

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS



WORLD
HEALTH
ORGANIZATION

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ALINORM 06/29/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-ninth Session
Geneva, Switzerland, 3 - 7 July 2006

REPORT OF THE THIRTY-FOURTH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING

Ottawa, Canada, 1 – 5 May 2006

Note: This document incorporates Circular Letter CL 2006/12-FL

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CX 5/15

**CL 2006/12-FL
May 2006**

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 34th Session of the Codex Committee on Food Labelling (ALINORM 06/29/22)

A. MATTERS FOR ADOPTION BY THE 29th SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Draft Guidelines at Step 8 of the Procedure

1. Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 2 – Permitted Substances: Table 3 (para. 60, Appendix II)

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, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme at the above address **before 10 June 2006**.

Proposed Draft Guidelines at Step 5 of the Accelerated Procedure

2. Proposed Draft Amendment to the General Guidelines on Nutrition Labelling: Definition of Trans Fatty Acids) (para. 135, Appendix V)

Governments wishing to submit comments on the implications which the Proposed Draft Amendment may have for their economic interests should do so in writing in conformity with the Accelerated Procedure for the Elaboration of Codex Standards to the Secretary, Joint FAO/WHO Food Standards Programme, at the above address **before 10 June 2006**.

B. REQUEST FOR COMMENTS AND INFORMATION

Draft Guidelines at Step 6 of the Procedure

3. Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Draft Revised Annex 2 – Permitted Substances: Table 3 (other substances) (para. 60, Appendix III)

Proposed Draft Standard and Guidelines at Step 3 of the Procedure

4. Proposed Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Proposed Draft Revised Annex 2 – Permitted Substances: Table 1 (para. 66, Appendix IV)

5. Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients (para. 122, Appendix VI)

Governments and international organizations wishing to submit comments on items 3, 4 and 5 above should do so in writing to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, at the above address, with a copy to Mr. Ron B. Burke, Director, Bureau of Food Regulatory International and Interagency Affairs, Health Products and Food Branch, Health Canada, Bldg No. 7, Room 2395, Tunney's Pasture, Ottawa K1A 0L2, Canada, Fax No. 613.941.3537, E-mail: codex_canada@hc-sc.gc.ca, **before 15 November 2006.**

SUMMARY AND CONCLUSIONS

The summary and conclusions of the 34th Session of the Codex Committee on Food Labelling are as follows:

Matters for adoption by the 29th Session of the Codex Alimentarius Commission:

The Committee:

- agreed to advance to Step 8 the Draft Amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 2 - Permitted Substances: Table 3* (para. 60, Appendix II);
- agreed to advance to Step 5 of the Accelerated Procedure the Proposed Draft Definition of Trans Fatty Acids (Proposed Draft Amendment to the *Guidelines on Nutrition Labelling*) (para. 135, Appendix V);
- agreed to undertake new work on 1) the inclusion of ethylene in the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* (para. 77) and 2) the definition of advertising in relation to nutrition and health claims (para. 146).

Other Matters of Interest to the Commission

The Committee:

- agreed to return to Step 6 the Draft Amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 2 – Permitted Substances: Table 3* (other substances) (para. 60, Appendix III), and to return to Step 3 the Proposed Draft Amendment to Table 1 on Natural Sodium Nitrate (para. 66, Appendix IV);
- agreed to return to Step 3 the Proposed Draft Amendment to the *General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients* (para. 122, Appendix VI);
- endorsed the labelling provisions in several Draft Standards and did not endorse the labelling provisions in the Draft Standards on individual cheeses (paras. 34-48);
- agreed to retain at Step 7 the Draft Amendment to the *General Standard for the Labelling of Prepackaged Foods* (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Genetic Engineering): Definitions and at Step 4 the Proposed Draft Guidelines for the Labelling of Food and Food Ingredients Obtained through Certain Techniques of Genetic Modification/Genetic Engineering: Labelling Provisions, for further consideration at the next session taking into account the outcome of a physical working group (paras. 100-101);
- discussed how to proceed further with the implementation of the WHO *Global Strategy on Diet, Physical Activity and Health* as related to food labelling and related matters, within the mandate of the Committee (paras. 14-33).

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INTRODUCTION

1) The Codex Committee on Food Labelling held its Thirty-fourth Session in Ottawa, Canada from 1 to 5 May 2006, at the kind invitation of the Government of Canada. The Session was chaired by Dr. Anne MacKenzie, Senior Science Advisor, Science Branch, Canadian Food Inspection Agency. The session was attended by 258 delegates representing 55 Member countries, one Member Organization, European Community (EC), and 26 international organizations. A complete list of participants is attached as Appendix I to this report.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

2) The Committee adopted the Provisional Agenda with the following modifications: to discuss the issues in Item 9 related to organic production (CX/FL 06/34/11, CRD 9 and CRD 10) directly after Item 4, while acknowledging that they were related to new work; to discuss CX/FL 06/34/3 Add.1 on the second day of the Session as the document had been made available only recently; and to consider the discussion paper on modified standardized common names (CRD 20, Canada) under Item 9.

3) The Delegation of the EC explained to the Committee the division of competence between the European Community and its Member States according to Rule II.5 of the Rules of Procedure.

MATTERS REFERRED TO THE COMMITTEE (Agenda Item 2)

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND CODEX COMMITTEES (Agenda Item 2a)²

General Standard for Fruit Juices and Nectars

4) The Committee recalled that the Commission had adopted the General Standard for Fruit Juices and Nectars, which included three processing aids that might cause allergenicity, i.e. isinglass and sodium/potassium caseinates, endorsed by the Committee on Additives and Contaminants (CCFAC) with the addition of the following footnote: "Use of these processing aids should take into account their allergenic potential. If there is any carry over of these processing aids into finished product, they are subject to ingredient declaration in accordance with Sections 4.2.1.4 and Section 4.2.4 of the of the Codex General Standard for the Labelling of Prepackaged Foods." As processing aids were exempted from labelling declaration in the General Standard for the Labelling of Prepackaged Foods, this additional labelling required endorsement by the Committee on Food Labelling.

5) The Committee agreed to endorse the addition of the above footnote on labelling requirements and noted that this would allow the inclusion of the three processing aids in the Standard for Fruits Juices and Nectars, as proposed by the Task Force on Fruit and Vegetable Juices and the CCFAC.

Executive Committee

6) The Committee noted the recommendations of the Executive Committee in the framework of the Critical Review and agreed to propose a time frame for each item under consideration in the Step Procedure on a case-by-case basis.

Committee on Food Additives and Contaminants

7) The Committee was informed that the Class Names and International Numbering System (CAC GL 36-1989) include a list of functional classes identical to the list in section 4.2.3.3 of the General Standard for the Labelling of Prepackaged Foods, and their description and that the CCFAC had advanced to Step 5 a Proposed Draft Revision of that list. In this context, the CCFAC had asked the CCFL to clarify the labelling provisions for labelling of carriers and packaging gases.

8) The Delegation of the United States indicated that packaging gases, mostly used as processing aids, could be considered as additives according to their technological function and amount in the end product. The Delegation also recalled that the Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) had asked the CCFAC to consider the issue of carriers and to consider the establishment of a new functional class if required.

¹ CX/FL 06/34/1, CRD 16 (European Community)

² CX/FL 06/34/2, CRD 3 (comments of India)

- 9) The Delegation of the EC indicated that, although carriers and packaging gases could be considered as food additives under certain circumstances, it did not support at this stage any amendment to the current list of additive classes in section 4.2.3.3, pointing out that it was not the responsibility of CCFL to determine whether substances were additives or processing aids and that the functional classes should be clarified by the CCFAC. The Delegation also noted that there appeared to be some contradiction in the report of the CCFAC since paragraph 4 of the section asked a specific question from the CCFL whereas the last paragraph stated that the revised Table in Annex XV would be sent to the CCFL and CCNFSDU for information.
- 10) Several delegations expressed the view that CCFAC should finalise the description of functional classes and clarify the status of carrier and packaging gases in order to allow CCFL to consider labelling requirements for additives.
- 11) The Committee noted that the revised list of functional classes included some other amendments as compared with the current list in the *General Standard* and that the Committee would need to consider the inclusion of these revisions in the *General Standard* after they had been finalized. In particular, it was noted that the class of “acids” had been deleted and integrated into “acidity regulators”.
- 12) Several delegations pointed out that they had been informed of the request from CCFAC during the present session, since CCFAC had been held immediately prior to the CCFL, and therefore they could not express a position on this question at this stage but needed more time to consider the implications of the revision of the functional classes more carefully, especially as regards carriers and packaging gases.
- 13) The Committee agreed that before it could consider the labelling provisions applying to new and amended functional classes of additives, these classes had to be clearly defined and asked the CCFAC to clarify the conditions under which carriers and packing gases were considered as additives or as processing aids, possibly with some specific examples. The Committee noted that the next session of the CCFAC was expected to finalise the revision of the Class Names and agreed to consider this question further at its next session in the light of the conclusions of the CCFAC.

MATTERS REFERRED BY FAO AND WHO: IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH (Agenda Item 2b)³

- 14) The Representative of FAO, speaking on behalf of FAO and WHO, recalled that, during the 33rd Session of the CCFL, WHO had invited the delegates to become familiar with the WHO Global Strategy on Diet, Physical Activity and Health, elaborated in 2004 with the aim of preventing and controlling the heavy and growing burden of non-communicable diseases and that FAO had endorsed the strategy. The World Health Assembly had identified the Codex Alimentarius Commission as an international partner which could strengthen public health efforts and noted that areas for further development could include:
- labelling to allow consumers to be better informed about the benefits and contents of foods;
 - measures to minimize the impact of marketing on unhealthy dietary patterns;
 - fuller information about healthy consumption patterns;
 - production and processing standards regarding the nutritional quality and safety of products.
- 15) In July 2005, the 28th Session of the Codex Commission agreed that the FAO and WHO should prepare a document on the actions Codex might take, in the context of its operational mandate, to facilitate the implementation of the Global Strategy, for consideration by the CCNFSDU and the CCFL. In November 2005, WHO and FAO attended the 27th Session of the CCNFSDU and presented a discussion paper that was similar to the document under consideration at the present session.
- 16) The Representative pointed out that FAO and WHO were very interested in learning the views of delegates about the aspects of the Global Strategy that are relevant to CCFL and possible areas for future work of CCFL and provided an update of the action taken since the last sessions of CCFL and CCNFSDU.

