<p>In addition, IFU submits the following comments related to Annex I, Draft Guidance For The Labelling of Non-Retail Containers of Foods, which may improve clarity.</p> <p>Section 4.1 <u>Proposed Text</u> 4.1 The general principles established in the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) should also apply, as appropriate, to the labelling of non-retail containers of foods. ("Should also" has been added after (CXS 1-1985)"</p> <p>Reason In response to comments regarding the potential for perceived inconsistency between 4.1 and 4.2, we suggest revised wording may improve clarity.</p> <p>Section 5.3 <u>Proposed Text</u> 5.3 Date marking and storage instructions.3 Date marking and storage instructions shall be provided only when they are related to the safety and integrity of the product.</p> <p>3 Information to be provided as in the relevant section (Section 4.7 (vii)) of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985).</p> <p>("(Section 4.7 (vii))" has been added to the text.)</p> <p>Section 7.3 <u>Proposed Text</u> 7.3 In the case of a non-retail container, which provides visual and legible access to all the information required by Section 5 on the label of pre-packaged foods within the non-retail container, the information stipulated in section 5 is not required. (The term "section" has been changed to "Section.")</p>	IFU

GENERAL COMMENTS	Member / Observer
<p>Section 8.1.3 <u>Proposed Text</u> 8.1.3 The mandatory information requirements on label (Section 5 above) shall appear in a prominent position on the non-retail container and shall be readily accessible under normal handling and use of the container. (The term “container” has been added to this text.)</p>	
<p>WPTC comments made in 2019 do not seem to have been taken into accounts as they are not mentioned in the draft- we resend them</p>	<p>World Processing Tomato Council</p>
<p>Consider the revised draft guidance on labelling of non-retail containers taking into account the analysis provided in CX/FL 21/46/5 Add.1 and to comment on whether it is ready to be advanced to Step 8 for adoption by CAC44 (see Annex I of CX/FL 21/46/5 Add.1)</p>	
<p>Australia supports advancement to Step 8 for adoption by CAC44 subject to the following editorial comments.</p> <p>As footnoted in section 4.2 reference to ‘prepackaged’ is as defined in the <i>General Standard for the Labelling of Prepackaged Food</i> (CXS 1-1985). However in a number of places hyphenated ‘pre-packaged’ is used e.g. section 6.1 and should be clarified as ‘prepackaged’.</p> <p>For section 7.3 (Non-retail container providing visual access) it is unclear whether the information required in section 5 is not required for the non-retail container if visible. For clarity suggest including ‘on the non-retail container’ at the end as follows:</p> <p>In the case of a non-retail container, which provides visual and legible access to all the information required by Section 5 on the label of prepackaged foods within the non-retail container, the information stipulated in Section 5 is not required on the non-retail container.</p> <p>In section 8.1.3 the word ‘container’ is missing. Suggest amending the text as follows:</p> <p>The mandatory information requirements on label (Section 5 above) shall appear in a prominent position on the non-retail container and be readily accessible under normal handling and use of the container.</p>	<p>Australia</p>
<p>Canada supports advancing the revised draft guidance on the labelling of non-retail containers, as found in CX/FL 21/46/5 Add. 1, to Step 8 for adoption by CAC44, with minor adjustments identified below.</p> <p>Section 5.3 – editorial comment: Canada notes that with the wording changes in section 5.3, the provision now suggests that date marking and storage instructions may not be provided in cases other than in relation to product safety and integrity. This could have the unintended effect of prohibiting the inclusion of date marking or storage instructions voluntarily for other purposes. Canada suggests this could be addressed by deleting the word “only”, to read:</p> <p>Date marking and storage instructions Date marking and storage instructions shall be provided when they are related to the safety and integrity of the product.</p>	<p>Canada</p>

GENERAL COMMENTS	Member / Observer
<p>Section 8.1.3 – editorial comment: Canada notes that the words “the” and “container” appear to be missing in Sub-section 8.1.3, edited text to read:</p> <p>8.1.3 The mandatory information requirements on the label (Section 5 above) shall appear in a prominent position on the non-retail container and shall be readily accessible under normal handling and use of the container.</p>	
<p>Chile agrees to move to Step 8 and we suggest some drafting changes to improve understanding. These suggestions are seen later in the document.</p>	Chile
<p>Costa Rica has no comments on the Draft Guidance, so it supports its progress to Step 8.</p>	Costa Rica
