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ALINORM 69/22
October 1968

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Sixth Session, Geneva
4-14 March 1969

REPORT OF THE FOURTH SESSION

OF THE

CODEX COMMITTEE ON FOOD LABELLING

Ottawa, Canada
23-28 September 1968

JOINT FAO/WHO CODEX ALIMENTARIUS COMMISSIONCODEX COMMITTEE ON FOOD LABELLINGREPORT OF THE FOURTH SESSIONOTTAWA, CANADA23-28 September, 1968

1. The Fourth Session of the Codex Committee on Food Labelling, under the Chairmanship of the Government of Canada, was held in Ottawa, Canada, 23-28 September, 1968. The Session was opened by Dr. K.F. Wells, Veterinary Director General, Department of Agriculture. Dr. D.G. Chapman, Food and Drug Directorate, Department of National Health and Welfare, was Chairman of the Session. Representatives from 17 countries were present. Observers were present from 2 international organizations (See Appendix I for the List of Participants).
2. The Committee adopted the provisional agenda with a slight rearrangement in the order of items in order to accommodate new references from Codex Committees which had met in the previous three weeks.
3. The Committee considered government comments on the General Standard for Labelling of Prepackaged Foods as contained in Appendix II of ALINORM 68/22. These comments were examined, item by item, using a rearranged text as the working document, which formed the basis for the new text appearing in Appendix II to this Report.
4. The delegation of the Netherlands, supported by that of the Federal Republic of Germany and Sweden, expressed the opinion that the goal of the General Standard should be such as to be, in the first place and for the time being, a guideline for Codex Committees.
5. The Committee left the question of scope until the General Standard had been examined further. It eventually decided to omit the section on scope. It considered that the title of the General Standard was self-explanatory.
6. In connection with the definition of terms, the Committee decided to retain, unaltered, Item 1(a) defining label. The delegation of the Federal Republic of Germany stated a preference for the term "affixed" rather than "attached"; this would eliminate the doubt that the label was not firmly fixed to the package.
7. Concerning the definition of the word "labelling", the delegation of the United States of America suggested that the phrase "relating to and" be deleted from the original phrase which reads "labelling includes the label of any written, printed or graphic material relating to and accompanying the food." This would permit the control of labelling material on the package referring to another food rather than that contained in the package.

Other delegates thought that this was a question of advertising material. The Committee decided to retain the original version.

8. The word "container" was defined as in Appendix II to ALINORM 68/22 except that the phrase "and confining bands" was deleted since many delegates felt that confining bands were frequently too small to be used for all the mandatory declarations and were frequently used for other purposes such as indicating individual items. The delegation of the United Kingdom would consent, for the sake of unanimity, to this deletion but wished to record their objection in principle.

9. After some discussion of the definition "prepackaged", the Committee agreed that the phrase "ready for retail sale" referred to the state of being ready and did not imply that the sale must be made. The delegation of the United States agreed that on this basis the definition probably covered free distribution for promotional purposes.

10. The delegation of Sweden proposed an alternate wording for the definition of "prepackaged" as follows: "'Prepackaged' means a food which is packaged or made up in advance in a container before being offered for sale or being delivered and which is intended for delivery to the consumer in an unbroken and unopened state." The delegation of the Federal Republic of Germany supported the Swedish proposal in principle.

11. The Committee amended the definition of "ingredient" to read: "'ingredient' means any substance, including a food additive, which is used in the manufacture or preparation of a food and is present in the final product." The purpose of this revision was to make it clear that ingredient included food additive, although a number of countries were of the opinion that it would be more satisfactory to distinguish food additives from ingredients since there might be different requirements for the listing of these substances on labels.

12. The Committee consented to renaming the General Requirements section in the working document "General Principles". After some discussion it was apparent that this general section was similar to portions of various national legislations which had precise juridical interpretations in national legal systems. The delegation of the Federal Republic of Germany expressed a general reservation to the mandatory application of such general terms because different laws may use different wording and suggested that this might better be considered a guideline.

13. The Committee agreed that since these principles appear in the General Standard, they should be reworded to apply at this stage only to prepackaged foods. This did not imply any derogation on the part of the Committee of the general applicability of these General Principles to all food labelling.

14. The Committee agreed that the first section under these General Principles should be modified by the elimination of the words "value, quantity, composition, merit or safety" after the word "character" and their replacement by the phrase "regarding its character in any respect" since the words replaced did not cover all factors which might create an erroneous impression.

15. On the name of the food, in order to avoid any ambiguity, the Committee decided, in discussing the use of the common or usual name, not to add the phrase "unless this is clearly indicated by the shape, design or type of product packaging."

16. The Committee decided to shorten the paragraph dealing with "coined" or "fanciful" names. The delegation of France considered that it would be advisable to be more strict in respect of any "coined" or "fanciful" names, and that such names should be followed closely by an indication such as trade name, brand name or some similar expression. The Committee was of the opinion that the phrase eliminated, "unless the nature of the food is obvious without such descriptive term," was open to too wide an interpretation and felt that the shortened version would be sufficient in itself. The Canadian delegation expressed a reservation on the deletion of this statement, declaring that if the "coined" or "fanciful" name was not misleading, it was not necessary to insist that it be accompanied by an appropriate descriptive term.

