

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 5

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ORIGINAL LANGUAGE ONLY

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD LABELLING

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DRAFT GUIDANCE FOR THE LABELLING OF NON-RETAIL CONTAINERS

(Comments from Dominican Republic, India, Nigeria, Paraguay, Russian Federation, Thailand, Uganda)

Dominican Republic

República Dominicana apoya que el anteproyecto de orientación que figura en el Apéndice 1, del documento CX/FL 21/46/5 Add.1, sea aprobado en el trámite 8 y enviado para su adopción definitiva por la CAC44.

República Dominicana apoya que el documento final debe adoptarse como "Directriz".

República Dominicana no apoya el anteproyecto de enmienda propuesto para el Manual de procedimiento para su aprobación por la CAC referido en el Apéndice II del documento CX/FL 21/46/5 Add.1.

Justificación: República Dominicana no apoya la modificación del Manual de Procedimiento planteado, ya que la considera innecesaria, puesto que la nueva "Directriz" se ha elaborado siguiendo los lineamientos del actual Manual de Procedimientos del Codex Alimentarius.

India

India supports the advancement of the draft Guidance to Step 5/8 and supports keeping the guidance as a stand-alone document.

Nigeria

Nigeria would like to thank India and the CCFL Canadian Secretariat for updating the Draft Guidance for the Labelling of Non-Retail Containers of Foods on the basis of the comments received in reply to Circular Letter CL 2019/85- FL.

Nigeria supports the advancement of the revised Draft Guidance for the Labelling of Non-Retail Containers of Foods in Annex 1 of CX/FL 21/46/5 Add. 1, to Step 8 for final adoption by CAC44, with amendments identified below.

i. COMMENTS ON THE DRAFT TEXT

Section 5: MANDATORY INFORMATION REQUIREMENTS ON THE LABEL

Section 5.1.1.4: A “coined”, “fanciful”, “brand” name or “trade mark” may be used provided it accompanies one of the names provided in Subsections 5.1.1.1 to 5.1.1.3.

Nigeria proposes an alternative text with the replacement of “may be used” with “when used shall” and consequentially amended section 5.1.1.4 to read:

“A “coined”, “fanciful”, “brand” name or “trade mark” **when used shall** accompany one of the names provided in Subsections 5.1.1.1 to 5.1.1.3”.

The rationale for this is taking into account that the section deals with mandatory information requirements on the label hence the use of the word ‘shall’.

Section 5.3: Date marking and storage instructions

Nigeria proposes an amendment to the text with deletion of the word “only” in section 5.3 to make provision for voluntary inclusion of date marking and storage instructions on the labelling of non-retail containers even when they are not related to the safety and integrity of the product. It could be for purposes of inventory, stock rotation, etc.

The proposed text would read as follows:

“Date marking and storage instructions **shall be required if** they are related to the safety and integrity of the product.”

Section 7. [BULK TRANSPORT PROVISIONS FOR SPECIFIC TYPES OF NON-RETAIL CONTAINERS

7.1 Non-retail container used as food transportation unit⁵

7.3 8 [EXEMPTION Non-retail container providing visual access]

Nigeria agrees that all the square brackets be removed, and the text be retained as amended.

ii. DECISION ON WHETHER THE FINAL DOCUMENT SHOULD BE ADOPTED AS A STANDARD OR A GUIDELINE

Nigeria supports the adoption of the text as a Standard based on the clarification provided by the Codex Secretariat at CCFL45 and as noted in Section 3 of the Analysis and Consideration of Comments in section of CX/FL 21/46/5 Add.1 which read as follows “*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*”.

Nigeria is of the opinion that the language and structure used in the text align with that for drafting of standards.

iii. AMENDMENT OF THE PROCEDURAL MANUAL

Nigeria supports the proposed draft amendment to the Procedural Manual (Annex II of CX/FL 21/46/5 Add. 1) for adoption by CAC as it provides clear guidance for the labelling provisions for non-retail containers for relevant commodity standards.