³ CX/FL 06/34/2-Add.1, CRD 4 (comments of Canada, India, Indonesia, IACFO), CRD 25 (comments of the EC)

17) WHO and FAO held an electronic forum to allow delegations to provide their views on the possible roles of the Codex Alimentarius Committees in implementation of the Global Strategy. All Codex members were invited to participate in the electronic forum, which was held from 15 February – 7 April 2006. The Representative of FAO indicated that the issues raised in the forum and comments of Codex members and observers were available on the WHO website at the following address: http://www.who.int/nutrition/FAOWHO_eforum/en/index.html; that the comments of the forum would serve as inputs for preparing the proposed action document for Codex. Finally, WHO and FAO were preparing a document that would provide an update on the progress so far in developing the requested actions document and would include a summary of the results of the forum, for consideration by the 29th Session of CAC in July 2006.

18) The Committee expressed its appreciation to WHO and FAO for the preparation of the discussion paper and had an extensive discussion on how to proceed further with the implementation of the Global Strategy as related to food labelling and related matters within the mandate of the CCFL.

19) Many delegations expressed their strong support for the Global Strategy, and informed the Committee of the action they were taking at the national level in order to ensure its implementation. Many delegations and observers recognized that Codex had an important role to play in the implementation of the Global Strategy and supported further consideration of the aspects that were relevant to the mandate of the CCFL.

20) The Delegation of Austria, speaking on behalf of the Member States of the European Community present at the session, expressed its support for the initiative of WHO, and pointed out that the CCFL and the CCNFSDU should play a central role in the implementation of the Global Strategy. The Delegation indicated that a more general reflection was needed as to how nutrition issues should be integrated into Codex work while retaining its mandate.

21) The Delegation of India, supported by other delegations and observers, expressed the view that three main areas of work should be considered: mandatory nutrition labelling for all processed foods irrespective of whether claims were made; mandatory quantitative ingredient declaration; and health claims in advertising and labelling.

22) The Delegation of Senegal, supported by several delegations, pointed out that Codex activities should extend beyond food safety and contribute to the protection of consumers from diet related non-communicable diseases, and stressed the essential role of food labelling to allow consumers to make an informed choice. The Delegation also highlighted the specific problems faced by consumers in developing countries in view of the proliferation of products with misleading labelling and claims on the market.

23) Several delegations pointed out that the Global Strategy was a very comprehensive set of recommendations and that only certain aspects could be addressed within the mandate of Codex. Some delegations stressed the need for coordination between the CCFL and the CCNFSDU as they were the main committees concerned by the implementation of the Global Strategy in the framework of Codex. It was also noted that the proposals for new work related to the Global Strategy would need to be prioritized, especially if they required scientific advice, since several such requests were already pending to address food safety issues, that were a priority for Codex.

24) The Delegation of South Africa, supported by the Observer from NHF, put forward several proposals for further consideration: recognizing that nutrients are not toxins and that their assessment should reflect acknowledged benefits and desired impact from their use in order to achieve positive outcomes and that they should generally be recognized as safe; banning the addition of partially and fully hydrogenated trans fatty acids in foods; allowing the enrichment of foods with dietary supplements in order to optimise nutrient density to compensate for a decline in micronutrients in various foods; ensuring that global legislation prevent the use of industrial toxins and additives that are not supported by biochemistry and clinical experience; supporting nutrition and health claims and advertising for those foods that contribute to a healthy life style, while banning such claims for those foods that do not contribute to a healthy life style, especially as regards advertising directed to children, all in the context of optimal health.

25) The Delegation of the United States expressed the view that the following issues were particularly relevant in relation to the Global Strategy: the general requirement for mandatory nutrition labelling, as well as the list of nutrients that should be declared when claims were made; the scientific basis of health claims; and the use of sound nutrition principles in the modification of standardised foods.

26) Several delegations proposed to establish an electronic working group to consider further work related to the Global Strategy and the comments from the FAO/WHO e-Forum. Other delegations pointed out that WHO and FAO were in the process of compiling and analysing the comments received in the e-Forum and preparing a new document for consideration by the Commission. The Committee therefore agreed that it was premature at this stage to establish a working group.

27) The Chairperson noted that the comments and proposals made in the discussion could be grouped according to the following main themes:

- Enhancing and improving the label information about the nutritional aspects of foods offered to consumers to assist them in making informed choices about foods to improve their health. In this regard, making nutrition labelling mandatory even in the absence of claims was suggested by several delegations.
- The importance of truthful and non-misleading marketing practices and advertising in the promotion of the nutritional aspects of foods was mentioned as part of the implementation of the Global Strategy.
- Food standards: It was noted that Codex standards should not impede the development of modified versions of these foods intended to assist consumers in improving their food choices.
- Sound science: The importance of a sound scientific basis for any actions taken to implement the Global Strategy was emphasized. The work on the framework for the scientific basis for health claims was noted in this regard.
- Improving access to information that is adequate, accurate and truthful is important and particularly challenging with low levels of literacy.

28) Several delegations expressed the view that these proposals should be considered only as questions for further discussion and did not reflect the consensus of the Committee, since there were different views regarding some areas of work, especially mandatory nutrition labelling and advertising. It was also noted that specific food standards were the responsibility of the relevant Commodity Committees and would not be considered by the CCFL.

29) The Delegation of South Africa proposed that health and nutrition be acknowledged as part of the Codex mandate in view of their importance in the implementation of the Global Strategy.

30) Some delegations did not support any reference to specific areas of work at this stage, as this should be considered later in the light of the result of the e-Forum and the document to be prepared by FAO and WHO, with the understanding that relevant project documents would be developed in the future as required.

31) The Committee noted some specific proposals for wording put forward in the discussion: referring to “truthful and non misleading information” as the question of advertising was still under discussion; highlighting the importance of nutrition information in allowing consumers to make appropriate food choices that would reduce the risk of chronic diseases; and including a reference to “optimizing health and nutrition”. The Chairperson however pointed out that the above list was only intended to reflect the proposals made in the discussion and were not specific proposals for new work.

32) The Representative of FAO thanked the Committee for its support of the Global Strategy and its constructive discussion and indicated that FAO and WHO would take into account the themes proposed at the current session in the preparation of a new document for consideration by the Commission.

33) The Committee noted that WHO and FAO would inform the Commission of the results of the e-forum on the Global Strategy and seek the agreement of the Commission to proceed with the development of a document containing proposals for future areas of work in the implementation of the Global Strategy. This document would be sent out in a CL from the Commission for comment and could allow the CCFL to propose new work to implement the Global Strategy.

CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS

(Agenda Item 3)⁴

Committee on Nutrition and Foods for Special Dietary Uses

Draft Revised Standard for Processed Cereal-Based Foods for Infants and Young Children (at Step 8)
(ALINORM 06/29/26, Appendix II)

34) The Committee endorsed the labelling provisions as proposed.

Committee on Milk and Milk Products

Draft Standard for a Blend of Evaporated Skimmed Milk and Vegetable Fat

Draft Standard for a Blend of Skimmed Milk and Vegetable Fat in Powdered Form

Draft Standard for a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat

35) The Delegation of Malaysia, referring to their comments in CRD 26, said that in their country these products were known under the names “Evaporated Filled Milk”, “Filled Milk Powder” and “Sweetened Condensed Filled Milk” respectively, and proposed to add footnotes to that effect in section 7.1 of each standard.

36) Other delegations recalled that this proposal had also been made in the CCMMP and that after considerable discussion such examples had been removed from the standards in order not to cause confusion. The sentence “Other names may be used if allowed by national legislation in the country of retail sale.” had been added to 7.1 as a compromise which meant that the names proposed by Malaysia could be used in their country. It was also mentioned that reference to milk for these products was not consistent with the General Standard on the Use of Dairy Terms. The Committee agreed to retain the text as proposed by the CCMMP.

37) The Secretariat drew the attention of the Committee to the reference to “reduced fat” in the above standards and to the provisions on comparative claims in the Guidelines for Use of Nutrition and Health Claims.

38) The Delegation of the United States pointed out that the term “reduced fat” was a nutrient comparative claim and proposed to include the following text at the end of section 7.1 of each standard (adapting the <name of the product> as appropriate in each standard): “ ‘Reduced Fat’ is a nutrient comparative claim. A Reduced Fat <name of the product> must meet the requirements of Section 6, Comparative Claims, of the Guidelines for Use of Nutrition and Health Claims (CAC/GL 23-1997, Rev.1-2004).”. The Committee agreed with this proposal.

39) The Observer from IDF expressed the view that due to the composition and technological process applied to these products, the term “reduced fat” did not refer to a comparative claim.

40) The Delegation of Mexico said that the advisory statement contained in 7.5 of the proposed labelling provisions was not needed because in their country no confusion of these products with infant formula existed. They suggested adding a phrase at the beginning of 7.5 to that effect.

41) The Committee agreed to add the words “Subject to the legislation of the country of retail sale...” at the beginning of 7.5.

42) The Committee endorsed the labelling provisions as amended. The Committee noted the concerns expressed by the Delegation of Canada, that it should be considered further whether the addition of the phrase in 7.5 could lead to consistency problems with other standards for milk and milk products.

⁴ CX/FL 06/34/3 and Add.1; CRD 5 (India, Indonesia); CRD 25 (European Community); CRD 26 (Malaysia)

Draft Revised Standard for Cheddar (C-1)
Draft Revised Standard for Danbo (C-3)
Proposed Draft Revised Standard for Edam (C-4)
Proposed Draft Revised Standard for Gouda (C-5)
Proposed Draft Revised Standard for Samsø (C-7)
Proposed Draft Revised for Emmental (C-9)
Proposed Draft Revised for Tilsiter (C-11)
Proposed Draft Revised for Saint-Paulin (C-13)
Proposed Draft Revised for Provolone (C-15)
Proposed Draft Revised for Coulommiers (C-18)
Proposed Draft Revised for Camembert (C-33)
Proposed Draft Revised for Brie (C-34)
Proposed Draft Revised Standard for Havarti (C-6)
Proposed Draft Revised Standard for Cottage Cheese (C-16)
Proposed Draft Standard for Mozzarella
Proposed Draft Revised Standard for Cream Cheese (C-31)

43) The 6th Session of the CCMMP had transmitted the labelling provisions of the Draft Revised Standards for Cheddar and Danbo to the 33rd Session of the CCFL. The CCFL had not been able to reach a conclusion on the mandatory country of origin labelling provisions in the standards and had referred them back to the CCMMP for further clarification on the matter (see ALINORM 05/28/22, para. 20). The 7th CCMMP had proposed to include a section 7.2 on mandatory country of origin labelling in all sixteen above cheese standards and provided the explanations contained in CX/FL 06/34/3 Add.1, paras. 56 to 61.