17. The Committee again fully discussed the problem of the listing of ingredients and additives. In the original version, the General Standard requires, as a rule, the complete listing of ingredients. With regard to the exemption from this complete listing, a number of countries indicated that their preference was for a system which permitted the listing of essential ingredients. This, in effect, would exempt from listing ingredients and additives which were not regarded as essential for the consumer to comprehend the usefulness, value and safety of the food. They were of the view that such a system should be binding for Codex Commodity Committees in drawing up detailed labelling requirements both for products for which a Codex Standard was being developed and for foods not the subject of a Codex Standard. As a working proposal along these lines, the Committee had before it the following statement by the delegations of the Federal Republic of Germany and Sweden which was intended to replace paragraph 3.2(i) of Appendix II:

"Information concerning the Composition of Food

The label of a prepackaged food shall bear information as to the essential composition of the food if such information is necessary to give the consumer a satisfactory understanding of the usefulness and value of the food. As a rule, food additives should be listed on the label

unless it does not seem necessary for the protection of the consumer. In the case where all ingredients must be listed for certain foodstuffs or if one ingredient is of particular value, the quantitative proportions of these ingredients should be indicated.

Footnote:

It rests with the Codex Commodity Committee concerned how this information should be presented in detail and whether this information in special cases has to consist of a complete list of ingredients or additives in the food."

The Committee noted that it would not be practicable to identify the essential composition of food not covered by Codex Commodity Committees and decided not to accept this revision of this part of the General Standard.

18. During the discussion of the complete listing of ingredients the question of allergies was brought up. The Committee took note of the very useful paper on "Intolerance to Foods" which had been prepared by WHO as a result of the discussion on allergies at the Committee's Third Session and which it believed would be of interest to other Codex Committees, especially commodity committees and the Codex Committee on Foods for Special Dietary Uses. The Committee recognized that allergies to food were a serious problem which it should bear in mind. However, the Committee felt that in practice the problem could not be adequately or completely solved by requirements for food labelling.

19. The Committee agreed to accept the original version of the introductory section in the paragraph dealing with list of ingredients. The delegations of the Federal Republic of Germany, Sweden and Switzerland reserved their positions on the general demand for a complete list of ingredients, since in their opinion, by not making obvious the essential ingredients of the food, such a complete list might be misleading. The delegation of the Federal Republic of Germany made a general reservation with regard to the method used for the listing of ingredients and the making of exemptions as laid down under 3.2(i) and (ii) of the General Standard (Appendix II). In his opinion, the provisions of this section are not very practicable. Furthermore, this system would give less useful protection to the consumer than the method which is laid down in the joint working proposal mentioned above in paragraph 17.

20. On the question of listing quantity of ingredients of particular value, the Committee agreed not to include such a statement in the standard. However, it draws to the attention of Codex Commodity Committees that, in certain cases, it might be desirable to have quantity statements. The observer from

the International Organization of Consumers Unions suggested that the paragraph should be amended to include the words "and the label shall indicate that the declaration is in descending order of proportion" (by a phrase such as "ingredients in descending order"). Since there was an even division of opinion in the Committee on whether this statement should be inserted into the General Standard, this was not done, although, in the view of many, such a statement would be most informative.

21. The Committee discussed the question of exemptions from a complete listing of ingredients. The delegation of Switzerland was of the opinion that on labels for foods which were the subject of a Codex Standard, it was not necessary to have a complete list of ingredients, since the ingredients were stated in the General Standard. The Swiss delegation, therefore, proposed that the exemption stated in paragraph 3.2(i) (a) of Appendix II be replaced by the following exemption: "where the food is a product for which a Codex Standard has been established." The Committee did not accept this proposal and retained the original wording of the General Standard.

22. The Committee further discussed the problem of elaboration of procedures when dealing with the list of foods which would be exempt from the general provision that "a complete list of ingredients shall be declared on the label in descending order of proportion." They were of the opinion that the number of exempted foods should be limited to those which could be justified as not being prejudicial to the interest of the consumer. They recognized that, where the food was a product for which a Codex Standard was being elaborated, the provisions in paragraph 3.2(i) (a) in Appendix II, would enable satisfactory arrangements to be made.

Two proposals to deal with the problem of other foods were discussed. The first was that it should be left for decision by each individual government as to which foods would be exempt when distributed within its territory, and so long as the label showed information regarding the essential composition of the food to the extent needed to give the consumer a satisfactory understanding of the usefulness and the value of the food. It was noted that this exemption would apply to food produced by or imported into the country.

The second proposal was that embodied in 2.2(i) (b) of Appendix II to ALINORM 68/22, "..... other foods listed by the Commission where an exemption from a declaration of ingredients would not be prejudicial to the interests of the consumer."

The Committee considered that it was not possible, at this stage, to enumerate either the classes of foods or the foods themselves which might properly be exempted from the requirements to declare ingredients. The Committee noted that, in the view of some governments, foods subject to national standards and foods

packed in very small containers might merit consideration for exemption, but the Committee concluded that the information before it was again not sufficient to enable it to come to a satisfactory decision which could be included in the General Standard. The view was expressed by several delegations that the importation of a food would not be prevented solely because the label carried a complete list of ingredients as a result of legal requirements in other countries.

The Committee decided, therefore, to delete 2.2(i)(b) of Appendix II to ALINORM 68/22 from the General Standard. It considered that the question of acceptance procedures which were to be further discussed by the Third Session of the Codex Committee on General Principles (December 1968) was very relevant to the question of the exemption by individual governments of the requirements for a food to carry a full declaration of ingredients. The existing acceptance procedure with a declaration of more stringent or supplementary requirements would enable a government to have no exemptions or fewer than those generally laid down. As at present envisaged, the procedure of acceptances with minor deviations would involve notification by governments and scrutiny by the Commission and, if adopted, would therefore enable governments to specify further exemptions subject to acceptance by the Commission. The Committee decided to draw the attention of governments to their views on this problem and to invite the Commission to consider how the Codex Committee on Food Labelling could assist the Commission in its scrutiny of acceptances involving additional foods which would be exempt from this particular requirement in the General Standard.

