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ALINORM 72/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
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REPORT OF THE SEVENTH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING
Ottawa, 5-10 June 1972

1. The Seventh Session of the Codex Committee on Food Labelling under the Chairmanship of the Government of Canada, was held in Ottawa, Canada, 5-10 June, 1972. The Session was opened by Mr. G.F. Osbaldeston, Deputy Minister, Consumer and Corporate Affairs Department. Dr. D.G. Chapman, Director, Food Advisory Bureau, Health Protection Branch, Department of National Health and Welfare, was Chairman of the Session. Representatives from 24 countries were present. Observers were present from 7 international organizations (See Appendix I for the List of Participants).

The delegation of Argentina, speaking on behalf of the Spanish speaking delegates, thanked the host country for the provision of documentation and simultaneous interpretation into Spanish.

Adoption of the Agenda

2. The Committee adopted the Provisional Agenda with a slight re-arrangement, reversing the order of the related items dealing with Claims and Advertising. The Delegations of Denmark and the United States of America drew the attention of the Committee to certain other points which they intended to raise under "Other Business".

It was agreed that the nutritional aspects of claims should be discussed under the item dealing with Claims, and the other points would be treated under Item 10 of the Agenda ("Other Business").

Endorsement of Labelling Provisions in Codex Commodity Standards at Step 8.

Canned Corned Beef

3. It was noted that at the Sixth Session meeting of the Codex Committee on Processed Meat Products (ALINORM 72/16), the only standard which had been advanced to Step 8 was that for Canned Corned Beef. The relevant sections from the Report and the Draft Standard were contained in the document CX/FL 72/11.

The Committee took note of the discussion in paragraph 73 of the report of the Sixth Session of the Codex Committee on Processed Meat Products relative to the name of the food. The Committee endorsed the present name and noted that it would be possible to use this name in conjunction with supplementary information to the consumer.

It was noted that the wording in the standard as to "list of ingredients" differed from the General Standard as it referred to "descending order of quantity by weight m/m" rather than "descending order of proportion". The Committee agreed that the wording "descending order of proportion" was commonly understood to mean "by weight". It was agreed that the wording suggested by the Commodity Committee was clearer and more specific but that the original wording in the General Standard should be retained for the time being in order not to affect the standards already sent out to governments for acceptance. When the General Standard for Labelling of Pre-Packaged Foods is reviewed for possible amendment, this point should be raised again.

4. The Delegation of Argentina drew the Committee's attention to the fact that in their legislation, declaration of country of origin was mandatory and that this information should be indelibly printed in clear on both the can and the label.
5. Corned Beef - Additional provisions for lot identification.

The Committee was informed that Section 6.6 of the standard was similar to provisions included in other draft standards elaborated by the Codex Committee on Processed Meat Products and that the intention was to require the container itself and not any label or wrapper attached thereto to be marked with information which would enable the product to be traced at any time, which was important for hygiene and safety control purposes. Some delegations expressed the view that the reference to "the establishment number" was inappropriate and unnecessarily restrictive since the term was not defined either in the draft standard or in the Recommended General Standard for Food Labelling and since all manufacturers of corned beef and other canned meat would not necessarily have an establishment number. The Committee noted that the provisions included in Sections 6.6.1 and 6.6.2, and in particular the use of an establishment number represented general practice in relation to canned meat products and that some of the provisions might be required by legislation or international practices, e.g. those connected with meat inspection. However, the Committee considered that it would be preferable to elaborate a provision which did not refer to an establishment number especially as provision for lot identification had already been endorsed in some of the Recommended Standards for Fish and Fishery Products, e.g. canned tuna, canned shrimps and prawns and Canned Pacific Salmon, as follows:

"6.6 Lot Identification

The following provisions apply to marking on the container itself and not to marking on any label or wrapper attached thereto:

The container shall be permanently and indelibly marked in code or in clear so as to identify the manufacturer and the country, place and date of manufacture."

The Committee noted that the effect of the provision would be similar to that of the provision elaborated by the Codex Committee on Processed Meat Products and that where an establishment number was available it could be used to identify the manufacturer and the place of manufacture. The Committee also noted that ISO code R 90/1959 dealt with the question of international codes for designating countries of origin.