<p>Colombia has the following comments on document CX/FL 21/46/5 Add.1:</p> <p>2. SCOPE [These Guidelines] / [This Standard] [shall] / [applies] to the labelling of non-retail food containers (excluding food additives and processing aids)</p> <p>1,2 not intended to be sold directly to the consumer¹ including the information provided in the accompanying physical or electronic documents and in their presentation.</p> <p>Colombia wished to know the scope of the phrase "and in its presentation" which is included in the project scope, as it is not clear within the context of the paragraph.</p> <p>6. MANDATORY INFORMATION BY MEANS OTHER THAN THE LABEL 6.1. The information to be provided in the accompanying documents, or by other appropriate means, is as follows:</p> <p>Colombia considers it relevant to include information on allergens in food not intended for retail sale. Therefore, it proposes the following adjustment enclosed in parentheses:</p> <p>ii. if not all are provided on the label (the previous sentence crossed out): Sufficient information [including precautionary labelling of allergens in accordance with what is provided for in the NGEAP] to allow the safe preparation and labelling of pre-packaged food from food in the non-retail containers 4;</p> <p>We consider that the text of the guidance project for the labelling of non retail containers, taking into account the analysis provided in document CX/FL 21/46/5 Add.1, is ready to be brought forward to Step 8 with a view to its adoption by the CAC at its 44th period of sessions. It is key to state that the text we support is the one proposed in that document.</p>	Colombia
<p>The country believes that the document is ready to be brought forward to Step 8 with a view to its adoption by the CAC during its 44th period of sessions.</p>	Ecuador
<p><u>Editorial modifications</u> The EUMS would propose furthermore several editorial modifications to clarify the text and to ensure consistency of the wording used.</p>	European Union

GENERAL COMMENTS	Member / Observer
<p>““Non-retail container” means any container that is not intended to be offered for direct sale to the consumer. The food in a non-retail container is for further food business activities before being offered to the consumer.”</p> <p>“4.7 The information on the label and the information in the accompanying documents or provided by other means [shall]/[should] be traceable to the food in the non-retail container and [shall]/[should] provide information to enable the labelling of the food intended for sale to the consumer.”</p> <p>“5.4 Identification of a non-retail container [...] • carry any other mark that indicates that the container is not intended to be sold directly to the consumer.”</p> <p>“7.1 Food transportation unit used as non-retail container In the case of a food transportation unit used as non-retail container that is not amenable to possess a label, all the information required under section 5 and sub-section 6 shall be provided in the accompanying documents or through other means (e.g. electronically between food businesses) and shall be effectively traceable to the food in such containers. “</p> <p>“7.2 Non-retail container containing multiple types of food Where a non-retail container contains multiple types of food, the mandatory information required under section 5 and sub-section 6.1 [should]/[shall] be provided for all the types of foods contained therein. “</p> <p>“8.1.3 The mandatory information required on the label under section 5 [shall]/[should] appear in a prominent position on the non-retail container and [shall]/[should] be readily accessible under normal handling and use of the container.”</p>	
<p><i>Mixed Competence</i> <i>European Union Vote</i> The European Union and its Member States (EUMS) would like to thank India and the Canadian Secretariat of the CCFL for updating the draft Guidance for the Labelling of Non-Retail Containers on the basis of the comments received to the circular letter CL 2019/85-FL.</p> <p>1/ Comments on the draft text The EUMS would like to propose the following modifications to further improve the text:</p> <p>5.2 Lot identification As the definition of “food business” in the document differentiates between the production, processing and packaging activities, the EUMS are of the opinion that this distinction should also be specified in sub-section 5.2 on the identification of the lot. Also, it should be made clear that the lot identification refers to the food in the non-retail container. The EUMS propose therefore following additions:</p> <p>“Each non-retail container [shall]/[should] be marked in code or in a manner to clearly identify the production, processing or packaging factory and the lot(s) of the food in the non-retail container.”</p>	

GENERAL COMMENTS	Member / Observer