23. After considerable discussion of the best method for covering the problem of listing of ingredients in a composite food, and after considering several possible draft proposals, the Committee agreed to insert the following new wording in the General Standard at 3.2(ii) in Appendix II: "When a food consists of more than one component, the label shall carry the names of each of the components in decreasing order or proportion. Where a component of a food has more than one ingredient, the names of the ingredients shall be listed together with all other ingredients, except where the component is a food for which a Codex Standard has been established in which case the ingredients required to be listed by those standards shall be listed."

24. The Committee confirmed its decision at previous meetings that class names may be used to describe a particular group of ingredients in a food. The Committee understood that it was its proper task to develop such a list of class names and proceeded to do so by developing a partial list. It noted ~~that it~~ would be necessary to consider further class names which might be proposed in the future by governments or Codex Commodity Committees. The delegation of the Netherlands observed that the use of class names would only be acceptable if the substances included in the class were listed and defined by the appropriate

Codex Committee. The delegations of Canada and the United States of America were not, in principle, in favour of the use of class names. In their opinion, a complete list of all ingredients of a food should be the ultimate aim for the protection and information of the consumer. The Japanese delegation made a general reservation on adoption of the list of class names as a whole. The observer from the International Organization of Consumers Unions supported this view and suggested that there were many other factors such as taste preferences and religious reasons which would make it preferable to have a complete list of ingredients on the label.

25. In the detailed examination of the list of class names, the following observations were made: In the case of starches, the only objections were on the part of Canada and the United States of America for the reason noted in paragraph 24 above. Herbs and Spices were accepted as class names by the Committee. The delegation of the Netherlands noted that it could only agree to these two class names if there was a list of these substances covered by these designations. The delegation of the United States of America entered the same reservation in the case of vegetable gums as noted in paragraph 24 above. The delegations of the United Kingdom and Canada stated that they restricted the term "vegetable gums" to certain named edible gums. Some delegations drew attention to the fact that care must be taken in the translation of these class names into their languages. "Vegetable gums" presents a particular problem. The Committee agreed that colours, as a class name, should only be used for those which will appear in a positive list to be developed by the Codex Committee on Food Additives. The Committee was in agreement with its previous decision to accept flavours as a class name. Canada and the United States of America noted that they drew a distinction between artificial and natural flavours. The Committee agreed to accept the class names emulsifiers, preservatives, anti-oxidants, and stabilizers. Canada and the United States of America, for the reasons noted in paragraph 24 above, indicated that they would prefer that the specific names of the additives be used in the list of ingredients. The Committee decided not to include in the list of class names "artificial sweeteners". The delegations of the Federal Republic of Germany, Switzerland and the United Kingdom were not in favour of this deletion as they felt that there was no valid reason to treat this group of food additives as a special case. The Committee accepted the class name bleaching and maturing agents, noting the reservation of the United States of America for the reasons mentioned in paragraph 24. On the recommendation of the Codex Committee on Fats and Oils, the Committee accepted the class names animal fat, vegetable fat and vegetable oil and agreed to add the term "animal oils" to cover marine oils.

26. The following new proposals for additional class names were made to the Committee: Thickening agents; Anti-caking agents. The Committee agreed to add these to the list and noted the reservations of Canada and the United States of America for the reasons mentioned in paragraph 24. The delegation of the Federal Republic of Germany did not take a position on these class names since they were new proposals.

27. This Committee requested the Codex Committee on Food Additives to classify in accordance with the above categories those food additives which it had approved.

28. In addition to the general reservation made earlier by the delegation of Sweden with regard to the general demand of a complete list of ingredients, this delegation drew attention to the fact that the result of the Committee's discussions of this subject, in their opinion, had given full evidence that there would be so many exemptions from this general requirement and so many generalizing class names in the ingredient list that it seemed inadequate and even erroneous to deal with the expression; "a complete list of ingredients." They stated that actually the requirement of a complete list could very seldom be applied and consequently this general rule would function only as an exemption in itself and would not, as intended, fully serve the interest of protecting the consumers. In their opinion, the alternative system of the working proposal in paragraph 17 above on information concerning the essential composition of foods would be more realistic and practical and would serve the purpose of protection of the consumers in a better way. The delegation of the Netherlands expressed their opinion that this part of the General Standard dealing with listing of ingredients should be deleted and incorporated in the "Recommendations for Codex Commodity Committees" (Appendix III to this Report).

29. Concerning net contents, the Committee agreed to accept the version in Appendix II to ALINORM 68/22, "a correct declaration of the net contents" without the addition of the clause "of the package at the time of filling or packing." The Federal Republic of Germany, Japan and Sweden would have preferred to have the latter clause included in the General Standard. The Committee again concluded that, in general, the declared net contents be present at the time of retail sale but decided not to put that phraseology in the General Standard.

30. The delegation of Cuba proposed the following text for the portion of the net contents section dealing with the system of measurement to be used: "The net contents must be indicated exactly in the International System of Units (S.I.) although there would be no objection if, in addition, there appear the equivalents in other systems of units." The delegation of Cuba suggested that if at present countries could not accept this requirement, they might consider accepting it as an eventual target. This delegation noted that they would recommend that

their proposal on this subject be considered at the Sixth Session of the Codex Alimentarius Commission. The Japanese delegation supported the Cuban proposal but the Committee stated that for the time being it was not practical to introduce such a strict requirement into the General Standard. The Committee viewed the Cuban proposal sympathetically.