The Committee decided to delete the present section 6.6 and replace it by the provision noted above dealing with lot identification.

The labelling provisions of this standard were endorsed as amended.

General Points covering all endorsements, where appropriate.

6. Concerning the name and address, the Delegation of Sweden indicated, as a general point, that according to their legislation the name and address of the manufacturer or packer always has to be printed on the label of a food product.
7. As a general point, the Committee noted that when Codex Commodity Committees propose changes in the wording of the labelling sections of their standards, which differ from those in the General Standard, their reports should clearly indicate the reasons for such deviations.
8. The labelling provisions for the declaration of the syrup strengths of canned mandarin oranges and canned pears were endorsed tentatively subject to the resolution of the problem of various syrup strengths at the Ninth Session of the Codex Committee on Processed Fruits and Vegetables.
9. Similarly, the Delegation of the Federal Republic of Germany drew attention to the fact that it could not endorse the labelling provisions for artificial colour and flavourings in a number of the products, pending the decisions of the Codex Committee on Processed Fruits and Vegetables at its Ninth Session.
10. As a general point, the Delegation of Austria, the Federal Republic of Germany, and Sweden drew the Committee's attention to the fact that they used the weight of the ingoing product at the time of the filling as a measure of net contents as well as the net weight of the total product.
11. The Delegate of Japan stated that, in its view, the standards should provide for a mandatory declaration of the date of manufacture in the labelling provisions for each food to be considered for endorsement.
12. It was recommended that the word "specific" be deleted in the preamble to all these standards since it implied that all the subsections quoted in the labelling provisions were specific provisions whereas some of them were general provisions common to all labelling provisions in Codex standards. A number of delegates supported this idea, pointing out that the repetition of the same phrases was not useful, although some delegates felt that it was advantageous to have all the positive requirements listed in the labelling provisions of each standard.
13. Referring to the declaration of Vitamin C, the Delegation of Sweden pointed out that according to their legislation the type and amount of vitamins contained in the product, must be declared if a claim about vitamins appears on the label.

Canned Mandarin Oranges

14. After taking note of the above general reservations, the Committee on Food Labelling endorsed labelling provisions of the standard for canned mandarin oranges.

Canned Pears

15. The labelling provisions in the Codex Standard for the canned pears were endorsed by the Committee. The Delegation of Australia pointed out the inconsistency in requiring the name of the variety of pear juice when this differed from the name of the variety of pears, while there was no requirement to name the variety of pears when the variety of pears and the variety of juice was the same.

Tomato Concentrate

16. The Delegate of Canada raised the question of the fact that the mandatory name of the product appears to be only Tomato Concentrate (8.2.1) and yet, under 8.1.2, other names are permitted to replace this name. It was indicated that this nomenclature was carefully worked out by the Commodity Committee and is closely tied in with the compositional requirements for this product. The Committee then endorsed all the labelling provisions for this standard.

Canned Peas

17. It was pointed out by the Delegation of Trinidad and Tobago that it would be necessary for them to make a deviation in the acceptance of this standard as to the name of the product since the product known as Green Peas applied to a different botanical species in their country. The other possibility was the development of another name for the product to be regarded as "an equivalent description used in the country in which the product is intended to be sold."
18. The Observer from the International Organization of Consumers' Unions, was of the opinion that drained weight rather than net weight was more informative for peas packed in brine. The technical difficulties of determining drained weight were pointed out and it was indicated that it depended on the maturity of the peas, which would require adjustments of the label statement during a packing season. The labelling provisions for canned peas were endorsed by the Committee, unchanged.

Vinifera Type Grape Juice

19. The Delegation of Canada asked why the declaration of the presence of sulphur dioxide was listed under 9.6.5 under "Additional Requirements" rather than under 9.2, "List of Ingredients". The Committee noted that sulphur dioxide was listed under Section 6 of the standard and not under ingredients and, therefore, it was agreed to retain the original draft.
20. The Committee agreed to revise 9.2.1 for the sake of clarity so that it would read "a complete list of ingredients shall be declared on the label in descending order of proportion, except that water added for reconstitution of juice according to paragraph 2 of this standard need not be declared". A number of delegations did not see the necessity for this revision of 9.2.1.