<p>6. Mandatory information requirements by means other than on the label To our view, the current drafting of sections 5 and 6 does not make it sufficiently clear that all the information required under section 5 and sub-section 6.1 must be shown in one place, either on the label, or in the accompanying documents or through other means, and that the information required under section 5 must always be shown on the label.</p> <p>Therefore, to make this clear, the EUMS propose following modifications of section 6:</p> <p>“6.1 The following information [shall]/[should] be provided in the accompanying documents or through other means:</p> <ul style="list-style-type: none"> • Information required under Section 5; • Information sufficient to enable the safe preparation and the labelling of pre-packaged foods from the food in the non-retail container; • Net contents of the non-retail container. <p>6.2 The information required under sub-section 6.1 shall be traceable to the food in the non-retail container.</p> <p>6.3 If all information required under sub-section 6.1 is made available on the label, sub-sections 6.1 and 6.2 do not apply.”</p> <p>Use of “shall” or “should”</p> <p>The EUMS consider that, unless there is a specific reason for not doing so, the use of “shall” or “should” should be consistent throughout the entire document. If this document is adopted as a guideline, the use of “should” should be favoured. If it is adopted as a standard, the use of “shall” should be favoured as this is the case in the General Standard for the Labelling of Prepackaged Products (GSLPF).</p>	
<p>It was agreed that this document should continue to be reviewed as it still has aspects that can be improved and provide a little more clarity to the countries for its correct application, so it is suggested that it should not proceed to Step8.</p>	Honduras
<p>Indonesia considers that the revised draft guidance on labelling of non-retail containers is ready to be advanced to Step 8 for adoption by 44th Session of CAC</p>	Indonesia
<p>We agree with the amendments.</p>	Iran
<p>8.2.1 – Relabelling or supplementary labelling. New Zealand does not agree with the late addition of the last sentence to this clause with no clear justification for the addition. The reason supplementary labels or re-labelling is used is in situations when the original label language is not acceptable to the country of sale. Therefore, we do not see the necessity in this original labelling being visible (not obscured). In addition, this could cause issues with space on smaller non-retail containers when both the original language and the supplementary /re-labelling must be visible. New Zealand strongly suggest deleting the last sentence as follows:</p>	New Zealand

GENERAL COMMENTS	Member / Observer
<p>8.2.1 If the language in the original labelling is not acceptable to the competent authority or the food business in the country in which the product is sold, a translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents or by means other than on the label appropriate means to meet the requirements of the country in which the product is sold.</p> <p>6.1 (ii) New Zealand strongly suggests the word “mandatory” is inserted before ‘labelling of pre-packaged foods’ so that the clause reads:</p> <p>Information sufficient to allow the safe preparation and the mandatory labelling of pre-packaged foods from the food in the non-retail container.</p> <p>This is to clarify that only the information needed for mandatory labelling is required rather than requiring information to be provided for voluntary labelling as well.</p> <p>5.3 –Date marking and storage conditions. New Zealand supports the intent of the amendment to ensure that date marking and storage conditions are only required on a NRC when they relate to the safety and integrity of the product. However we do not agree that the word ‘provided’ should be used here. ie Date marking and storage conditions shall be provided only when they relate to the safety and integrity of the product. New Zealand considers that the use of “provided” in addition to the word “only” the restricts the voluntary provision of this information in other instances.</p> <p>We suggest the word “required” is used instead of “provided” to maintain the opportunity for date marking and storage information to be provided voluntarily on products where it is not needed for safety reasons – ie to help with stock rotation etc.</p> <p>5.3 would then read: Date marking and storage conditions shall be required only when they relate to the safety and integrity of the product.</p> <p>7.1 and 7.2 – New Zealand proposes using consistent language when referring to sections 5 and 6. We prefer an amendment to section 7.2 to align with section 7.1 as it is the simpler wording, but we could also support amending section 7.1 to align with the wording in section 7.2.</p> <p>Our preferred amendment: 7.2 Non-retail container containing multiple types of food Where a non-retail container contains multiple types of food, the mandatory information required by Section 5 and section 6 shall be provided for all the types of foods contained therein. New Zealand supports the majority of the editorial changes made to the paper. We agree that they improve readability and clarity.</p>	
<p>Saudi Arabia recommends including a definition for container and proposing the following definition:</p> <p>Container: Any material in which a foodstuff is prepackaged to be delivered for sale as a separate individual unit, whether by completely or partially wrapping the food . It may enclose several units or types of wrappings when such is offered to the consumer.</p>	<p>Saudi Arabia</p>