31. In order to clarify the wording of the General Standard, following new wording in the paragraph on net contents was adopted: "This declaration must be made in the following manner: (i) for liquid foods, by volume; (ii) for solid foods, by weight; (iii) for semi-solid or viscous foods, either by weight or volume; (iv) for foods usually sold by number, by count." The proposal of the Federal Republic of Germany that count be supplemented by minimum weight was discussed, and although many delegations approved this in principle, it was decided not to put this in the General Standard. Concerning the declaration of drained weight, this was made mandatory by replacing the word "should" by "shall" although it was noted that the interpretation of "normally discarded before consumption" may allow considerable latitude in interpretation. Australia, Canada and New Zealand do not agree with this decision.

32. The declaration of country of origin was considered by the Committee and it agreed to go back to the wording of an earlier version of the Standard which stated "the country of origin of a food shall be declared if its omission would mislead or deceive the consumer," since it was felt that the substance of paragraph 2.5 of Appendix II to ALINORM 68/22 and the comments thereon were dealt with adequately in the new wording. The delegation of Switzerland stated their preference for the wording of paragraph 2.5 in Appendix II to ALINORM 68/22. The word "essentially" was also introduced to modify the alterations during processing which must occur before there is considered to be a change in the country of origin.

33. The paragraph giving the general remarks on presentation of mandatory information (para. 4.1 in Appendix II) was accepted by the Committee with the insertion of the following sentence: "The letters in the name of the food shall be in a size reasonably related to the most prominent printed matter on the label." This sentence was inserted to give some control over the size of the declaration of the name of the food. However, some delegations felt that this and similar sentences in this paragraph were difficult to interpret.

34. As recorded in ALINORM 68/22, paragraph 32, some delegations suggested that a minimum size of type should be required for the presentation of the mandatory information. Other delegations, however, were of the opinion that if the information on a label were presented in a clear, prominent and

readily legible manner, it should not be necessary to specify a minimum size of type. Some of the delegates in favour of size of type suggested that a concrete proposal for a minimum size of type for all mandatory declaration should be indicated in the report. A minimum figure of 1.5 millimetres seemed to correspond with most legislation on minimum size of type. In addition, another specific proposal was that the mandatory declaration should be at least 1/2 to 1/3 of the most prominent printed material. The International Organization of Consumers Unions also suggested that the net contents and the name of the food should be equally prominent and this observation was supported by the delegation of the Netherlands.

35. In the discussion of optional labelling, it was pointed out that the general provisions in this section appeared to repeat the General Principles expressed in Section 2 of the General Standard and it was suggested that this section be set out at the end of the General Standard since it deals with optional requirements as distinguished from the mandatory requirements in all other sections of the General Standard. Concerning grade designation, the Committee agreed to delete the words "of uniform nomenclature" from the Standard and to make the general recommendation that at some time in the future it might be one of the tasks of some group to take up the development of a uniform international nomenclature for grades.

36. In the discussion on additional or different requirements for specific foods, it was suggested that it be recommended to other Codex Commodity Committees that they may wish to have a specific indication of the treatment or of the results of a treatment on the label of foods which have undergone special treatment during preparation. This is to cover, in a general sense, both irradiation and any other process which may be developed which would require such an indication, as well as the use of certain additives or processing aids for which it may be in the interest of the consumer to know what has been used. The Committee agreed to delete the section entitled "Foods for Special Dietary Purposes" since this was being dealt with by the Codex Committee on Foods for Special Dietary Uses.

37. The paper presented by the Swedish delegation concerning storage instructions was discussed by the Committee and it was agreed that the statement quoted below should appear in Appendix III to this Report entitled "Recommendations to Codex Commodity Committees." Most delegations indicated that they were in agreement with the principle of this recommendation, but felt that the matter should be handled very carefully particularly in view of the practical difficulties both in international trade and in applying this to foods not subject to a Codex Commodity Standard. The recommendation reads as follows: "It is of essential importance for the durability of some prepackaged food that the foods should be stored under special conditions. In such cases the package must be furnished by the producer or the packer with satisfactory instructions as

to how the food should be kept (storage instructions). It shall rest with the Codex Commodity Committees concerned to provide the detailed storage instructions which shall appear on the label."

38. During the discussion of storage instructions it was pointed out that it was linked with date marking under the common heading "durability information" in some countries. The Committee then again discussed date marking and had before it a proposal of the Federal Republic of Germany that in the case of provisions for Codex Standards where date marking is for the purpose of informing the consumer, the date shall appear on the label in clear. Some delegations supported this recommendation. As at previous meetings, other delegations expressed the view that for many foods, date marking, whether expiry date or date of manufacturing, might prove to be a disadvantage to the consumer as it might lead to a false sense of security or to higher prices. These delegations also considered that there were other factors than perishability and storage life which needed to be taken into consideration in connection with date marking. Such factors were involved with foods moved internationally over long distances which would entail an extended interval between time of production and the time of consumption. The product could still be satisfactory, having been kept under proper storage conditions, but the date would have expired or the product would be discriminated against unjustifiably due to its age as indicated by the date. The Committee stressed the need for sound, scientific justification when expiry dates are used.

39. The Committee agreed to send the General Standard for Labelling of Prepackaged Foods as it appears at Appendix II to this Report to the Commission at Step 8 of the Procedure for the Elaboration of World-Wide Codex Standards. The delegations of the Federal Republic of Germany, Netherlands, Sweden and Switzerland thought that the Standard should be examined at a further session of the Committee and, in particular, they felt that the most controversial portion of the General Standard was the complete list of ingredients. The delegation of Japan reserved the position of their government as to how the exemptions under the list of ingredients should be handled.