44) The Delegation of New Zealand did not support the inclusion of section 7.2. The Delegation also did not agree with the justification provided by the CCMMP in particular that “omission of country of origin information in case of these specific C-Standards, would mislead or deceive the consumer”. The Delegation was of the opinion that the provisions provided in the General Standard for the Labelling of Prepackaged Foods, namely section 4.5.1 sufficiently allowed countries to use mandatory country of origin labelling if the issue of misleading or deceiving the consumer arose. The Delegation proposed to remove 7.2 from the individual standards and to endorse all other labelling provisions in the standards, so as to allow their adoption by the Commission.

45) The Delegation of the EC, supported by several delegations and some observers, was in favour of endorsing the standards as proposed by the CCMMP and pointed out that the labelling provisions should be endorsed with section 7.2. The Delegation was of the opinion that the proposed section 7.2 was in line with section 4.5.1 of the General Standard for the Labelling of Prepackaged Foods. The Delegation felt that there was a real risk of misleading or deceiving the consumer if the country of origin was omitted, e.g. because some of the names of the cheeses were linked to the region from which the product historically originated.

46) The Delegation of Canada supported by several Delegations and one observer was of the opinion that more time was needed to study the referral as it had only been made available recently. In this context it was also mentioned that at the last session of the Committee, clarification had been requested on two standards, whereas now sixteen standards were proposed for endorsement and the justification given by the CCMMP for mandatory country of origin labelling appeared to be clearer for some of these than for others, such as the standards for cream cheese and cottage cheese. The Delegation proposed to endorse the other labelling provisions and to retain section 7.2 for further discussion by CCFL.

47) The Committee concluded that there was a lack of consensus on the endorsement of the labelling provisions of the individual cheese standards in particular section 7.2 and did not endorse the provisions. The Committee recognized that there were no objections to any of the other sections of these provisions. The Committee noted that the standards would be forwarded to the Commission without endorsement of the labelling provisions. The Committee noted further that several delegations had indicated that they needed more time to study the proposals and that, if these delegations could agree to the labelling provisions at the time of the Commission, the standards could be adopted by the Commission with the labelling provisions.

Draft Revised Standard for Whey Cheeses (A-7)

Proposed Draft Revised Standard for Dairy Fat Spreads

48) The Committee endorsed the labelling provisions as proposed.

GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS (Agenda Item 4)⁵

49) The Chair of the Working Group held prior to the session, Ms. Carla Barry (Canada) presented the discussions and recommendations relating to Agenda Items 4a) and 4c), as specified in the mandate given to the Working Group at the last session of the Committee. The conclusions of the Working Group and the discussions of the Plenary Session are presented below according to the relevant Agenda Item.

DRAFT REVISED ANNEX 2: TABLE 3 (Agenda item 4a)

50) The Committee recalled that its last session had returned the Draft Table 3 to Step 6 for redrafting by an electronic Working Group coordinated by Canada and further comments. However, it had not been possible to ask for comments due to the late reception of the revised Draft Table and document CX/FL 06/34/4-Add.1 had not been prepared.

51) The Chair of the Working Group highlighted the main changes that had been made to the Table presented in the working document (CX/FL 06/34/4) and noted that, as a general approach, the Working Group had focused its efforts on those food additives where there was considerable agreement and which were not in square brackets. The Committee endorsed a number of recommendations of the Working Group and further discussed some of its proposals, as follows.

52) The Committee agreed that the revised Table should be clear, short, and consistent with the format and terminology used for the food categories in the General Standard for Food Additives (GSFA). General food category listings would be used whenever possible, and subcategory listings or specific food items would be used where restrictions applied. The list was to be both indicative and restrictive, i.e., listing the food categories and the functional uses for which each additive is permitted in organic foods. Where all functional uses listed in the GSFA were applicable for a food additive, the term “all” would be included in the table.

53) The Committee noted that 220 Sulphur Dioxide was still under consideration in the framework of the GSFA in the CCFAC and agreed to retain it in square brackets until the levels of use for wines, cider and perry had been finalised and adopted by the Commission, and agreed that a similar approach would be applied to all additives provisions that had not been finalized by CCFAC and adopted by the Commission.

54) The Committee noted that 410 Carob Bean Gum was allowed in the GSFA and had been initially placed in square brackets by error due to a correction in its name (from Locust Bean Gum). The Committee noted a proposal to insert it in the list of allowed additives but agreed to retain it for further consideration, as its functional uses had not been defined.

55) The Committee agreed to correct some of the functional classes and made some editorial corrections for clarification purposes.

56) Some delegations proposed to split the Table into two sections, one that would include the additives approved by CCFAC or in a Codex standard adopted by the Commission and for which there was consensus on use for organic production, that should be forwarded to the Commission for adoption at Step 8. The second Table would include those food additives that remain in square brackets and would be circulated for comments at Step 6 for further consideration at the next session.

57) The Secretariat informed the Committee that the Draft Table 3 had not been circulated at Step 6 for comments since July 2003 after its adoption at Step 5 by the Commission; following its consideration by the 32nd Session (2004), it been substantially redrafted in 2005 and 2006, but had not been circulated for comments at Step 6 prior to the 33rd and 34th (present) sessions.

58) The Committee agreed that although the document had not been sent to Step 6 for comments, it should be advanced to Step 8 for adoption by the Commission as there was consensus on the list of additives.

⁵ CX/FL 06/34/4, CRD 15 (Canada), CRD.18 (AIDGUM, IFOAM), CRD.24 (Report of the Working Group)

59) The Committee also agreed that:

- Food additives and/or functional uses under evaluation by JECFA and food additives provisions not adopted by the CAC would remain in square brackets; and
- Future submissions for the addition of a food additive to Table 3 of Annex 2 of the Guidelines will only be considered if that additive is approved by JECFA and adopted by the Commission.

Status of the Draft Revised Annex 2: Table 3

60) The Committee agreed to advance to Step 8 for adoption by the 29th Session of the Codex Alimentarius Commission the section of the Draft Revised Table 3 presented in Appendix II and to return to Step 6 the section presented in Appendix III for comments and consideration at the next session.

PROPOSED DRAFT REVISED ANNEX 2: TABLE 1 (NATURAL SODIUM NITRATE) (Agenda Item 4b)⁶

61) The Committee recalled that its last session had returned the Proposed Draft Revised Table 1 to Step 3 for further comments due to lack of support for the inclusion of Natural Sodium Nitrate (NSN) in the list.

62) The Delegation of Chile recalled that natural sodium nitrate had been assessed against the criteria in the Guidelines and that all relevant scientific information had been provided to the Committee in previous sessions. The Delegation pointed out that organic producers faced economic difficulties when they had to import fertilisers and that this fertiliser provided an important alternative, and noted that specific conditions of use could be defined further in Table 1 if required. The Delegation noted that several delegations had previously expressed their objections to the inclusion of this substance in the list; however no clear scientific arguments had been provided to demonstrate that it did not meet the criteria set forth in section 5 of the Guidelines.

63) The Delegation of Tunisia expressed the view that natural sodium nitrate did not comply with the principles of organic production for the following reasons: it was from a non renewable source and was comparable to conventional fertilizers insofar as it was directly absorbed by the plant, whereas organic practices were intended to improve biological life in the soil so as to allow the release of nitrogen in the soil. As regards the existence of alternative sources of nitrogen, the Delegation noted that current organic practices could be used to improve the biological activity of the soil. This position was supported by many delegations and the Observer from IFOAM.

64) Many delegations and the Observer from IFOAM proposed to discontinue consideration of this substance as it not allowed in organic production in most counties and there was no support for its inclusion in Annex 2.

65) Some delegations proposed to consider further the evaluation of this substance at the next session in the framework of the Working Group, taking into account the recommendations made at the present session on the evaluation of substances (see Agenda item 4c). This would give an opportunity to the Delegation of Chile and other delegations to provide further evidence regarding NSN against the criteria in the Guidelines, in order to facilitate the evaluation of this substance at the next session. The Committee agreed to consider this substance further at its next session and in the Working Group.

Status of the Proposed Draft Revised Annex 2: Table 1 (Natural Sodium Nitrate)

66) The Committee agreed to return the Proposed Draft Revised Table 1 to Step 3 for further comments and consideration at the next session (see Appendix IV). It was agreed that the comments should specifically take into account the criteria in Section 5 of the Guidelines and address each requirement mentioned in the process agreed upon in Agenda Item 4c) (para. 72, second indent).

CONSIDERATION OF THE PROCESS FOR EVALUATING SUBSTANCES IN ANNEX 2 (Agenda Item 4 c)⁷

67) The Committee recalled that its last session had agreed that an electronic Working Group chaired by the Delegation of the United States would develop a discussion paper to develop a process for evaluating

⁶ ALINORM 05/28/22, Appendix IV, CX/FL 06/34/5 (comments of Brazil, EC), CX/FL 06/34/5-Add.1 (Indonesia), CRD 6 (Canada, India), CRD 14 (Philippines)

⁷ CX/FL 06/34/6, CRD 19 (Comments of Canada)

substances for inclusion in Annex 2. The Committee considered the recommendations of the Working Group on how to proceed further with the evaluation of the substances in Annex 2.

68) The Committee agreed to discontinue further work to develop a new process for evaluating substances and considered the recommendations put forward in CRD 24 in order to apply the existing criteria under Section 5 to the evaluation of substances in Annex 2.

69) The Committee had an extensive discussion on the nature of the comments and information that should be submitted prior to the sessions of the CCFL in order to address the substances in square brackets requiring further consideration.

70) Some delegations supported a reference to a scientific evaluation, while several other delegations and the Observer from IFOAM pointed out that not all criteria were based on science. It was also noted that some traditional practices used in several countries had not been the subject of scientific research but were accepted as part of an organic system in those countries.

71) After an extensive discussion it was agreed to refer to the results of evaluations including, as appropriate, a summary of scientific research, the analysis of stakeholder viewpoints, as it would cover consumers and producers, and the analysis of principles of organic production.

72) The Delegation of Austria, speaking on behalf of the Member states of the European Community present at the Session, proposed to add a new requirement to the effect that “a substance must be approved by a national authority or be recognized by an international organization for organic production” before presenting a proposal for its inclusion in Annex 2. The Delegation of Switzerland and the Observer from IFOAM supported this approach. Some delegations did not support the reference to an “international organisation” as they considered that the substances should be considered in the framework of Codex at the international level. Some delegations noted that substances might not be approved at the national level as not all countries had established national regulations. The Committee did not include this proposal in the criteria but agreed that it could be considered further in the Working Group.

73) The Committee discussed how to establish priorities on the basis of the comments received taking into account their number, content and whether they supported or opposed the inclusion of a substance. Several delegations pointed out that the main issue was not the number of comments received but their content and how they provided substantial information related to the criteria. It was also proposed to take into account the ratio between supporting and opposing comments.