GENERAL COMMENTS	Member / Observer
<p>Singapore supports the adoption of the draft text at Step 8 with proposed editorial amendments to Section 5.2 as indicated below in the draft text.</p> <p><u>Editorial under Section 5.2 on lot identification</u> – To minimise confusion, Singapore would suggest to retain the word, “producing factory” as per the GSLPF text below, in view that it is the same information.</p> <p>“4.6 Lot identification Each container shall be embossed or otherwise permanently marked in code or in clear to identify the producing factory and the lot.”</p>	Singapore
Yes, it can advance.	Switzerland
Thailand is supportive of advancing this draft to be advanced to Step 8 for adoption by CAC44.	Thailand
Uruguay appreciates the work done and considers that the work is ready to advance it to Step 8.	Uruguay
<p>Bulk Container Terminology, New Section 7.1:</p> <p>The United States notes that “bulk container” references have been replaced with “food transportation unit,” as defined in <i>The Code of Hygienic Practice for the Transport of Food in Bulk and Semi-Packed Food</i> (CXC 47-2001). The definition of “food transportation unit” in CXC 47-2001 is as follows:</p> <p>“Food transportation unit: Includes food transport vehicles or contact receptacles (such as containers, boxes, bins, bulk tanks) in vehicles, aircraft, railcars, trailers and ships and any other transport receptacles in which food is transported.”</p> <p>CXC 47-2001 also includes a definition of “bulk” [food], but this term is not currently referenced in the updated NRC text. “Bulk” is currently defined in CXC 47-2001 as:</p> <p>“Bulk: Means unpacked food in direct contact with the contact surface of the food transportation unit and the atmosphere (for example, powdered, granulated or liquid form).”</p> <p>If the Committee agrees to include the reference to food transportation unit, then the definition of “bulk” [food] (as defined in CXC 47-2001) should be included as well to ensure clarity on the subject of the section.</p> <p>Obliterating the Original Label, New Section 8.2.1:</p> <p>It is the United States’ understanding that the intention of this paragraph is to deal only with the language of the NRC’s labeling; and not the technical content of the labeling. The following edits are suggested for greater clarity in the new Sec. 8.2.1:</p> <p>8.2.1 If the language of the original labelling of the Non-Retail Container (NRC) is not acceptable to the competent authority or the food business in the country to which the product has been sold, then re-labeling of the NRC is required. A translation of the information in the NRC labelling should be provided in the required language in the form</p>	USA

GENERAL COMMENTS	Member / Observer
<p>of re-labelling, supplementary label, and/or in the accompanying documents or by >>appropriate<< means other than on the label [delete: appropriate means] to meet the requirements of the country [delete: in] >>to<< which the product is sold. If re-labelling or a supplementary label is used >>on the NRC<<, it shall not obscure the original label >>of the NRC<<.</p>	
<p>FIA seeks consideration for our comments in question (a) to be reflected in the draft guidance and supports the advancement of the document for adoption at Step 8.</p>	Food Industry Asia
<p><u>Editorial changes:</u> 4.1 The General Principles established in Section 3 the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) should also apply, as appropriate, to the labelling of non-retail containers of foods. 5.3 Date marking and storage instructions³ Date marking and storage instructions shall be provided only when they are related to the safety and integrity of the product. ³Information to be provided as in Section 4.7 (vii) of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) 7.3 In the case of a non-retail container, which provides visual and legible access to all the information required by Section 5 on the label of pre-packaged foods within the non-retail container, the information stipulated in section 5 is not required. 8.1.3 The mandatory information requirements on label (Section 5 above) shall appear in a prominent position on the non-retail container and shall be readily accessible under normal handling and use of the container.</p>	
<p>FIA would propose the following amendments to the revised draft guidance on labelling of non-retail containers:</p> <p>(1) Insertion of the phrase “unless there is space constraint” in section 8.2.1 to allow flexibility should there be space constraints when applying new label. 8.2.1 If the language in the original labelling is not acceptable to the competent authority or the food business in the country in which the product is sold, a translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents or by means other than on the label appropriate means to meet the requirements of the country in which the product is sold. If re-labelling or a supplementary label is used, it shall not obscure the original label, unless there is space constraint. (2) Addition of word “mandatory” in section 6.1(ii) to clarify that only the information needed for mandatory labelling is required rather than requiring information to be provided for voluntary labelling as well. Information sufficient to enable the safe preparation and the mandatory labelling of pre-packaged foods from the food in the non-retail container.</p>	