40. The Committee was of the opinion that the attention of Codex Commodity Committees should be drawn especially to certain points it considered to be of importance to them when elaborating labelling provisions and decided to set out these recommendations in Appendix III to this Report.

41. At the beginning of the consideration of the endorsement of the labelling provisions in Standards, the delegation of the Federal Republic of Germany made a formal reservation on the references in all the labelling requirements to paragraphs dealing with complete list of ingredients (para. 2.2 of Appendix II to ALINORM 68/22). The delegations of the Federal Republic of

Germany, Japan and Sweden reserved their position on all labelling requirements where date marking is mentioned in code, since, in their opinion and according to their existing or proposed legislation, it should be in clear.

Standards at Step 8

42. The Committee then considered the labelling requirements in the Standard for margarine. In connection with the new paragraph (b)(ii) under labelling concerning the class names for the fats used in margarine, the delegation of the Netherlands stated that they did not feel a complete list of ingredients was necessary on margarine, but if there were such a list, it should indicate whether the constituent fats have been "hardened" (hydrogenated). If the class names suggested were to be used, this would give an erroneous impression and for this reason the Netherlands delegation was against this labelling provision. In addition, the delegation of the United States of America took exception to this paragraph. The delegation of Australia indicated that, in their opinion, section (b)(iii) concerning reference to milk fat or butter was not sufficiently clear and requested that the general provisions referred to under (a) in the labelling, especially 2.11, as it appeared in Appendix II to ALINORM 68/22 be quoted in full in the margarine Standard. The delegation of the Federal Republic of Germany expressed a reservation on (b)(iii) and indicated that it would only be acceptable if the phrase "except in a complete list of ingredients" was removed. The delegation of France indicated in connection with paragraph (b)(v) that vitamins should be mentioned if the product were a dietetic food. The observer from the International Federation of Margarine Associations expressed the opinion that it should not be necessary to have a complete list of ingredients for a standardized product such as margarine. In spite of the above reservations, the Committee agreed to endorse the labelling requirements in the margarine Standard.

43. The Committee then considered the labelling requirements in the draft provisional standard for edible oil and fats not covered by individual Codex Standards. The delegation of the Netherlands objected to the use of class names in this Standard if they were not defined, and the delegation of the United States of America wished to have it noted that it took exception to the names edible oil and salad oil used without qualifications. The Committee endorsed the labelling requirements in this Standard.

44. The labelling requirements as presented were endorsed for white sugars and powdered sugars.

45. The Committee then considered the labelling requirements in the Standard for honey and the delegations of Australia, Canada and the Netherlands observed that the new draft made "overheated" one of the names permitted for such honeys. They disagreed with this labelling requirement since it did not sufficiently inform the consumer that the product was intended

for industrial use. Australia and Canada drew attention to the fact that the method used in this Standard for determining whether a honey was overheated or not was the diastase number, and this in their opinion was not, in fact, a valid criterion. The delegation of France pointed out that the new suggestion concerning naming according to the predominant source would seem to encourage the use of mixtures of various honeys to circumvent these provisions. The delegations of Canada and Australia also requested that the Co-ordinating Committee for Europe should consider the trade descriptions "creamed", "whipped" or "set", which they felt were meaningful and not misleading to consumers and could be used under the general provisions for food labelling. The Committee endorsed the labelling provisions in the Honey Standard.

46. The labelling section of the General Standard for Quick Frozen Foods was examined by the Committee. It was noted that the Joint Group of Experts on Quick Frozen Foods confirmed the views of the Codex Committee on Food Labelling that the use of an expiry date would not be mandatory. The Committee further noted that the labelling section of this General Standard referred to prepackaged foods only and that the nomenclature for food complying with the definition in the Standard was "Quick Frozen Food." The Committee endorsed these labelling requirements and observed that the question of whether this General Standard should become mandatory or only an advisory Code of Practice would be decided by the Codex Alimentarius Commission at its next session. The delegations of the Federal Republic of Germany and Sweden objected to this endorsement for the reasons given in paragraph 41, pointing out that, in their opinion, the Committee should recommend to the Codex Alimentarius Commission that the following amendments be made to this Draft Provisional Standard:

- (b) there shall be an indication, in clear, of the date of production, date of packaging or expiry date.
- (c) there shall be instructions for keeping, indicating the specific temperatures at which it is recommended that the food be kept.

Standards at Step 6

47. The labelling requirements in the Standard for Quick Frozen Peas were examined and endorsed by the Committee. It was noted that the Joint Group of Experts on Quick Frozen Foods has required that, where a statement of type was to be made on the label, this could only be "Peas", "Garden Peas", "Green Peas" and "Sweet Peas." Some delegates considered that this was too restrictive and wished to bring to the attention of the Joint Group of Experts the fact that there might be other types which should also be mentioned. In this connection, the delegation of the Federal Republic of Germany wished to record that the name "Continental Peas" should also be included in the labelling provisions for Quick Frozen Peas.

48. The Committee confirmed its previous endorsement of the labelling requirements in the Standard for Quick Frozen Strawberries.

49. The Committee noted that it had endorsed at its last session the labelling requirements in the Standard for Canned Pacific Salmon. This Standard had been recast in the Codex Format without a change of substance.

50. The Committee agreed that Standards at earlier steps in the Procedure would not be formally endorsed but examined and commented upon with a view to endorsement at later sessions of this Committee. This decision of the Committee was taken in view of the fact that the labelling requirements may be changed during the re-examination of the Standards by the Commodity Committees and the Commission.