74) After some further discussion, the Committee agreed to proceed as follows

1. Further work on a new process for evaluating substances is discontinued;
2. Prior to the next CCFL meeting, members and observers should submit a summary of the results of their evaluation (including, as appropriate, scientific research and/or analysis of stakeholder viewpoints and/or analysis of principles) against the criteria in Section 5 of the Guidelines addressing each of the substances in square brackets (this includes comments that support or oppose the addition of substances to Annex 2);
3. A Working Group will meet prior to the next session of the CCFL to address the substances in square brackets;
4. Substances should be considered on a priority basis which includes consideration of the number of comments and the substance of those comments and the significance of those comments, either for or against, and of the adoption or otherwise of those substances in national or international standards;
5. Substances should be prioritised keeping in view their adoption by the Codex Alimentarius Commission.

PROPOSALS FOR NEW WORK

Ethylene⁸

75) The Delegation of New Zealand introduced the proposal for new work presented in CX/FL 06/34/11 and indicated that the justification for the use of ethylene followed the requirements of Section 5 of the *Guidelines*, and was based on data for ethylene ripening of kiwifruit. As ethylene did not appear to fit the categories covered in Tables 1 to 4 of Annex 2, the Delegation proposed to include it as a separate point under Annex 1, Principles of Organic Production, Section C – Handling, Storage, Transportation and Packaging. The Delegation also proposed to consider ethylene in the Working Group to be held prior to the next session to address the substances proposed for inclusion in Annex 2.

76) The Delegations of Canada and the United States, while not opposing the consideration of ethylene, expressed their concern with the large number of substances for consideration in the Working Group and more generally with the process to be followed in the Committee for the inclusion of new substances in Annex 2. The Committee agreed that this question could be discussed further at the next session.

77) The Committee agreed to seek the approval of the Commission to undertake new work on the inclusion of ethylene in the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods and agreed to forward to the Commission the project document prepared by New Zealand in support of this proposal.

Rotenone⁹

78) The Delegation of Japan introduced the proposal and project document presented in CRD 9 concerning the deletion of rotenone from Table 2 in Annex 2 of the Guidelines, on the grounds that rotenone was toxic to fish and could have harmful effects on the environment if it was released into waterways.

79) The Delegation of the United States pointed out that rotenone was a natural substance commonly used in organic production, and questioned the scientific justification of the proposal for its deletion, as no substantial evidence was put forward to demonstrate its toxic effects on the environment and potential effects on human health. The Delegation of New Zealand suggested that the proposal from Japan would be sufficient to undertake new work.

80) The Committee did not support new work on the deletion of rotenone but agreed that the Delegation of Japan should prepare a more detailed proposal with scientific justification according to the criteria in section 5 for consideration of the next session.

General conclusion

81) In conclusion, the Committee expressed its appreciation to Ms. Carla Barry and to the Working Group for their constructive work and considerable progress and agreed that it would be reconvened prior to the 35th Session. It would be chaired by Canada and would function in English, French and Spanish. The mandate of the Working Group was to consider the substances in square brackets in Annex 2, the proposal for ethylene made at the present session, and to proceed in accordance with the recommendations in paragraph 74), indents 2 to 5.

⁸ CX/FL 06/34/11, CRD 10 (comments of Canada, Indonesia)

⁹ CX/FL 06/34/11-CRD 9 (Proposal from Japan)

LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING (Agenda Item 5)¹⁰

DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS (DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING): DEFINITIONS (AT STEP 7) (Agenda Item 5a)

PROPOSED DRAFT GUIDELINES FOR THE LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING: LABELLING PROVISIONS (Agenda Item 5b)

82) The Committee recalled that its last session had agreed to return the Proposed Draft Guidelines for redrafting by an electronic Working Group led by Canada. The mandate of the Working Group was to reconstruct the Guidelines, including mandatory provisions for health and safety related labelling and optional method of production labelling provisions in the light of the comments made at the 33rd Session and received prior to the session.

83) The Delegation of Canada informed the Committee that it had redrafted the Guidelines as agreed at the last session, and circulated it twice for comments within the Working Group; however it had not been possible to reach consensus on a revised version of the Guidelines. The revised draft was provided in the report for information and consideration by the Committee.

84) Many delegations expressed their appreciation to Canada for its considerable work on the preparation of the document and for its continuous efforts to facilitate consensus on this issue in previous sessions.

85) Several delegations, while recognizing the efforts made by Canada to redraft the Guidelines, did not support the approach taken in the revision, especially the separation of the document into mandatory and voluntary provisions, or according to safety and other aspects, and stressed that the mandate of Codex was not to provide guidelines for the industry, but recommendations for governments.

86) The Chairperson recalled that although considerable efforts had been made since the Committee had undertaken work on this item, under consideration in the Step Procedure since 1997, including extensive consideration of all the issues involved in the Committee or in working groups, there was no consensus on further development of the Guidelines or on their content. The Chairperson invited the Committee to consider whether work should be discontinued or suspended at this stage, with the understanding that work could be resumed as required in the light of new developments.

87) Several delegations indicated that they applied general mandatory labelling of foods derived from genetic modification at the national level and supported the same approach in the Proposed Draft Guidelines in order to ensure adequate consumer information. The Chairperson however recalled that the Committee was not discussing the content of the Guidelines at this stage but invited delegations to consider how the Committee should proceed further with its work.

88) Many delegations and some observers supported further discussion of this issue in view of its importance for consumers and as many governments had established regulations in this area, and recalled that the role of Codex was to provide guidance to governments, pointing out that the Committee and the Codex Alimentarius Commission would not comply with their mandate if they failed to develop relevant guidelines. These delegations therefore supported the establishment of a physical Working Group to discuss further all relevant issues, and noted that the considerable work carried out in previous sessions should be taken into account in the process. Several delegations proposed in particular to take into account the Proposed Draft Guidelines discussed in the Committee in 2004 (ALINORM 04/27/22 Appendix VI) and the work undertaken by Canada for the present session.

89) Several other delegations and some observers supported discontinuation or suspension of work as this issue had been discussed for many years and it was clear that there was no consensus and no prospect of further progress in the near future, and the resources of the Committee should be better used to address other issues. Some of these delegations highlighted the recommendations of the 55th Session of the Executive

¹⁰ ALINORM 05/28/22 Appendix III, CX/FL 06/34/7 (report of the electronic Working Group), CRD 7 (comments of Canada, India), CRD 11 (Kenya, Philippines), CRD 25 (EC), CRD 2 (Canada, India, Indonesia, IFT), CRD 23 (Bolivia), CRD 26 (Malaysia)

Committee concerning the options that should be considered when no consensus existed, and proposed either to discontinue work or to narrow the scope of Guidelines and focus on the areas that were not controversial. These delegations supported further work on labelling provisions addressing health, food safety and nutrition aspects of genetically modified/genetically engineered foods and noted that consensus could be achieved on the approach to such labelling. Some delegations expressed concern with the impact on trade of labelling provisions in this area.

90) Some delegations pointed out that foods derived from biotechnology were assessed in their countries for safety prior to approval for marketing and that labelling requirements did not relate to concerns for their safety but to the information of the consumer as to the nature of the product, and that the Committee needed to address the issue in this perspective. Some delegations and observers recalled that the Committee had a specific mandate from the Commission in this respect.

91) Some delegations stressed the importance of Codex recommendations in order to provide guidance to developing countries, as it would facilitate the establishment of national policy or requirements concerning labelling of GM/GE foods and therefore supported further work in this area.

92) The Chairperson noted that there was considerable support to continue work and to establish a physical Working Group for this purpose and proposed that it should consider all relevant issues in order to identify the main problems, and take into account the experience of the countries that had established relevant regulations, including communication aspects. The Committee agreed to hold a physical Working Group in Norway. After some discussion, the Committee agreed that the Working Group would be held in January 2007 in Norway, would be co-chaired by Norway, Argentina and Ghana, and would work in English, French and Spanish.

93) Some delegations expressed their concern with the role and mandate of such a Working Group in relation to the work under consideration in the Committee and stressed that it should not go beyond the mandate of the Codex. Some delegations stressed the need to take into account the work that had already been carried out in previous years, especially the Proposed Draft Guidelines.

94) Some delegations expressed the view that it was particularly important to take into account the general recommendations set forth in the *Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the Extent to Which Other Factors are Taken into Account* and the *Codex Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius*. Other delegations pointed out that this proposal was too restrictive and that all relevant Codex texts should be taken into account, especially as regards labelling, and that the focus of the discussion should remain on labelling issues, in conformity with the mandate of the Committee.

95) After some further discussion, the Committee considered the proposed terms of reference prepared by a group of countries¹¹ and agreed on the following objectives and terms of reference for the Working Group.

96) The objective of the Working Group is to assist the Codex Committee on Food Labelling with guidance relating to the further development of the *Draft Proposed Guidelines for the Labelling of Food and Food Ingredients Obtained through Certain Techniques of Genetic Modification-Genetic Engineering*.

Within the mandate of Codex, the Working Group shall address the following areas:

1. Consideration of the rationale for Members' approach to the labelling of food and food ingredients obtained through certain techniques of genetic modification/genetic engineering.
2. Identify the current standards, regulations, acts/decrees, etc. among current Members with respect to the mandatory and voluntary labelling of foods and food ingredients obtained through certain techniques of genetic modification/genetic engineering.
3. Identify Members practical experiences in applying/implementing mandatory and voluntary labelling of food and food ingredients obtained through certain techniques of genetic modification/genetic engineering.
4. Identify communication strategies used in communicating information to the public on foods and food ingredients obtained through certain techniques of genetic modification/genetic engineering with particular reference to how Members label these foods.

¹¹ United States, Canada, Thailand, India, EC and the co-chairs of the proposed working group, Norway, Argentina and Ghana

5. The output CCFL may require to respond to items 1-4 above.

97) The Committee agreed that in undertaking this work, the Working Group should take into account information presented in:

- Existing proposed draft texts on the labelling of foods and food ingredients obtained from certain techniques of genetic modification/genetic engineering prepared by the Codex Committee on Food Labelling, and associated comments and committee reports.
- Relevant Codex texts such as, but not limited to, the *Codex Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the Extent to Which Other Factors are Taken into Account* and the *Codex Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius*, particularly those sections relating to risk management and risk communication.
- The WHO document *20 Questions on Genetically Modified (GM) Foods*.

98) The Committee agreed that the Working Group would be held in January, 2007, and its report would be presented at the 35th Session of the CCFL. The Circular Letter requesting information on items 1 to 4 above should be issued to provide sufficient time for responses to be received in advance of the January, 2007 Working Group meeting.