<p>ICBA supports the advancement of the text to Step 8 for adoption by CAC44. However, ICBA offers the following specific comments on the draft Guidance (unfortunately, the draft Guidance is not available in the OCS to allow for editing so the proposed changes are presented below without edits showing in the text:</p> <p><u>Proposed change to 4.1:</u> The General Principles established in Section 3 the General Standard for the Labelling of Prepackaged Foods (GSLPF CXS 1-1985) should also apply equally, as appropriate, to the labelling of non-retail containers of foods.</p>	ICBA

GENERAL COMMENTS	Member / Observer
<p><u>Reason:</u> In response to comments regarding the potential for perceived inconsistency between 4.1 and 4.2, ICBA suggests revised wording which may improve clarity. Additionally, we suggest that it would be helpful to clarify that 4.1 refers to a specific section of the GSLPF rather than to unspecified “general principles”.</p> <p><u>Proposed change to 5.3:</u> Date marking and storage instructions³ Date marking and storage instructions shall be provided only when they are related to the safety and integrity of the product. 3 Information to be provided as in Section 4.7.1 (vii) of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985)</p> <p><u>Reason:</u> We believe it is important to clarify which “relevant section” of the GSLPF is referred to in footnote #3.</p> <p><u>Proposed change to 7.3:</u> In the case of a non-retail container, which provides visual and legible access to all the information required by Section 5 on the label of pre-packaged foods within the non-retail container, the information stipulated in section 5 is not required.</p> <p><u>Reason:</u> Editorial</p> <p><u>Proposed change to 8.1.3:</u> The mandatory information requirements on label (Section 5 above) shall appear in a prominent position on the non-retail container and shall be readily accessible under normal handling and use of the container.</p> <p><u>Reason:</u> Editorial</p> <p><u>Comment regarding "8.2.1</u> If the language in the original labelling is not acceptable to the competent authority or the food business in the country in which the product is sold, a translation of the information in the labelling should be provided in the required language in the form of re-labelling, supplementary label and/or in the accompanying documents or by means other than on the label"</p> <p><u>Comment:</u> ICBA respectfully requests that the Committee discuss whether the final (new) sentence of this provision is needed. We note that all relevant information from the original label would be present on the translated label, so it is unclear what benefit would be provided by ensuring the original label remains visible.</p>	
<p><u>Regarding the Clause 5.4</u> Identification of a non-retail container, we reiterates our suggestion made in 2019:</p> <ol style="list-style-type: none"> For food items packaged in large containers (e.g. 10kg or 20kg bag-in-box, 200kg drums, 1000 kg bins or IBCs, etc.), which are obviously not for retail sale, the labelling should be excluded. Food items manufactured for specific food service customers for further handling and processing should be excluded regardless of their packaging size. <p>The reason of this request is that products are being « only » distributed to the specific customers and will not be distributed in the market. As stated in “III Major discussion points in the EWG ii) General Principles”, non-retail status of the container is based on the intention of the manufacturer.</p> <p>The mandatory indication on the label of an indication that it is a NON-RETAIL CONTAINER is unnecessary for drums of 200 kg or bins of 1000 kg, while the draft would expect exclusion only for tanks or barges of loose products. We could ask the Codex Commission to insert the mandatory description only for containers of such size that they can be confused with retail containers. For tomato products the limit could be 5 kg or 10 kg. That is, if the container size is</p>	<p>World Processing Tomato Council</p>

GENERAL COMMENTS	Member / Observer
less than 10 kg but is not intended for the final consumer, then it should be indicated it on the label, otherwise there should be no need to indicate it.	
FoodDrinkEurope does not have further comments and supports to advance the draft to Step 8.	FoodDrinkEurope
IFU supports the advancement of the text to step 8 for adoption by the Codex Alimentarius commission (CAC) 44.	IFU
Consider whether the final document should be adopted as Standard or a Guideline keeping in view the clarification provided by the Codex secretariat at CCFL45 (see para. 3a of CX/FL 21/46/5 Add.1).	