51. In accordance with this decision, the labelling requirements of the Standards were examined and the following comments made:

Frozen Guttled Pacific Salmon - no comments

Frozen Fillets of Cod and Haddock - It was suggested that in Section (v) the words "indelibly marked" should be replaced by "permanently marked".

Canned Shrimps or Prawns - no comments

Frozen Fillets of Ocean Perch - no comments

Frozen Fillets of Plaice - no comments

Foods for Special Dietary Uses - The Committee decided to defer consideration of this question until definite labelling requirements for definite products were put before this Committee. The Codex Committee on Foods for Special Dietary Uses was requested to indicate more explicitly what was meant by the phrase in paragraph III (a)(2) of the Standard, "an indication of the suitability of any food offered for a specific dietary purpose".

Fruit Juices - The delegation of Netherlands requested it should be clearly stated in the Fruit Juice Standards, and not as a footnote to the Standards, that preservation by physical means does not refer to irradiation.

Apricot, peach and pear nectar ready for consumption preserved exclusively by physical means - With regard to addition of water in nectar, some delegations pointed out that, in their opinion, such addition should be declared on the label.

The delegation of the Federal Republic of Germany also suggested that ascorbic acid should be mentioned only if it were used for the purpose of vitaminization. The Committee recommended that where the label provided for a representation of the fruit, this should be termed "pictorial representation."

Apple juice ready for consumption preserved exclusively by physical means - The delegation of the Federal Republic of Germany reaffirmed its position in the Joint Group of Experts on Fruit Juices that sugars should not be added to a number of fruit juices and, therefore, the label should not carry a declaration of sugars. The delegation of Canada agreed with this. Comments were also made on the labelling provisions in this Standard regarding ascorbic acid and "pictorial representation" as above.

Orange juice ready for consumption preserved exclusively by physical means - Comments on the labelling provisions for this Standard regarding "pictorial representation" as above were also made. The delegation of the Federal Republic of Germany stated that sugar declaration on the label should be made only if the sugar content was above 5%.

Grape juice ready for consumption preserved exclusively by physical means - Comments of the Federal Republic of Germany with regard to sugar as in apple juice above. The Committee was informed that the Joint Group of Experts on Fruit Juices had not yet decided whether or not reconstitution of fruit juices should be declared on the label.

Tomato juice ready for consumption preserved exclusively by physical means - Comments with regard to sugars and "pictorial representation" as above.

Lemon juice ready for consumption preserved exclusively by physical means - Comments with regard to "pictorial representation" as above.

Grapefruit juice ready for consumption preserved exclusively by physical means - Comments of the Federal Republic of Germany with regard to sugars as in apple juice as above and comments with regard to "pictorial representation" as above.

Fermented Concentrated Apple Juice

Fermented Concentrated Orange Juice

Fermented Concentrated Grape Juice - Comments with regard to "pictorial representation" as above.

The Committee was informed that the European Regional Standard for Natural Mineral Waters had been recast in Codex Format and had not yet been examined by the Co-ordinating Committee. The Committee decided that it would need to examine the section on claims in the labelling requirements for these products.

Canned Green Garden Peas - The delegation of the Federal Republic of Germany repeated his remark on the inclusion of "Continental Peas" in the permitted type names for green peas.

Processed Raisins - The delegation of Australia noted that they would continue the use of the name "Sultana" for raisins made from Sultana (seedless) type grapes.

Canned Mushrooms, Canned Strawberries, Canned Plums, Canned Raspberries, Canned Fruit Cocktail, Canned Pears, Canned Mandarin Oranges and Processed Tomato Concentrate - no comments

Canned Ham, Canned Luncheon Meat and Canned Chopped Meat - the Committee noted that the Commodity Committee dealing with these products was reconsidering the storage instructions and asked them to consider adding a phrase indicating that the products were only semi-preserved and that even when refrigerated, they had a limited shelf life.

Canned Corn Beef - no comments

Butter Fat, Butter Oil (Anhydrous), High Fat Milk Powder, Half Cream Powder and Cream Powder - the Committee recommended that the designation of the product be clearly stated in the labelling section of the Standard.

Cocoa Products and Chocolate - the Committee deferred consideration of these Standards.

Certain other Standards before this Committee which had not yet been considered in detail by the Committees concerned (e.g. fungi) were likewise held in abeyance as to consideration of the labelling requirements.

The Committee agreed with the suggestion of the Codex Committee on Food Hygiene that containers be marked with the identification of the factory in which the products are produced.

52. Codex Commodity Committees have agreed to the labelling requirements of the Standards on the basis of specific sections in the General Standard for Labelling of Prepackaged Foods, Appendix II to ALINORM 68/22. Changes have been made by this Committee in the wording of some of the sections of the General Standard. This could change the views of the Codex Commodity Committees. Accordingly, it would appear reasonable to quote the wording of the exact sections in the labelling requirements which have been approved by the Commodity Committees. It may be necessary later, of course, for the new labelling wording to be added in lieu of the old one used by the Commodity Committees but this should be done only with the approval of these Committees. This will be in accordance with the requirements concerning labelling contained in the latest version of the Codex Format.

53. The Committee considered the subject of claims and noted general agreement with the statement that, if a claim is made, it should be justified on a case by case basis. However, in general, it was felt that it would be most difficult to regulate claims on an international basis. It was suggested that delegations having legislation or regulations or other material covering this matter should submit this material and any specific proposals to the Secretariat of the meeting. This, in conjunction with the section on claims (I(iv) p.13 in the document "General Food Labelling Provisions" prepared in May, 1965, by the Legislation Research Branch of FAO) should be assembled in a working document for some future meeting at which time claims can be considered more fully.