99) The Committee noted that many delegations and observers expressed their interest in participation in the Working Group¹² and recalled that physical working groups were open to all members and observers. For practical reasons, it was recommended that delegations should not exceed two participants

Status of the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification / Genetic Engineering): Definitions

100) The Committee agreed to retain the Draft Amendment at Step 7.

Status of the Proposed Draft Guidelines for the Labelling of Foods and Food Ingredients Obtained Through Certain Techniques of Genetic Modification/Genetic Engineering: Labelling Provisions

101) The Committee agreed to retain the Proposed Draft Guidelines at Step 4 pending consideration of the report of the Working Group established at the present session.

PROPOSED DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS: QUANTITATIVE DECLARATION OF INGREDIENTS (Agenda Item 6)¹³

102) The Committee recalled that this item had been debated thoroughly at the thirty-third session and it had been decided to forward the proposed draft amendment to the Commission for adoption at Step 5. The Commission after an extensive discussion in which there was no consensus on some aspects of the amendment had agreed to return it to Step 3 for further consideration by the Committee. After the Commission it had been circulated for comments. The Chairperson proposed to discuss the amendment focussing on the text remaining in square brackets to see if it could be changed to come to a consensus, and noted that a strong consensus was needed if the amendment was to be forwarded to the Commission for adoption at Step 5.

¹² Argentina, Australia, Austria, Barbados, Brazil, Bhutan, Cameroon, Canada, Cuba, EC, France, Germany, Ghana, Greece, India, Indonesia, Ireland, Italy, Japan, Republic of Korea, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Norway, Philippines, Sweden, Switzerland, Thailand, Tunisia, United Kingdom, United States, BIO, CI, CIAA, CLI, EFLA, IFT, ICBA, ICGMA, IGTC, NHF

¹³ ALINORM 05/28/22, App. II; CL 2005/48 FL; CX/FL 06/34/8 (Argentina, Australia, Brazil, Costa Rica, Fiji, Guatemala, Indonesia, Iran, Japan, Malaysia, Mexico, New Zealand, Panama, Paraguay, Saint Lucia, United States, Venezuela, CEFS, CIAA, ICBA, IDF, ISA, WSRO), Add.1 (EC, Jordan, Peru, South Africa), Add.2 (Indonesia, United States, IACFO), CRD 8 (Canada, India), CRD 12 (Kenya, Philippine), CRD 22 (ICGMA)

103) There was an extensive discussion of the topic in which the different delegations and observers expressed two general approaches to QUID declaration: (i) those who supported the approach in the draft amendment since it required a quantitative ingredient declaration (QUID) in the cases where the choice of the consumer may be influenced by the quantity of one or several ingredients present in the food; (ii) those who expressed that the existing text with possible improvements already provided adequate guidance to protect consumers and who did not support that QUID should be compulsory on a broad basis, as proposed in the amendment, because this could lead to consumer confusion and to barriers to trade.

104) The Delegation of Paraguay expressed the view that it did not agree to amend the General Standard for the Labelling of Prepackaged Foods with respect to QUID, referring to its written comments.

Section 5.1.1 and subsections (a) to (c)

105) The Delegation of the EC, supported by a number of delegations and observers, considered that the quantity of any ingredient emphasized in the name of the food should be declared, and therefore the square brackets around subsection (c) of paragraph 5.1.1 should be deleted.

106) The Delegation of Mexico was of the opinion that the proposed amendment could be moved forward with a number of clarifications to the text, and in particular that subsection (a) should refer to an ingredient “that is emphasized as present” without specifying how it was emphasized. The Delegation indicated that it follows the discussion on subsection (c) closely as the option of “appears” leaves no possibility of misunderstanding its application, but it implies universal labelling, for which there appears to be no consensus .

107) The Delegation of Indonesia proposed some editorial amendments for clarification purposes and expressed the view that QUID should be applied to ingredients that are emphasized and not only “appear” on the label.

108) The Delegation of the United States, supported by a number of delegations and observers, was of the opinion that the wording in some areas of the proposed amendment was confusing and open to different interpretations. The Delegation proposed to examine the existing terminology in section 5 of the General Standard, which had served well up to now and to improve it, using relevant wording from the proposed amendment to clarify “special emphasis” in labelling. The Delegation proposed to delete (c) because it seemed to require QUID for too wide a spectrum of cases and its intent was already covered in 5.1.1 (a) and (b) and to add a subsection (h) taken from the existing 5.1.3 to read as follows: “A reference in the name of a food to a particular ingredient shall not of itself constitute the placing of emphasis.”

109) The Delegation of Canada was of the opinion that it was important to maintain the principles of the existing text and proposed to move (a) into 5.1.1. The Delegation was of the opinion that (b) was already covered by 5.1.1 and that (c) was in contradiction with the present text of 5.1.3 and should be deleted. The Delegation of Japan proposed to include the wording of (c) into the main paragraph 5.1.1.

110) The Delegation of Argentina pointed out that all subjective elements should be eliminated from the document, due to the diversity of interpretations that they would cause. In this context, it mentioned difficulties with the reference to “category of ingredients” which in some national regulations included declarations that were not specified in the usual categories of ingredients, such as fillings.

Subsection d) and e)

111) Many delegations and some observers were of the opinion that the provisions in section 5.1.1. (d) and (e) were adequately covered by the Guidelines on Nutrition Labelling and the Guidelines for Use of Nutrition and Health Claims and therefore should be deleted.

112) Other delegations proposed to retain either (d) or (e) and made a number of proposals for amendments. The Delegation of Japan proposed to retain (d) and to delete (e). The Delegation of Brazil proposed to delete (d) and to include only claims on sugars in subsection (e) as the other products were already covered by subsection (a). In subsection (e), the Delegation of Canada proposed to add other premium ingredients such as dairy products, honey, maple or legumes and to delete the words “and added sugars” as this was considered a nutrient content claim. The Delegation of Mexico proposed to retain (d) without the reference to the health of consumers and to delete (e). The Delegation of India proposed to delete the reference to “implied” claims in (e).

113) The Delegation of Malaysia supported the inclusion of both (d) and (e) as they provided important guidance on the conditions under which QUID should be applied and proposed to delete the words “or added sugars” in (e) as the information on total sugars was more useful for the consumer and this was more appropriately addressed in the Guidelines for Nutrition Labelling. The Observers from CI and IACFO supported the inclusion of both (d) and (e) in the section.

114) The Delegation of Norway proposed to retain (d) and (e), referring to the implementation of the Global Strategy on Diet Physical Activity and Health, and also proposed to add a new subsection to read: “is defined as an added sugar, for which a reduced consumption is deemed necessary by WHO to enhance the health of consumers”.

115) The Observer from IACFO expressed the view that ingredients such as vegetables or added sugars are not addressed by the Guidelines on Nutrition Labelling and accordingly, proposed a new wording to replace (d), or (d) and (e), adapted from 3.2.1.4 of the Guidelines on Nutrition Labelling as follows: “any other ingredient to be relevant for maintaining a good nutritional status or good health, as required by national legislation or national dietary guidelines or to otherwise prevent consumer deception.”

Subsection (f)

116) Some delegations proposed to retain a numerical reference of 5% as it was consistent with section 4.2.1.3 of the General Standard for the Labelling of Prepackaged Foods. Other delegations supported a reference to 2% in view of the nature of the substances concerned.

117) The Delegation of the EC, supported by many delegations, proposed an alternative wording for 5.1.1. (f) to avoid mentioning a percentage: “(f) The ingredient is used in small quantities for the purposes of flavouring.” The Committee agreed with this proposal.

Subsection (g)

118) The Delegation of South Africa proposed to make an exception not only for Codex standards but for national legislation conflicting with the requirements of the section, and proposed to amend the text accordingly. The Delegation of Canada proposed to refer only to the situation where Codex standards exist without mentioning a conflict with the requirements of the section.

Section 5.1.2

119) The Delegation of South Africa expressed the view that it would like to have a choice as to how the quantity is expressed; either as a percentage or as the weight of the ingredient(s) used to prepare 100 g of the end product, as the concept of concentration of an ingredient expressed as a percentage is well understood by consumers, even when that percentage exceeds 100%. The Delegation of Argentina expressed the opinion that paragraph 5.1.2 was too complex and although it was technically correct, it could be confusing for consumers. The Delegation of Japan proposed in their comments an alternative wording for the term “an average percentage”.

120) The Delegation of the United States proposed to amend at the end of the first paragraph “average percentage” to read “minimum percentage” and to amend the last paragraph in 5.1.2 to read as follows: “For foodstuffs which have lost moisture following heat or other treatment the percentage shall correspond to the quantity of the ingredient(s) used, related to the finished product.”

121) The Chairperson summed up the discussion and concluded that there was consensus only on the amendment to subsection (f) and there was not sufficient consensus on the rest of the proposed amendment to forward it to the Commission. The Committee agreed with the Chair’s proposal to hold a Working Group meeting prior to the next session of the CCFL to refine the proposed amendment, taking into account the discussion at the present session and the comments submitted. The Delegation of the United Kingdom agreed to chair this Working Group.

Status of the Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients.

122) The Committee agreed to return the Proposed Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients to Step 3 for further discussion in the Committee and a Working Group chaired by the United Kingdom to be held immediately prior to the CCFL (see Appendix VI).

PROPOSED DRAFT DEFINITION OF TRANS FATTY ACIDS (Agenda Item 7)¹⁴

123) The Committee recalled that while considering the adoption of the Draft Revised Guidelines for Nutrition Labelling, the Commission had requested the CCFL to continue its work on trans fatty acids in cooperation with the CNFSDU to provide a definition of trans fatty acids. Following consideration of a proposed definition by the CCNFSDU, the 33rd Session of the CCFL proposed to undertake new work through the Accelerated Procedure on the Proposed Draft Definition and the 29th Session of the Commission approved this proposal.

124) The Committee noted several proposals concerning the inclusion of the definition in different Codex texts. Several delegations supported its inclusion in the Guidelines on Nutrition Labelling and some delegations proposed to include it in the General Standard for the Labelling of Prepackaged Foods, in view of its general nature, or in the Guidelines for Use of Nutrition and Health Claims. The Committee agreed to include the definition in the Guidelines for Nutrition Labelling as all definitions of nutrients were included in these Guidelines.

125) The Delegation of South Africa expressed the view that the definition was based only on chemical characteristics and did not take into account biological data on trans fatty acids, as some natural trans fatty acids may have beneficial effects on health. The Delegation therefore proposed to defer the finalization of the definition until more scientific evidence became available on the effects of trans fatty acids and on the methodology for their determination, and proposed that FAO and WHO provide scientific advice on this issue. This position was supported by some observers.