Australia notes the advice provided by the Codex Secretariat at CCFL45 that there is no clear guidance to when a document should be guidance or a standard but that the present text had been drafted more in line with the practice used for standards (REP19/FL para 61). We therefore support adoption as a Standard.	Australia
Canada supports the adoption of the text as a Standard, in keeping with the clarification provided by the Codex Secretariat at CCFL45 and as noted in Section 3 of the Analysis and Consideration of Comments Section of CX/FL 21/46/5 Add.1.	Canada
Chile agrees that it should be a Standard.	Chile
Colombia believes that it can be adopted as a Standard.	Colombia
Costa Rica supports the adoption of the guidance as a Standard, because of its similarity to the General Standard for the Labelling of Prepackaged Foods and taking into consideration the explanation provided by the Codex Secretariat during the CCFL45.	Costa Rica
According to the clarification provided by the Codex Secretariat, which states: "that while there was no clear guidance in Codex as to when a document should become a guideline or standard but that the present text had been drafted more in line with the practice used for standards so it could be called General Standard on the Labelling of Non Retail Containers. The Secretariat further noted that the naming of the text would entail no difference as to the significance and implications of a Codex standard or a Codex guideline".	Ecuador
Therefore, the country believes that it should be adopted as a Standard.	
The preference of the EUMS is that the final document be adopted as a guideline.	European Union
we agree that this document should be called a Standard and not a guideline.	Honduras
Indonesia considers that this document should be developed as guidelines	Indonesia
To decide whether the final document should be adopted as a Standard or a Guideline, it would be better to consider it as a standard	Iran
As per our previous comments and in line with advice shared at CCFL45 by the Codex secretariat New Zealand supports this guidance being a being a standard	New Zealand
Saudi Arabia supports the progression of this draft and approving it as a standard.	Saudi Arabia
Singapore noted the advice from the Codex Secretariat at CCFL45 that there is no clear guidance as to when a document should be Guideline or a Standard, and that the current text is drafted more in line with the practice used for standards. The Codex Secretariat further noted that the naming of text would have no difference to the significance and implications of the text.	Singapore
In view of the above, Singapore would support for the draft text to be adopted as a Standard.	
Guideline.	Switzerland

GENERAL COMMENTS	Member / Observer
<p>Thailand is of the opinion that this draft text should be a Guideline for member countries to consider and apply it as appropriate. In addition, the way the Section 4 General Principle is written, particularly Sub-section 4.2 and 4.5, is in the direction of being a guideline.</p> <p>However, if the majority of member countries view this document as a Standard, these Sub-sections should be reconsidered and possibly omitted.</p> <p>For Sub-section 4.6, we would like to suggest moving the text to be a preamble text under Section 5 Mandatory Information Requirements on the Label before the existing sentence, " The following information...". This addition would make the relationship between Section 5 and Section 6 clearer.</p>	Thailand
<p>Uruguay considers that it should be adopted as a Standard, so that it has the same characteristics as document CXS 1-1985, on the understanding that it covers similar aspects for a group of foods not covered by that standard. Account was also taken of what has been mentioned in paragraph 3 regarding the structure.</p>	Uruguay
<p>The United States has no preference for naming the final document a Standard or Guideline.</p>	USA
<p>FIA supports the adoption of the final document as a Standard.</p>	Food Industry Asia
<p>The WPTC reiterates its position that it should be a guideline and not a standard. Our motivation is given by the fact that the national legislations are very different and complex worldwide. Better approach from guidelines that can be a reference especially for developing countries that export so many raw materials and foods in non-retail formats.</p>	World Processing Tomato Council
<p>ICBA supports adopting the guidance as a Standard as it has been drafted in the style of a Standard (e.g., it contains mandatory elements) and has much in common with the GSLPF.</p>	ICBA
<p>We think this document can be regarded as a further specification of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) and for consistency we feel the final document can adopted as Standard.</p>	FoodDrinkEurope
<p>IFU supports adopting the final guidance as a Standard as it has been drafted in the style of a Standard (e.g., it contains mandatory elements) and has much in common with the Codex General Standard for the Labelling of Prepackaged Foods (GSLPF).</p>	IFU
<p>To consider the proposed draft amendment to the Procedural Manual for adoption by CAC44 (see Annex II of CX/FL 21/46/5 Add.1). Do you agree with the proposed amendment to the PM?</p>	