54. On the question of labelling of bulk containers, the Committee expressed the view that it was not yet time to develop detailed requirements for this aspect of labelling. Time would be required to see how the General Standard for Labelling of Prepackaged Foods would be accepted and applied. The necessary information for foods packed in bulk would normally be expected to be available in the documents relating to bulk foods. Concerning labelling of foods packed from bulk, foods packed from bulk out of sight of the consumer are, in fact, prepackaged foods and would be covered by the General Standard. Foods packed from bulk in sight of the consumer were not a matter for an international standard. This same opinion was held concerning labelling which may be necessary in connection with food vending machines.

55. The Committee discussed Government comments on paragraph 7 of the Report of the Third Session (ALINORM 68/22) on the suggestion of the delegation of Denmark, as to whether a recommendation should be made to the Commission that the terms of reference of this Committee should be amended to include "advertising."

It was noted that the definition of "label" in the General Standard for Labelling of Prepackaged Foods covered certain limited aspects of advertising, i.e., matter accompanying the prepackaged food. The delegation of the Federal Republic of Germany considered that it was particularly necessary that the catalogues of mail order firms selling food should contain the same information as was shown on the label of the food. Some delegations thought that control of advertising of food could best be dealt with on a national level. Other delegations pointed out that claims made in advertisements could be an important factor due to the increasingly international nature of information media and that such claims should not automatically be excluded from any control of claims that might be developed. Since the Committee had stressed, in its consideration of claims, the necessity for full justification of them, it agreed that the same principles should apply to all claims whether made on labels or in advertisements.

The Committee, therefore, agreed to bring to the attention of the Commission its wish that its terms of reference should not be taken to preclude consideration of advertising in the context of any control of claims which might be developed as a result of the decision recorded in paragraph 53 above.

56. The Japanese delegation expressed the wish that there should be a glossary to define terms such as "ingredient", "component" and "substance" for translation purposes and to harmonize the definitions used in the various Codex Committees.

57. The Committee decided not to be too specific concerning the date of the next meeting since this would depend upon the decision of the Codex Alimentarius Commission concerning the General Standard for Labelling of Prepackaged Foods. It was apparent that at least a short meeting would be necessary to cover the endorsement of labelling provisions for Commodity Committees, and if only a short meeting were needed, it could best be held in conjunction with the meeting of the Commission. Should, however, the Agenda contain more items of substance, then it would be necessary to have a longer meeting. This could be held in Canada, and a number of delegations felt that it must be held either immediately before or after other Codex meetings in North America.

JOINT FAO/WHO CODEX ALIMENTARIUS COMMISSION

COMMITTEE ON FOOD LABELLING

Fourth Session

Ottawa, Canada, 23-28 September, 1968

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APPENDIX I

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GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS

1. Definition of Terms

For the purpose of this Standard:

- (a) "label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of food;
- (b) "labelling" includes the label and any written, printed or graphic matter relating to and accompanying the food;
- (c) "container" means any form of packaging of food for sale as a single item, whether by completely or partially enclosing the food, and includes wrappers;
- (d) "prepackaged" means packaged or made up in advance, ready for retail sale in a container;
- (e) "ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product.

2. General Principles

- 2.1 Prepackaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.
- 2.2 Prepackaged food shall not be described or presented on any label or in any labelling by words, pictorial or other devices which refer to or are suggestive either directly or indirectly, of any other product with which such food might be confused, or in such a manner as to lead the purchaser or consumer to suppose that the food is connected with such other product.

3. Mandatory Labelling of Prepackaged Foods

The labels of all prepackaged food shall bear the information required by sections 3.1 to 3.5 below, as applicable to the food being labelled, except to the extent otherwise expressly provided in a specific Codex Standard.

3.1 The Name of the Food

- (i) The name shall indicate the true nature of the food and normally be specific and not generic.
- (ii) Where a name or names have been established for a food in a Codex Standard, at least one of these names shall be used.

- (iii) In other cases, a common or usual name shall be used, if one exists.
- (iv) Where no common name exists, an appropriate descriptive name shall be used.
- (v) A "coined" or "fanciful" name, however, may be used provided it is not misleading and is accompanied by an appropriately descriptive term.

3.2 List of Ingredients

- (i) A complete list of ingredients shall be declared on the label in descending order of proportion

EXCEPT

- (a) as otherwise provided in a Codex Standard
 - (b) in the case of dehydrated foods which are intended to be reconstituted by the addition of water, the ingredients may be listed in order of proportion in the reconstituted product, provided the list of ingredients is headed by a statement such as "ingredients when reconstituted".
- (ii) When a food consists of more than one component, the label shall carry the names of each of the components in decreasing order of proportion. Where a component of a food has more than one ingredient, the names of the ingredients shall be listed together with all other ingredients, except where the component is a food for which a Codex Standard has been established in which case the ingredients required to be listed by that standard shall be listed.
 - (iii) A specific name shall be used for the declaration of ingredients except that the following class titles may be used to describe a particular group of ingredients in a food. The following is a partial list of such class names: starches, herbs, spices, vegetable gums, colours, flavours, emulsifiers, preservatives, antioxidants, bleaching and maturing agents, animal fats, animal oils, vegetable fats, vegetable oils, stabilizers, thickening agents and anticaking agents.

- (iv) Added water shall be declared in the list of ingredients if such a declaration would result in a better understanding by the consumer of the product's composition, except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food.

3.3 Net Contents

A correct declaration of the net contents in either the metric (S.I. units) or avoirdupois or both, systems of measurements as required by the country in which the food is sold. This declaration must be made in the following manner:

- (i) For liquid foods, by volume.
- (ii) For solid foods, by weight.
- (iii) For semi-solid or viscous foods, either by weight or volume.
- (iv) For foods usually sold by number, by count.