126) Several delegations supported the definition as currently proposed and recalled that it had been considered carefully in two sessions of the CCNFSDU and in the last session of the CCFL, and that all members had agreed earlier on the text of the definition.

127) The Delegation of Canada, supported by the Delegation of Australia, while supporting the intent of the definition, expressed the view that the definition was scientifically and technically incorrect as only polyunsaturated fatty acids were separated by at least one methylene group, carbon-carbon double bond, while the definition suggested that this was the case also for monounsaturated fatty acids. The Delegation therefore proposed to refer to “unsaturated fatty acids” in the definition in order to avoid this confusion, deleting the reference to mono- or poly-unsaturated fatty acids.

128) The Delegation of New Zealand proposed to address this issue with a limited amendment, by inserting the word “fatty acids” after “monounsaturated” and adding a coma after “double bonds” in the last sentence.

129) The Delegation of Austria, speaking on behalf of the Member States of the EC present at the session, proposed to include a footnote to the effect that Codex Members may review the inclusion of specific trans fatty acids if new generally accepted scientific data demonstrates that their nutritional effects differ from those observed for trans fatty acids in general.

130) The Delegation of the United States, supported by other delegations, pointed out that section 5.3 of the Guidelines on Nutrition Labelling made provisions for possible revision of the definition of specific nutrients and proposed to include trans fatty acids in the section, as it would make it clear that the definition could be reviewed.

131) The Delegation of France did not support this proposal as the nutrients mentioned in section 5.3 were the subject of specific provisions in Guidelines on Nutrition Labelling, whereas requirements for fatty acids were left to national authorities, and therefore a specific footnote was necessary to provide guidance to members on the inclusion of trans fatty acids in the definition. The Secretariat indicated that provisions for trans fatty acids existed in the Guidelines for Use of Nutrition and Health Claims (Table of Condition for Claims).

132) The Chairperson recalled that members could always propose amendments to the provisions in Codex texts when new scientific evidence became available, irrespective of the additional text that might be included in the present definition, and invited delegations to consider this issue with a constructive approach in order to achieve consensus on this important definition, as requested by the Commission.

¹⁴ CL 2005/51-FL, CX/FL 06/34/9 (comments of Costa Rica, Fiji, Iran, Jordan, Mexico, New Zealand, Peru, South Africa, United States, EDA, FEDIOL, IDF, IFMA), CX/FL 06/34/9-Add.1 (Brazil, EC), CRD 13 (Canada), CRD 17 (Kenya, Philippines), CRD 21 (Argentina), CRD 26 (Malaysia)

133) After some further discussion, the Committee agreed to retain the definition as proposed at the last session and to insert a footnote referring to the review of the inclusion of trans fatty acids “if new generally accepted scientific data become available”.

134) The Delegation of Malaysia expressed its objection to the decision to include the said footnote to the definition, since the current text resulted from general consensus in earlier sessions and it is generally accepted that Codex texts may be reviewed from time to time.

Status of the Proposed Draft Definition of Trans Fatty Acids

135) The Committee agreed to advance the Proposed Draft Definition to Step 5 of the Accelerated Procedure for final adoption by the 29th Session of the Codex Alimentarius Commission and inclusion in the Guidelines on Nutrition Labelling (see Appendix V).

DISCUSSION PAPER ON ADVERTISING (Agenda Item 8)¹⁵

136) The Committee recalled that the 26th Session of the Commission, while considering the Draft Guidelines for Use of Nutrition and Health Claims, had requested the Committee on Food Labelling to consider the development of a definition for advertising as related to health and nutrition claims. At its 33rd Session, due to time constraints, it had not been possible to discuss details of a definition for advertising, ways to address advertising issues and other relevant aspects and, therefore, it had been decided to further discuss this issue as a specific agenda item at the 34th Session, taking into consideration comments received on advertising and discussion at the last Session.

137) The Delegation of Canada introduced the discussion paper and said that it could see merit in including a definition on advertising as it related to nutrition and health claims. The Delegation reaffirmed the role of the CCFL in advertising as it was clearly articulated in its terms of reference. The Delegation proposed the following definition for use in relation to nutrition and health claims for consideration by the Commission: “**Advertising:** any representation to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of the food.”

138) The Committee limited its discussion to whether work on a definition of advertising should be initiated, and if so, where such a definition should be placed. Detailed comments and proposals on drafting from members and observers would be taken into account should the decision to start work be taken and approved by the Commission.

139) Several delegations and observers agreed with the opinion of Canada that developing a definition of advertising was within the mandate of the Committee and that work on such a definition should be started. As reasons for this, they highlighted the importance of advertising as information to consumers, as well as the fact that advertising was not limited to national borders. They were of the opinion that a definition of advertising could usefully establish a common understanding of this term and enable national authorities to regulate advertising on this basis. The Delegation of Ghana stressed the importance of such a common understanding because in addition to importing products, they also imported advertising from many areas of the world.

140) There were different opinions as to where to place a definition of advertising. Some delegations were of the opinion that the issue was mainly related to nutrition and health claims and should thus be limited to this area and be placed in the Guidelines for Use of Nutrition and Health Claims as a new section 2.1.3. Others expressed that advertising was used in several Codex texts and the definition could be placed in section 2 of the General Guidelines for the Labelling of Prepackaged Food. The Observer from Consumers International proposed that it should be placed in the Procedural Manual.

141) The Delegation of Indonesia stated that if Codex should develop guidelines on advertising, the guidelines should contain restrictions on advertising, but should not contradict labelling requirements. The Delegation of Japan agreed that advertising, as related to nutrition and health claims, should follow the same principles as labelling and did not support the development of guidelines specifically for advertising.

142) The Delegation of the United States was of the opinion that it was not appropriate for the CCFL to define advertising and that this should be left to national authorities to ensure that countries could regulate what happens within their national boundaries. The Delegation expressed concern that a well-meant Codex

¹⁵ CX/FL 06/34/10 and CRD 1 (Comments of Canada, India, Indonesia, CIAA, IACFO)

definition for advertising might impact negatively on the ability to deal with labelling issues at the national level because material might be seen as advertising in some countries and as labelling in others. The Delegation also expressed the view that it did not see how a definition of advertising within Codex texts could be helpful to countries because the existing Codex Guidelines for Use of Nutrition and Health Claims can be applied to advertising by national authorities.

143) The Delegation of the Philippines and several observers also did not support work of Codex on a definition of advertising. The Delegation felt that cultural differences in countries especially as regards to acceptable advertising for food were such, that a definition could only be usefully developed at the national level.

144) The Observer from the ICC made reference to the existing effective self-regulation mechanisms of advertising in 130 countries based on ICC codes for marketing and advertising practice also in the field of food and beverage advertising. In its opinion, CCFL work on advertising would be duplicative. The Observer offered to maintain an ongoing dialogue with CCFL on this issue.

145) The Observer from WFA, supported by several other observers, stated that there was no longer any rationale to proceed with the development of a definition of advertising, as the Commission had already adopted text that leaves matters related to nutrition and health claims in advertising to be dealt with at the national level. The Observer from NHF, supporting the position of the United States, noted that the proposed definition of advertising would include within its scope legitimate, published, peer-reviewed research papers and as such could therefore pose a problem for free speech rights in countries such as the United States.

Proposal to initiate new work on a Definition of Advertising as related to Health and Nutrition Claims

146) Following the request from the 26th session of the Commission to the Committee and the discussions held at the Committee, the Committee proposed to the Commission to initiate new work on the definition of advertising as related to health and nutrition claims.

147) After the approval of new work by the Commission, the definition proposed by Canada will be circulated in square brackets for comments at Step 3.

OTHER BUSINESS, FUTURE WORK AND DATE AND PLACE OF THE NEXT SESSION

(Agenda Item 9)¹⁶

Modified Standardized Common Names

148) The Delegation of Canada recalled that the Committee had considered a discussion paper on misleading labels in previous sessions, and that the 32nd Session of the Committee had agreed to discontinue consideration of this issue, while noting that it was possible to reconsider it if new proposals were put forward. The Delegation indicated that the use of standardized common names in the names of non-standardized foods was increasing at the domestic and international levels and that this question was relevant in the framework of Codex in view of some proposals for extension of the scope of certain standards for milk and milk products. The question was how to avoid misleading the consumer and to ensure that these products were clearly differentiated from standardized foods. The Delegation therefore proposed to review existing Codex texts to determine whether specific amendments should be made, and especially whether section 4.1.1.3 of the General Standard for the Labelling of Prepackaged Foods required further clarification. For this purpose, the Delegation suggested to establish an electronic Working Group to collect information on the practices used at the national level and possibly develop a project document.

149) The Delegation of the United States noted that the paper considered important issues but that its scope might be too broad, and proposed that further discussion should focus on nutrition principles, in the perspective of the implementation of the Global Strategy.

150) The Delegation of the EC expressed the view that it was premature at this stage to establish a working group or consider proposals for new work as consensus would be difficult to achieve, noting that the CCMMP had considered similar issues but had not been able to reach consensus.

151) The Committee thanked the Delegation of Canada for this interesting paper and invited the Delegation to prepare a more detailed and focused paper for consideration at the next session.

¹⁶ CRD 20 (discussion paper prepared by Canada)

Date and Place of the Next Session

152) The Committee noted that its next session was tentatively scheduled to be held in Ottawa, Canada, from 30 April to 4 May 2007, the final arrangements to be confirmed between the host country and Codex Secretariat.

SUMMARY STATUS OF WORK

Subject Matter	Step	Action by	Document Reference in ALINORM 06/29/22
Guidelines for Organically Produced Foods: Draft Revised Annex 2 : Table 3	8	Governments 29 th CAC	para. 60 Appendix II
Guidelines for Organically Produced Foods: Draft Revised Annex 2 : Table 3 (other substances)	6	Governments 35 th CCFL	para. 60 Appendix III
Proposed Draft Definition of Trans Fatty Acids (Proposed Draft Amendment to the <i>Guidelines on Nutrition Labelling</i>)	5A	Governments 29 th CAC	para. 135 Appendix V
Proposed Draft Amendment to the <i>General Standard</i> (Quantitative Declaration of Ingredients)	3	Governments 35 th CCFL	para. 122 Appendix VI
Guidelines for Organically Produced Foods: Proposed Draft Revised Annex 2: Table 1 (Natural Sodium Nitrate)	3	Governments 35 th CCFL	para. 66 Appendix IV
Draft Amendment to the General Standard (Draft Recommendations for the Labelling of Foods obtained through certain techniques of GM/GE): Definitions	7	35 th CCFL	para. 100
Proposed Draft Guidelines for the Labelling of Foods obtained through certain techniques of GM/GE: Labelling Provisions	4	Working Group 35 th CCFL	para. 101
Proposed Draft Amendment to the Guidelines for Organically Produced Foods (Ethylene)	1/2/3	29 th CAC Governments 35 th CCFL	para. 77
Definition of advertising	1/2/3	29 th CAC Governments 35 th CCFL	para. 146

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**DRAFT AMENDMENT TO THE GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF
ORGANICALLY PRODUCED FOODS (At Step 8 of the Procedure)**

ANNEX Table 3: Ingredients of Non Agricultural Origin Referred to in Section 3 of These Guidelines

3.1 Additives Permitted For Use Under Specified Conditions in Certain Organic Food Categories or Individual Food Items

The following table provides a list of those food additives including carriers which are allowed for use in organic food production. The functional uses and food categories and individual food items for each food additive in the following table are governed by the provisions in Tables 1-3 of the General Standard for Food Additives and other standards which have been adopted by the Codex Alimentarius Commission.