21. As a general point in this and the following fruit juice standards, the Committee noted the objections of the Federal Republic of Germany and Switzerland to the requirements for the listing of ascorbic acid as such, in the list of ingredients.
22. With regard to the section on Country of Origin, the Committee considered that Sub-section 9.5.2, which had been derived from the General Standard for Food Labelling, did not appear to apply to the specific problem of reconstituted juices. Several delegations were of the opinion that the reconstitution of fruit juice did not change the nature of the product and, therefore, could not be considered as a form of processing, whereas others were of the contrary opinion. It was therefore agreed that the Joint ECE/Codex Group of Experts on the Standardization of Fruit Juices was the appropriate group and requested it to consider in detail, in the light of the above statements, what the declaration of country of origin should be for a reconstituted juice and also for blends of mixtures of juices from concentrates of different origins. The Committee noted that the other standards for fruit juices which had been advanced to step 9 of the procedure contained the same provisions as appeared in the present standard and therefore agreed to endorse the whole section relating to the Country of Origin, noting that the standard would be considered by the Commission at its next session at Step 8. The Delegations of France, the Federal Republic of Germany, Switzerland, and Japan, although they were willing to take into consideration the section on Country of Origin, had reservations about endorsing these provisions.

Concentrated Apple Juice

23. The Delegation of Argentina indicated that in connection with paragraphs 8.1 and 8.7, their legislation required that the volumes of water needed to be added to a concentrate to reconstitute the juice must be stated on the label. The labelling provisions in this standard were endorsed by the Committee, with the usual general provisos.

Concentrated Orange Juice

24. The labelling provisions in this standard were endorsed by the Committee, subject to the usual general reservations which appear in paragraphs 6-13 of this report.

Vinifera Type Concentrated Grape Juice

25. The labelling provisions in this standard were endorsed by the Committee, subject to the general reservations expressed in paragraphs 6-13 of this report.

Infant Formula

26. After considerable discussion on section 9.2 "The Name of the Food", in order to make the use of this generic name more specific and to cover all possible difficulties which might arise from non-specific designation of this food, the section was amended to read as follows:

"9.2.1 The name of the product shall be "Infant Formula" of any appropriate designation in accordance with national usage".

"9.2.2 In addition, the name of the product shall be qualified by a designation of the essential nature of the food to indicate if it is

- (a) based on milk (see section 3.3 of the standard) or
- (b) free from milk and milk products or
- (c) free from soya products or
- (d) free from other products of similar nutritional or allergenic importance."

However, some delegations said that the original wording of the name of the food in the standard was satisfactory.

27. The Committee endorsed the special provisions for listing vitamins and minerals, noting that this was the normal way of listing such ingredients. The Delegation of the United Kingdom indicated its opposition to the decision to endorse these provisions in 9.3.1 as it was not convinced that it was necessary to depart from the normal procedure laid down in the General Standard for Food Labelling under which ingredients must be declared in descending order of proportion. The United Kingdom Delegation's suggestion that if any departure was justified in a particular case it would be essential for the information and protection of the consumer that there should be specific control over the way in which the ingredients should be listed. The United Kingdom added that it would have preferred to see any special provision for a declaration to be elaborated on the following lines:

"A complete list of ingredients shall be declared on the label in descending order of proportion except that added vitamins or added minerals may be listed separately in descending order of proportion or in alphabetical order."

28. Under the heading "Declaration of Nutritive Value" (9.4), the Delegation of Poland raised the point that in their opinion the standard needs a declaration that the product meets normal nutritional requirements of infants up to a stated age. The Delegation of Sweden pointed out that in their country, nutritional values must be expressed per 100 grams of weight and not by volume, and that calories likewise must be expressed per 100 grams.

29. Concerning the country of origin, the Delegation of Poland indicated that in their opinion, the country of origin should be declared in all cases.

30. It was also agreed that, under the Section "Additional Requirements", should appear the statement under 9.8 dealing with lot identification, that is, "the date of manufacture or the date of expiry shall be declared in clear". In addition, the Delegation of the Netherlands was of the opinion that proper storage instructions for the unopened food package should also be given. (See 9.9 - Information for Utilization).