Foods packed in a liquid medium normally discarded before consumption shall carry a declaration of the drained weight of the food.

3.4 Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter, or vendor of the food shall be declared.

3.5 Country of Origin

The country of origin of a food shall be declared if its omission would mislead or deceive the consumer. When a food undergoes processing in a second country which essentially changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.

4. Presentation of Mandatory Information

4.1 General

Statements required to appear on the label by virtue of this Standard or any other Codex Standard shall be clear, prominent and readily legible by the consumer under normal conditions of purchase and use. Such information shall not be obscured by designs or by other written, printed or graphic matter and shall be in contrasting colour to that of the background. The letters in the name of the food

shall be in a size reasonably related to the most prominent printed matter on the label. Where the container is covered by a wrapper, the wrapper shall carry the necessary information, or the label on the container shall be readily legible through the outer wrapper or not obscured by it. In general, the name and net contents of the food shall appear on that portion of the label normally intended to be presented to the consumer at the time of sale.

4.2 Language

The language used for the declaration of the statements referred to in paragraph 4, shall be a language acceptable to the country in which the food is intended for sale. If the language on the original label is not acceptable, a supplementary label containing the mandatory information in an acceptable language may be used instead of relabelling.

5. Additional or Different Requirements for Specific Foods

Nothing in this Standard shall preclude the adoption of additional or different provisions in a Codex Standard, in respect of labelling, where the circumstances of a particular food would justify their incorporation in that Standard.

5.1 Irradiated Foods

Foods which have been treated with ionizing radiation shall be so designated.

6. Optional Labelling

6.1 General

Any information or pictorial device may be displayed in labelling provided that it is not in conflict with the mandatory requirement nor would mislead or deceive the consumer in any way whatsoever in respect of the food.

6.2 Grade Designations

If grade designations are used, they should be readily understandable, and not be misleading or deceptive in any way.

RECOMMENDATIONS TO CODEX COMMODITY COMMITTEES

(References are to the paragraph in the Final Report of the Fourth Session of the Codex Committee on Food Labelling)

1. During the discussion of the complete listing of ingredients the question of allergies was brought up. The Committee took note of the very useful paper on "Intolerance to Foods" which had been prepared by WHO as a result of the discussion on allergies at the Committee's Third Session and which it believed would be of interest to other Codex Committees, especially commodity committees and the Codex Committee on Foods for Special Dietary Uses. The Committee recognized that allergies to food were a serious problem which it should bear in mind. However, the Committee felt that in practice the problem could not be adequately or completely solved by requirements for food labelling. (Para. 18)
2. On the question of listing quantity of ingredients of particular value, the Committee agreed not to include such a statement in the Standard. However, it draws to the attention of Codex Commodity Committees that, in certain cases, it might be desirable to have quantity statements. The observer from the International Organization of Consumers Unions suggested that the paragraph should be amended to include the words "and the label shall indicate that the declaration is in descending order of proportion" (by a phrase such as "ingredients in descending order"). Since there was an even division of opinion in the Committee on whether this statement could be inserted into the Standard, this was not done, although, in the view of many, such a statement would be most informative. (Para. 20)
3. The proposal of the Federal Republic of Germany that count be supplemented by minimum weight was discussed, and although many delegations approved this in principle, it was decided not to put this in the General Standard. (Para. 31)
4. Concerning grade designation, the Committee agreed to delete the words "of uniform nomenclature" from the Standard and to make the general recommendation that at some time in the future it might be one of the tasks of some group to take up the development of a uniform international nomenclature for grades. (Para. 35)
5. In the discussion on additional or different requirements for specific foods, it was suggested that it be recommended to other Codex Commodity Committees that they may wish to have a specific indication of the treatment or of the results of a treatment on the label of foods which have undergone special treatment during preparation. This is to cover, in a general sense, both irradiation and any other process which may be developed which would require such an indication, as well as the use of certain additives or processing aids for which it may be in the interest of the consumer to know what has been used. (Para. 33)

6. The paper presented by the Swedish delegation concerning storage instructions was discussed by the Committee and it was agreed that the statement quoted below should appear in Appendix III to this Report entitled "Recommendations to Codex Commodity Committees." Most delegates indicated that they were in agreement with the principle of this recommendation, but felt that the matter should be handled very carefully particularly in view of the practical difficulties both in international trade and in applying this to foods not subject to a Codex Commodity Standard. The recommendation reads as follows: "It is of essential importance for the durability of some prepackaged food that the foods should be stored under special conditions. In such cases, the package must be furnished by the producer or the packer with satisfactory instructions as to how the food should be kept (storage instructions). It shall rest with the Codex Commodity Committees concerned to provide the detailed storage instructions which shall appear on the label." (Para. 37)

7. Codex Commodity Committees have agreed to the labelling requirements of the Standards on the basis of specific sections in the General Standard for Labelling of Prepackaged Foods, Appendix II to ALINORM 68/22. Changes have been made by this Committee in the wording of some of the sections of the General Standard. This could change the views of the Codex Commodity Committees. Accordingly, it would appear reasonable to quote the wording of the exact sections in the labelling requirements which have been approved by the Commodity Committees. It may be necessary later, of course, for the new labelling wording to be added in lieu of the old one used by the Commodity Committees but this should be done only with the approval of these Committees. This will be in accordance with the requirements concerning labelling contained in the latest version of the Codex Format. (Para. 52)

8. The Committee considered the subject of claims and noted general agreement with the statement that, if a claim is made, it should be justified on a case by case basis. (Para. 53)