<p>Australia supports the proposed draft amendments to the Procedural Manual for adoption but notes the new wording: refers to 'pre-packaged' rather than 'prepackaged' (as defined in the General Standard for the Labelling of Prepackaged Food (CXS 1-1985)), includes an unnecessary reference to 'guidance' and the full name of the standard/guideline is missing 'of Foods'. We therefore propose the following text:</p> <p>Where the scope of the Standard is not limited to prepackaged foods, a provision for the labelling of non-retail containers may be included as follows:</p> <p>"The labelling of non-retail containers should be in accordance with the (Standard/Guideline) on the Labelling of Non-Retail Containers of Foods."</p>	Australia
<p>In general, Canada supports the proposed draft amendments to the Procedural Manual, noting the following considerations.</p>	Canada

GENERAL COMMENTS	Member / Observer
<p>Procedural manual</p> <p>1. In keeping with the language of the previous version of the Procedural Manual, which states that "information on12 shall be given.....", Canada suggests replacing "should" with "shall" to read:</p> <p>"The labelling of non-retail containers shall be in accordance with the Guidance (Standard/Guideline) on the Labelling of Non-Retail Containers."</p> <p>2. Canada suggests there may be additional text required to address requirements found in individual commodity standards. The new Procedural Manual text is limited to addressing those provisions found in the guidance on the labelling of non-retail containers. It is not clear that this would include any additional labelling found in commodity standards, which is currently addressed by the footnotes:</p> <p>12 Codex Committees should decide which provisions are to be included</p> <p>13 Codex Committees may decide that further information is required on the container. In this regard, special attention should be given to the need for storage instructions to be included on the container.</p> <p>As footnote 13 indicates that Codex Committees may decide that further information is required on the container, this could include commodity specific labelling that is not addressed in Section 5 of the (Standard/Guidelines) on the Labelling of Non-Retail Containers.</p> <p>To address this, it is suggested that one of the footnotes may need to be retained to read:</p> <p>"The labelling of non-retail containers shall be in accordance with the Guidance (Standard/Guideline) on the Labelling of Non-Retail Containers."¹³</p> <p>New footnote 13 to read: "13 Codex Committees may decide that additional information specific to a given food, and that is not referred to in the (Standard/Guideline) on the Labelling of Non-Retail Containers, is required on the container."</p> <p>For any information specific to a given food that is identified as being required, but not on the container, Canada would consider this to be required on accompanying documentation or using other means as per section 6.1(ii) of the (Standard/Guideline) on the Labelling of Non-Retail Containers.</p>	
Chile agrees with the amendment.	Chile
Colombia agrees with the amendment to the Procedures Manual for adoption by the CAC at its 44th period of sessions	Colombia
Costa Rica supports the proposed amendment of the Procedures Manual to clarify that the provisions on the labelling of non-retail containers in commodity standards should refer to this Standard or Guideline and thus ensure consistency among all documents.	Costa Rica
Yes, we agree.	Ecuador
The EUMS agree on the draft amendment of the Procedural Manual proposed in Annex II to CX/FL 21/46/5 Add. 1.	European Union

GENERAL COMMENTS	Member / Observer
The members of sub-committee CCFL-HN, agree with the amendment to the Codex procedural manual, proposed as Appendix II	Honduras
Indonesia agrees with the proposed amendment to the Procedural Manual.	Indonesia
Yes, Iran agree	Iran
New Zealand supports the proposed amendment to the procedural manual	New Zealand
Singapore agrees with the proposed draft amendment to the Procedural Manual.	Singapore
Yes	Switzerland
Thailand agrees with the proposed amendment to the Procedural Manual, noting that the correct name of this to-be-adopted document would replace the text "...the Guidance (Standard/Guideline) on the Labelling of Non-Retail Containers".	Thailand
Uruguay shares the amendment in the Procedures Manual.	Uruguay
The United States agrees with the proposed changes to the Codex Procedural Manual since the amendment simply references the new NRC standard/guideline as the foundational text referenced for labeling NRCs. The United States observes that the forthcoming text will also require adoption of conforming amendments to other existing standards that have provisions on NRCs. The United States suggests that we seek advice from the Codex Secretariat regarding the most efficient way of achieving this within the Codex process.	USA
FIA agrees with the proposed amendment to the Procedural Manual.	Food Industry Asia
yes	World Processing Tomato Council
Yes, ICBA supports the proposed amendment to the Procedural Manual to clarify that non-retail container labelling provisions in Commodity Standards should refer to this guidance.	ICBA
FoodDrinkEurope considers the proposed amendment useful. The adoption of the draft text as a 'Standard' would ensure consistency between the documents. Hence, we support the proposed amendment.	FoodDrinkEurope
IFU supports the proposed amendment to the Procedural Manual, as outlined in Annex II of the Circular Letter, to clarify that non-retail container labelling provisions in Commodity Standards should refer to the final guidance.	IFU