Endorsement of Labelling Provisions at Step 7 of the Procedure for the Elaboration of Milk and Milk Product Standards - Processed Cheeses

31. The Chairman of the Committee in reviewing the present situation as regard to these standards, recalled the previous decision of the Committee not to endorse the labelling provisions of these standards unless a complete list of ingredients was declared on the label. It was noted that the Joint FAO/WHO Committee of Government Experts on

the Code of Principles concerning Milk and Milk Products at its Fourteenth Session had reconsidered this problem and had made a compromise proposal which was contained in paragraph 56 of its report (CX 5/70-14th). The Committee agreed that the reasons advanced for the non-declaration of certain ingredients were not sufficient to warrant exemption from the general provisions of a complete list of ingredients and reiterated their decision that all ingredients must be declared on the label. In this connection, the Delegations of Denmark and the Netherlands drew the Committee's attention to Section 3.2 (a) (i) of the General Standard for the Labelling of Pre-packaged Foods which allowed for an exemption from a complete list of ingredients and which they considered was applicable in this case.

Endorsement of the Labelling Provisions at Step 5 of the Procedure for the Elaboration of Milk and Milk Product Standards - Yoghurt

32. The Committee agreed that as the standard still contained provisions which have not yet been clarified, such as the heat treatment of yoghurt, it would be premature to consider it in detail at the present moment. However, the Delegation of Poland stated that they considered that the "fat content" should be declared as a percentage fat in figures rather than by using descriptive words. The Committee pointed out that a full declaration of ingredients would be useful in products of this nature as well as an indication as to whether the specific names of food additives or class names should be used.

Advertising of Food

33. The Committee had before it the document CX/FL 72/7 and its Annexes dealing with advertising. After considerable general discussion of the question of the advertising of foods, and in particular as to whether the Committee should develop a Code of Practice for Food Advertising, most delegations thought that to develop a Code of Practice for Food Advertising at this point in time should not be proceeded with, although the interest of the Committee in the question of advertising remained. Some delegations pointed out that advertising has a role to play in consumer education. The Committee also agreed that, for the time being, a general guideline with respect to advertising should be developed, and adopted the proposal by the Delegation of Sweden which read as follows:

"Food shall not be described or presented in any form of advertising in a manner which is contradictory to the General Principles laid down in Section 2 of the Recommended General Standard for the Labelling of Pre-packaged Foods."

It was agreed that this general guideline should be applied to all foods, whether they were pre-packaged or not. The Observer from the International Chambers of Commerce indicated that his organization would be willing to consider the inclusion in their code, in the section relating to special categories of products, appropriate paragraphs on foods. The Committee noted with interest this aspect of the work of ICC in the continual development and review of the Code of Practice for Advertising. The Committee agreed that a useful discussion had taken place on the subject of food advertising and agreed that in principle all advertising relative to food should be consistent with the General Principles of Food Labelling as contained in Section 2 of the General Standard.

34. The Delegation of the Federal Republic of Germany drew the attention of the Committee to the problem of a special kind of advertising, that is, the entry in a mail-order catalogue of a description of a food and asked that at some future date the Committee should consider how this should be regulated, particularly since such catalogues are circulated internationally.

Draft Code of Practice for Advertising of Infant Foods

35. The Committee noted that the consideration of Draft Code of Practice for Advertising of Infant Foods was to be considered under Item 7(b) of the Agenda (as contained in Document CX/FL 72/10). The Committee agreed that their general decisions relating to advertising of foods were equally applicable to this subject and expressed its appreciation of the work of IOCU in preparing this document.

Claims

36. The Committee had before it a working paper on claims (CX/FL 72/6) with its Annexes which gave the background to the problem.

The question of claims was discussed in considerable depth by the Committee. In connection with the General Principles in Section 2 of the General Standard for the Labelling of Pre-packaged Foods, some delegations considered that, in their opinion, these provisions were not sufficient to cover the problem of claims or assertions. These delegations felt that an additional paragraph in Section 2 to cover this matter would be appropriate. As an example, the following tentative suggestion was made:

"When a label mentions a particular property concerning the food to which it is attached, this property must be able to be proven by the person who makes the claim. By 'a particular property' is meant claims concerning properties giving rise to effects favourable to health."