Paraguay

Proyecto de Orientación para el Etiquetado de los envases no destinados a la venta al por menor

1. Se invita a los miembros del Codex y observadores a:

Examinar la revisión del Proyecto de orientación para el etiquetado de los envases no destinados a la venta al por menor teniendo en cuenta el análisis facilitado en el documento [CX/FL 21/46/5 Add.1](#) y considerar si está listo para adelantarle al trámite 8 con miras a su aprobación por la CAC en su 44.º período de sesiones (véase el Apéndice I del documento [CX/FL 21/46/5 Add.1](#)).

PARAGUAY considera que el documento se encuentra listo para su paso al trámite 8 con miras a su aprobación por la CAC en su 44° período de sesiones.

Decidir si el documento final debe adoptarse como norma o directriz, teniendo en cuenta la aclaración proporcionada por la Secretaría del Codex en la 45.ª reunión del CCFL (véase el párrafo. 3a del documento [CX/FL 21/46/5 Add.1](#)).

PARAGUAY considera que el documento final debería adoptarse como una norma del Codex, considerando lo manifestado por la Secretaría del Codex en la 45° CCFL de que el documento se había redactado más en consonancia con la práctica utilizada para las normas, por lo que podría denominarse Norma general para el etiquetado de los envases no destinados a la venta al por menor.

Examinar el anteproyecto de enmienda al Manual de procedimiento para su aprobación por la CAC en su 44.º período de sesiones (véase el Apéndice II del documento [CX/FL 21/46/5 Add.1](#)). ¿Está de acuerdo con la enmienda propuesta al Manual de procedimiento?

PARAGUAY está de acuerdo con la enmienda propuesta al Manual de Procedimiento para ajustar ese punto específico a la nueva norma, de forma que las normas del Codex que no se limitan solo a alimentos preenvasados establezcan que el etiquetado de los alimentos no destinados a la venta al por menor deberá ajustarse a los requisitos especificados en dicha norma.

Russian Federation

In response to circular letter CL 2021/45/OCS-FL we would like to express our support for sending the draft guideline for adoption at step 8 by CAC44. Taking into account an explanatory note provided by the Codex Secretariat, we do not favour a particular choice adopting the document either as a Codex standard or a guideline.

At the same time, we would like to note the following:

Section 5.5 **Name and address** needs to be rephrased as, in its present edition, it could be read as all mentioned parties shall be declared on the label. We believe that either of the listed entities/individuals should be declared, not all of them, subject to the national/regional regulations and practicality. We would like to propose the following changes to the text

[Name and address of a manufacturer, **and/or** packer, **and/or** distributor, **and/or** importer, **and/or** exporter or vendor of the food

- shall be declared.]

Thailand

Thailand proposes moving Section 4.6 to be under Section 5 as a footnote to improve the linkage between Section 5 and Section 6. The proposed amendment would read

“5. MANDATORY INFORMATION REQUIREMENTS ON THE LABEL¹:

The following information shall appear on the label of non-retail containers of food:”

¹ Subject to the requirements outlined in Section 5, the information requirements in respect of non-retail containers of food may be met through means other than on a label as allowed by the competent authority in the country in which it is sold.

Uganda

a) To consider the proposed amendments to the draft guidance in the Annex I of this document with the intent to progress it to Step 8 for final adoption by CAC44.

GENERAL COMMENT

Uganda is in agreement to advance the revised draft guidance to step 8 and adopted by CAC having reviewed the Annex I of CX/FL 21/46/5 Add.1

JUSTIFICATION

The draft text is effectively addressing the gaps/challenges CXS 1 has in regard to packaging of non-retail products especially for transportation.

- b) 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).

COMMENT

Uganda proposes to consider adoption of the final document as a standard

JUSTIFICATION

The present text in the document is drafted more in line with the practice used for standards and as highlighted by the Codex Secretariat at the 45th session of CCFL secretariat

- c) To consider the proposed draft amendment to the Procedural Manual for adoption by CAC (see Annex II).

COMMENT

Uganda supports to consider the proposed draft amendment to the Procedural Manual for adoption by CAC (see Annex II); and, inform commodity committees of the finalization of the guidance.

JUSTIFICATION

The scope of the Standard is not limited to pre-packaged foods, a provision for the labelling of non-retail containers may be included as follows: "The labelling of non-retail containers should be in accordance with the Guidance (Standard on the Labelling of Non-Retail Containers." as captured in Annex II of CX/FL 21/46/5 Add.1