The table is an indicative list for the purpose of processing organic food only. Countries may develop a list of substances for national purposes that satisfy the requirements as recommended in Section 5.2 of these Guidelines.

Food additives in this Table can be used to perform the function indicated in the specified food products.

INS No.	Additive Name	Functional Use Allowed in Organic Production	Permitted for Use In Food Categories	
			Food of Plant Origin	Food of Animal Origin
170i	Calcium Carbonate	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0
270	Lactic Acid (L- D- and DI-)	All	04.2.2.7 Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweed products, excluding fermented soybean products of food category 12.10	01.0 Dairy products and analogues, excluding products of food category 02.0 08.4 Edible casings (e.g. sausage casings)
290	Carbon Dioxide	All	Permitted, although exclusions of the GSFA still apply.	Permitted, although exclusions of the GSFA still apply.
296	Malic Acid (DL-)	All	Permitted, although exclusions of the GSFA still apply.	Not permitted.

300	Ascorbic Acid	All	Provided insufficient natural sources are available. Permitted, although exclusions of the GSFA still apply.	Provided insufficient natural sources are available. 08.2 Processed meat, poultry, and game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry, and game products 08.4 Edible casings (e.g., sausage casings)
306	Tocopherols (mixed natural concentrates)	All	Permitted, although exclusions of the GSFA still apply.	All mixed products allowed under the General Standard for Food Additives and Standards adopted by the Codex Alimentarius Commission
322	Lecithin (Obtained without bleaches and organic solvents.)	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0 02.0 Fats and oils, and fat emulsions 12.6.1 Emulsified sauces (e.g. mayonnaise, salad dressing) 13.1 Infant formulae and follow-on formulae 13.2 Complementary foods for infants and young children
327	Calcium Lactate	All	Not permitted.	01.0 Dairy products and analogues, excluding products of food category 02.0
330	Citric Acid	All	04.0 Fruits and vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	As a coagulation agent for specific cheese products and for cooked eggs 01.6 Cheese and analogues 02.1 Fats and oils essentially free from water 10.0 Egg and egg products
332	Potassium citrate	All	Not permitted.	Permitted, although exclusions of the GSFA still apply.
333	Calcium Citrate	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0
334	Tartaric Acid	All	Permitted, although exclusions of the GSFA still apply.	Not permitted.
341i	Monocalcium Orthophosphate	All	06.2.1 Flours	Not permitted.
400	Alginic Acid	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0

401	Sodium Alginate	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0 All mixed products allowed under the General Standard for Food Additives and Standards adopted by the Codex Alimentarius Commission
402	Potassium Alginate	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0 All mixed products allowed under the General Standard for Food Additives and Standards adopted by the Codex Alimentarius Commission
406	Agar	All	Permitted, although exclusions of the GSFA still apply.	Permitted, although exclusions of the GSFA still apply.
407	Carrageenan	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0
412	Guar Gum	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0 8.2.2 Heat-treated processed meat, poultry, and game products in whole pieces or cuts 8.3.2 Heat-treated processed comminuted meat, poultry, and game products 10.2 Egg products
413	Tragacanth Gum	All	Permitted, although exclusions of the GSFA still apply.	Permitted, although exclusions of the GSFA still apply.
414	Gum Arabic	All	02.0 fats and oils, and fat emulsions 05.0 Confectionary	01.0 Dairy products and analogues, excluding products of food category 02.0 02.0 Fats and oils, and fat emulsions 05.0 Confectionary
415	Xanthan Gum	<u>All</u>	02.0 Fats and oils, and fat emulsions 04.0 Fruits and vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds 07.0 Bakery wares 12.7 Salads (e.g. macaroni salad, potato salad)	Not permitted.

416	Karaya Gum	All	Permitted, although exclusions of the GSFA still apply.	Not permitted.
440	Pectins (non-amidated)	All	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0
500ii	Sodium hydrogen carbonate	All	05.0 Confectionery 07.0 Bakery Wares	01.0 Dairy products and analogues, excluding products of food category 02.0
500iii	Sodium Sesquicarbonate			
501i	Potassium Carbonate	All	05.0 Confectionary 06.0 Cereals and cereal products, derived from cereal grains, from roots and tubers, pulses and legumes, excluding bakery wares of food category 07.0 07.2 Fine Bakery wares (sweet, salty, savoury) and mixes	Not permitted.
503	Ammonium carbonates	Acidity Regulator Raising Agent	Permitted, although exclusions of the GSFA still apply.	Not permitted.
504	Magnesium carbonates	All	Permitted, although exclusions of the GSFA still apply.	Not permitted.
508	Potassium Chloride	All	04.0 Fruits and vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds 12.4 Mustards 12.6.2 Non-emulsified sauces (e.g. ketchup, cheese sauces, cream sauces, brown gravy)	Not permitted.
509	Calcium chloride	All	04.0 Fruits and vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds 06.8 Soybean products (excluding soybean products of food category 12.9 and fermented soybean products of food category 12.10)	01.0 Dairy products and analogues, excluding products of food category 02.0 08.2 Processed meat, poultry, and game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry and game products 08.4 Edible casings (e.g. sausage casings)

			12.9.1 Soybean protein products 12.10 Fermented soybean products	
511	Magnesium chloride	All	06.8 Soybean products (excluding soybean products of food category 12.9 and fermented soybean products of food category 12.10) 12.9.1 Soybean protein products 12.10 Fermented soybean products	Not permitted.
516	Calcium sulphate	All	06.8 Soybean products (excluding soybean products of food category 12.9 and fermented soybean products of food category 12.10) 07.2.1 Cakes, cookies and pies (e.g. fruit-filled or custard type) 12.8 Yeast and like products 12.9.1 Soybean protein products 12.10 Fermented soybean products	Not permitted.
524	Sodium Hydroxide	All	06.0 Cereals and cereal products, derived from cereal grains, from roots and tubers, pulses and legumes, excluding bakery wares of food category 07.0 07.1.1.1 yeast-leavened breads and specialty breads	Not permitted.
551	Silicon Dioxide (Amorphous)	All	12.2 Herbs, spices, seasonings, and condiments (e.g. seasonings for instant noodles)	Not permitted.
941	Nitrogen	All	Permitted, although exclusions of the GSFA still apply	Permitted, although exclusions of the GSFA still apply

3.2 Flavourings

Substances and products labelled as natural flavouring substances or natural flavouring preparations are defined in the *General Requirements for Natural Flavourings* (CAC/GL 29-1987).

3.3 Water and Salts

Drinking water.

Salts (with sodium chloride or potassium chloride as basic components generally used in food processing).

3.4 Preparations of Micoorganisms and Enzymes

Any preparation of microorganisms and enzymes normally used in food processing, with the exception of microorganisms genetically engineered/modified or enzymes derived from genetic engineering.

3.5 Minerals (including trace elements), Vitamins, Essential Fatty and Amino Acids, And Other Nitrogen Compounds

Only approved in so far as their use is legally required in the food products in which they are incorporated.

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

ANNEX 2

Table 3: Ingredients of Non Agricultural Origin Referred to in Section 3 of These Guidelines

3.1 Additives Permitted For Use Under Specified Conditions in Certain Organic Food Categories or Individual Food Items

INS No.	Additive Name	Functional Use Allowed in Organic Production	Permitted for Use In Food Categories	
			Food of Plant Origin	Food of Animal Origin
220	Sulphur Dioxide	[All]	[14.2.2 Cider and perry] ♦ [14.2.3 Grape wines] ♦ [14.2.4 Wines (other than grapes)] ♦	[Not permitted.]
[250]	[Sodium Nitrite]	[Colour Retention Agent Preservative]	[Not permitted.]	[When no alternative technology exists for certain products, may be used for the following, except in sausages for frying:] [08.2.1.1 Cured (including salted) non-heated treated processed meat, poultry, and game products in whole pieces or cuts 08.2.1.2 Cured (including salted) and dried non-heat treated processed meat, poultry, and game products in whole pieces or cuts 08.2.1.3 Fermented non-heat treated processed meat, poultry, and game products in whole pieces or cuts 08.2.2 Heat-treated processed meat, poultry and game products in whole pieces or cuts 08.2.3 Frozen processed meat, poultry, and game products in whole pieces or cuts. 08.3 Processed comminuted meat, poultry and

INS No.	Additive Name	Functional Use Allowed in Organic Production	Permitted for Use In Food Categories	
			Food of Plant Origin	Food of Animal Origin
				<p>game products</p> <p>[09.2.4.1 Cooked fish and fish products]♦</p> <p>[09.2.5 Smoked, dried, fermented, and/or salted fish and fish products, including mollusks, crustaceans, and echinoderms]♦</p> <p>[09.3.3 Salmon substitutes, caviar, and other fish roe products]♦</p>
[252]	[Potassium Nitrate]	[Colour Retention Agent Preservative]	[Not permitted.]	<p>[When no alternative technology exists for certain products, may be used for:]</p> <p>[08.2.1.1 Cured (including salt) non-heated treated processed meat, poultry, and game products in whole pieces or cuts]♦</p> <p>[08.2.1.2 Cured (including salted) and dried non-heat treated processed meat, poultry, and game products in whole pieces or cuts]♦</p> <p>[08.2.1.3 Fermented non-heat treated processed meat, poultry, and game products in whole pieces or cuts]♦</p> <p>[08.3.1.1 Cured (including salted) non-heat treated processed comminuted meat, poultry and game products]♦</p> <p>[08.3.1.2 Cured (including salted) and dried non-heat treated processed comminuted meat, poultry and game products]♦</p>