However, other delegations considered that the negative control in Section 2 was adequate to cover this question and that no addition was necessary.

37. Some delegations considered that it was necessary to define what was meant by a claim and also to define certain specific categories, such as dietetic and therapeutic claims. The following examples of possible definitions were tentatively suggested:

"'A claim' means an assertion on a label of a food that a food has special qualities or properties normally not found in a food of that kind and calculated to enhance its nutritive, dietetic, therapeutic or organoleptic value or to make the food more attractive in any other way to the consumer. It includes assertions of selectivity in choice of raw materials and of special care in harvesting, handling, or processing designed to produce a better quality of product (but not simply good hygiene practice). It does not include meaningless superlatives."

"A 'dietetic claim' means a claim which relates to the fact of presence, at higher than normal level, or of absence of a particular substance by reason of which the implication arises that the food is suitable for a special dietary purpose."

"A 'therapeutic claim' is a dietetic claim which asserts suitability for a disease, disorder or physiological condition."

38. The Committee agreed that it was desirable to devise controls for certain claims of a particular nature rather than claims in general. The following specific areas of claims were cited:

Claims which deal with normal constituents of foods, such as, energy, fat carbohydrate, amino acid, alcohol and protein content;

Other claims, such as,

health in its widest aspect;
vitamins and minerals;

weight reduction and slimming;

reduction in calorie, starch or carbohydrate content;

foods for particular diseases, e.g., diabetes;

the use of the term "natural";

"organic" food;

religious or ritual preparation of foods.

It was recognized that the elaboration of criteria for the justification of claims of this nature would also be desirable and that steps should be taken to develop such criteria, taking into account the work of other special Committees, such as the Joint FAO/WHO Expert Committees on Nutrition and, in particular, the work of Codex commodity committees such as the Codex Committee on Foods for Special Dietary Uses. These criteria should also take into account the needs of the consumer for factual and meaningful information. Several delegations considered that where statements or claims were made for products of a particular nature, then these statements should be as uniform as possible.

39. The Committee agreed that Governments should be invited to comment, in the light of the above discussion, on:

(a) the need, if any, for a revision of Section 2 of the General Standard for the Labelling of Pre-packaged Foods, and on possible wordings for such revision (see para. 36);

(b) the wording for the definition of 'claim' and possible categories of claims (see para. 37 above);

(c) the possibility of developing within the framework of the Codex Alimentarius criteria for the justification of claims in the areas specified in para. 38 above, to suggest any other areas, and to comment on the possibility of developing uniform statements concerning these claims for use in Codex standards.

Date-marking

40. The Committee had before it document CX/FL 72/6 and its Annexes I and II the latter of which contained a paper on date-marking of a general nature from Norway, which was of similar intent to the Background Documents A, B and C prepared by the Federal Republic of Germany, the International Organization of Consumers' Unions, and Sweden, respectively. The Committee also had before it a re-issue of document CCFL/63/11 which was a memorandum from Sweden concerning storage directives for pre-packaged foods presented to the Fourth Session of the Codex Committee on Food Labelling.
41. After considerable discussion, the Committee was of the general opinion that some form of date-marking in clear was desirable for certain types of food products.
42. The Committee also agreed that the primary purpose of date-marking in clear is to assist in providing consumers with a fresh product of good quality. (It was the opinion of several delegations that date-marking in clear was only intended as an indication of quality and not as a guarantee of quality or as a means of health control.) It was noted that control measures, such as, lot identification, for which codes or open dates might be used, allowed for the possibility of recalling the foods, to ensure the fitness of food for human consumption and to assist in the rotation of stock.
43. The Committee discussed in detail the many various types of date-marking. It was generally recognized that it would be desirable to limit the number of options which could be used on the labels of foods to which Codex standards apply. Many delegations were of the opinion that the types of date-marking might be restricted to five, namely,
- (1) date of production or manufacture;
 - (2) date of packaging;
 - (3) "sell-by" or "pull" date;
 - (4) date of minimum durability;
 - (5) expiry date or estimated last consumption date.