[301]	[Sodium Ascorbate] *	[Antioxidant Colour Retention Agent]	[Not permitted.]	[Provided insufficient natural sources are available.] [08.1 Fresh meat , poultry and game] ♦ 08.2 Processed meat, poultry, and game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry, and game products 08.4 Edible casings (e.g., sausage casings)
[302]	[Calcium Ascorbate] *	[Antioxidant]	[Not permitted.]	[Provided insufficient natural sources are available.] [08.1.2 Fresh meat, poultry and game, comminuted] ♦ 08.2 Processed meat, poultry, and game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry, and game products 08.4 Edible casings (e.g. sausage casings)]
[303]	[Potassium Ascorbate] *	[Antioxidant]	[Not permitted.]	[Provided insufficient natural sources are available.] [08.2 Processed meat, poultry, and game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry, and game products 08.4 Edible casings (e.g. sausage casings)]
[331i]	[Sodium Dihydrogen Citrate] *	[Stabilizer Emulsifier]	[Not permitted.]	[01.1.1.2 Butter milk (plain) (Stabilizer only)] ♦ 01.1.2 Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, egnog, drinking yoghurt, whey-based drinks) [01.2.1.2 Fermented milks (plain), heat-treated after fermentation (Stabilizer only)] ♦ [01.2.2 Renneted milk (Stabilizer only)] ♦ [01.3 Condensed milk and analogues (plain) (Stablizer only)] [01.4 Cream (plain) and the like (Stabilizer only)]

				<ul style="list-style-type: none"> ♦ 01.4.3 Clotted cream (plain) 01.4.4 Cream analogues [01.5.1 Milk powder and cream powder (Stablizer only)] [01.6.1 Unripened cheese (Stabilizer only)] 01.6.4 Processed cheese (Emulsifier only) [01.8.2 Whey powder] [08.3 Processed comminuted meat, poultry, and game products, restricted to sausages [To be used in pasteurization of egg whites only in the following]: [10.2.1 Liquid egg products]♦ [10.2.2 Frozen egg products]♦ 10.2.3 Dried and/or heat coagulated egg products
[335i]	[Monosodium Tartrate]	[Anticaking Agent Acidity Regulator Adjuvant	[05.1.1 Cocoa mixes (powders) and cocoa mass/cake] ♦	[Not permitted.]
[335ii]	[Disodium Tartrate]	Antioxidant Bulking Agent Emulsifier Flour Treatment Agent Humectant Preservative Raising Agent Sequestrant Stabilizer Thickener]	[05.1.2 Cocoa mixes (syrups)]♦ [05.1.3 Cocoa-based spreads, including fillings] ♦ [05.1.4 Cocoa and chocolate products]♦ [05.1.5 Imitation chocolate, chocolate substitute products]♦ [05.2 Confectionary including hard and soft candy, nougat, etc. other than food categories 05.1, 05.3 and 05.4]♦ [05.3 Chewing gum]♦ [05.4 Decorations (e.g. for find bakery wares), toppings (non-fruit) and sweet sauces] ♦ 07.2.1 Cakes	
[336i]	[Monopotassium Tartrate]	[Anticaking Agent Acidity Regulator Adjuvant	[05.1.1 Cocoa mixes (powders) and cocoa mass/cake] ♦	[Not permitted.]
[336ii]	[Dipotassium Tartrate]	Antioxidant Bulking Agent Emulsifier	[05.1.2 Cocoa mixes (syrups)] ♦ [05.1.3 Cocoa-based spreads, including fillings] ♦ [05.1.4 Cocoa and chocolate products] ♦	

		Flour Treatment Agent Humectant Preservative Raising Agent Sequestrant Stabilizer Thickener]	[05.1.5 Imitation chocolate, chocolate substitute products] [♦] [05.2 Confectionary including hard and soft candy, nougat, etc. other than food categories 05.1, 05.3 and 05.4] [♦] [05.3 Chewing gum] [♦] [05.4 Decorations (e.g. for find bakery wares), toppings (non-fruit) and sweet sauces] [♦] 06.2 Flours and starches (including soybean powder)] [♦] 07.2.1 Cakes	
[339i] [339ii] [339iii]	[Monosodium Orthophosphate] [Disodium orthophosphate] [Trisodium Orthophosphate]	[Stabilizer]	[Not permitted.]	[01.0 Dairy products and analogues, excluding products of food category 02.0] [♦]
[340i] [340ii] [340iii]	[Monopotassium Orthophosphate] [Diphosphate Orthophosphate] [Tripotassium Orthophosphate]	[Emulsifier Stabilizer]	[Not permitted.]	[01.6.4 Processed cheese (Emulsifier only)] ^{1♦} [01.4.1 Pasteurized cream (plain) (Stabilizer only)] [♦]
410	Carob bean gum	[Emulsifier Stabilizer Thickener]	[Permitted, although exclusions of the GSFA still apply.]	[01.0 Dairy products and analogues, excluding products of food category 02.0] [♦] [01.1.1 Milk and buttermilk (plain)] [♦] 01.1.2 Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks) 01.2 Fermented and renneted milk products (plain), excluding food category [01.1.2 (dairy-based drinks)] [♦] 01.3 Condensed milk and analogues (plain) [01.4.1 Pasteurized cream (plain)] [♦] [01.4.2 Sterilized and UHT creams, whipping and whipped creams, and reduced fat creams (plain)] [♦]

				01.4.3 Clotted cream (plain) 01.4.4 Cream analogues 01.5 Milk powder and cream powder and powder analogues (plain) 01.6 Cheese and analogues 01.7 Dairy-based desserts (e.g. pudding, fruit or flavoured yoghurt) 01.8 Whey and whey products, excluding whey cheese [08.1.2 Fresh meat, poultry and game, comminuted] ♦ 08.2 Processed melted, poultry, game products in whole pieces or cuts 08.3 Processed comminuted meat, poultry, and game products 08.4 Edible casings (e.g. sausage casings)
422	Glycerol	[Emulsifier Humectant Stabilizer Thickener]	Obtained from plant origin; used as a carrier for plant extracts [Permitted, although exclusions of the GSEFA still apply.]	[Not permitted.]
[450i]	[Disodium diphosphate]	[Emulsifier Stabilizer]	[Not permitted.]	[01.4.1 Pasteurized cream (plain) (Stabilizer only)] ♦ [01.6.4 Processed cheese (Emulsifier only)]
[450iii]	[Tetrasodium diphosphate]			
[450v]	[Tetrapotassium diphosphate]			
[450vi]	[Dicalcium diphosphate]			
[452i]	[Sodium Polyphosphate]			
[452ii]	[Potassium polyphosphate]			
[452iv]	[Calcium polyphosphate]			
[452v]	[Ammonium polyphosphate]			

[942]	[Nitrous Oxide] *	[Propellant]	[Not permitted.]	[01.4.2 Sterilized, UHT, whipping or whipped, and reduced fat creams] ♦
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♦ Currently this food additive is at either Step 3 or 6 in Table 1 of the GSFA, and therefore remains in square brackets. Its use as indicated would not be permitted until the specific additive/use is endorsed by Committee on Additives and Contaminants and adopted by the Commission.

* Additives permitted for use in food in general, unless otherwise specified. Note the food items that are excluded from the General Conditions of Table 3. The exclusions can be found in the Annex to Table 3 of the GSFA.

**PROPOSED DRAFT AMENDMENT TO THE GUIDELINES FOR THE PRODUCTION,
PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS:
PROPOSED DRAFT REVISED ANNEX 2 – PERMITTED SUBSTANCES
(At Step 3 of the Procedure)**

ANNEX 2

PERMITTED SUBSTANCES FOR THE PRODUCTION OF ORGANIC FOODS

TABLE 1: SUBSTANCES FOR USE IN SOIL FERTILIZING AND CONDITIONING

Substances	Description; compositional requirements; conditions of use
[Natural Sodium Nitrate]	[text to be drafted]

**PROPOSED DRAFT AMENDMENT TO THE GUIDELINES ON NUTRITION LABELLING
(Definition of Trans Fatty Acids)
(At Step 5 of the Accelerated Procedure)**

2.9 *Trans Fatty Acids*¹: For the purpose of the Codex Guidelines on Nutrition Labelling and other related Codex Standards and Guidelines, trans fatty acids are defined as all the geometrical isomers of monounsaturated and polyunsaturated fatty acids having non-conjugated, interrupted by at least one methylene group, carbon-carbon double bonds in the trans configuration.

¹ Codex Members may, for the purposes of nutrition labelling, review the inclusion of specific trans fatty acids (TFAs) in the definition of TFAs if new generally accepted scientific data become available.

**PROPOSED DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF
PREPACKAGED FOODS
(Quantitative Ingredient Declaration Labelling)
(At Step 3 of the Procedure)**

5. ADDITIONAL MANDATORY REQUIREMENTS

5.1 Quantitative Ingredient Declarations

5.1.1 Every food sold as a mixture or combination shall disclose the ingoing percentage, by weight or volume as appropriate,, of any ingredient at the time of the manufacture of the food (including ingredients of compound ingredients or categories of ingredients¹) that

- (a) is emphasised as present on the label through words or pictures or graphics; or
- (b) is essential to characterise the food and is essential to distinguish the food from others with which it may be confused; or
- (c) [appears/is emphasized in the name of the food unless deemed not appropriate by national authorities]; or
- (d) [the disclosure of which is deemed, by national authorities, to be necessary to enhance the health of consumers or prevent consumer deception].
- (e) [is the subject of an express or implied claim about the presence of any fruits, vegetables, whole grains or added sugars]

Such disclosure is not required where

- (f) the ingredient is used in small quantities for the purpose of flavouring.
- (g) commodity-specific standards of Codex Alimentarius conflict with the requirements described here.

5.1.2 The information required in Section 5.1.1 shall be declared on the product label as a numerical percentage.

The ingoing percentage, by weight or volume as appropriate, of each such ingredient shall be given on the label in close proximity to the words or pictures or graphics emphasising the particular ingredient, or beside the name of the food, or adjacent to each appropriate ingredient listed in the ingredient list as an average percentage.

For foodstuffs which have lost moisture following heat treatment or other treatment, the quantity shall correspond to the quantity of the ingredient or ingredients used, related to the finished product. The quantity shall be expressed as a percentage. However, when the quantity of an ingredient or the total quantity of all the ingredients expressed on the labelling exceeds 100%, the percentage shall be replaced by the weight of the ingredient(s) used to prepare 100g of finished product.

¹ **Explanatory Note for Category of Ingredients:** For the purposes of Quantitative Ingredient Declaration, category of ingredients means the generic term which refers to the class name of an ingredient and/or any similar common term(s) which are used in reference to the name of a food