Some delegations expressed the view that the date of manufacture or the production date with one other type of date-marking would be adequate, whereas other delegations favoured using only one specific form of date-marking. Several delegations pointed out the difficulties of adopting a common system of open date-marking in some countries, bearing in mind such problems as differences in climate, transport, etc. These delegations stated that in their opinion the only possibility at the moment was an open date of manufacture for international trade. The Committee agreed that the various types of date-marking should be listed and defined to facilitate discussion at a future session of this Committee.

44. The Committee recognized that the type of date-marking on pre-packaged foods was closely linked with the type of food which should be date-marked in clear. It noted that the two main categories of foods with respect to date-marking could arbitrarily be defined as "long" life and "short" life products.

45. As regards long-life products, these are stable for long periods of time when kept properly, e.g. heat-sterilized canned foods. For these products some delegations thought that a date in clear was essential but a number of delegations were of the opinion that a date of manufacture or packaging was the only type of date which could be used to inform the consumer of the age of the food. Other delegations felt that on long-life products an open date is not necessary. It was also recognized that many of the products for which standards were being elaborated by the Codex Alimentarius Commission fell within this group.

46. The Committee noted that short-life foods were usually highly perishable pre-packaged foods, often with a life of less than 30 days. This category includes many fresh animal products such as meat, eggs, fish, dairy products, etc., and in certain cases extends to semi-preserved foods. For these types of foods, it was recognized that a date of manufacture or packaging was not necessarily sufficient or meaningful in informing the consumer regarding the freshness of the product and that for these products, other types of date-marking (see para. 43) might be needed. Some delegations were of the opinion that dietary, infant and baby foods required open date-marking because of the possibility of deterioration of the nutritive value of the products, even though there may not be a loss in overall quality. The Delegation of Sweden pointed out to the Committee that the difference between long-life and short-life food products frequently depends on how the products have been stored.

47. The Committee then considered the need for storage instructions on the labels of certain food products whose freshness and quality are largely dependent upon the conditions under which these products are held.

Some delegations were of the opinion that storage instructions should only be used when necessary to ensure that the food be kept so as to maintain its quality. In the opinion of many delegations, storage and handling instructions would be needed for a number of foods.

48. The attention of the Committee was drawn to the significant changes which had taken place in recent years in the positions of some governments, and increasing consumer awareness regarding the problem of date-marking. Several delegations indicated that it was the intention of their governments to introduce open date-marking for pre-packaged food products and in this connection the Delegation of Austria requested that the Codex Committee on Food Labelling compile a document containing information on measures planned by member countries in the field of date-marking to assist in the harmonization of legislation on this matter.

Taking into account the discussion up to this point, the Delegation of the Federal Republic of Germany proposed the addition of a new section to the General Standard for the Labelling of Pre-packaged Foods dealing with the subject of date-marking and storage instructions in a general way and which read as follows:

"If a date is indicated on a label or on a container, it shall be stated in clear. It shall be understandable to the consumer which date is applied.

The above paragraph does not apply to date-marking intended to be used exclusively for control purposes.

Date-marking shall be supplemented by storage instructions if quality or durability depends on maintaining certain temperatures or meeting other conditions."

The Delegation of the Federal Republic of Germany pointed out inter alia that the indication of an open date for control purposes would be possible in spite of the wording in the second paragraph of its proposal, if a Codex Commodity Committee decides so in accordance with Section 5.1 of the General Standard for the Labelling of Pre-packaged Foods.

Although some delegations expressed themselves in agreement in principle with the suggested amendment, the Committee agreed that it was not timely to propose such an amendment and consider all its possible implications.

49. The Committee agreed to request the Commission to recommend to all Codex commodity committees that they should carefully consider the need for using open date-marking in relation to the particular products for which they were elaborating standards. It was further agreed that the Codex Committee on Food Labelling, when endorsing the labelling provisions of standards, would verify that the problems of open date-marking and storage instructions had indeed been considered by Codex commodity committees.

50. The Delegation of Austria requested that the Commission be asked to inform other international organizations, such as GATT, EFTA and EEC, working in the field of non-tariff trade barriers, of the work being done by the Commission on date-marking. The Committee noted that this did not only apply to date-marking but is equally applicable to all decisions within the Codex Alimentarius Commission relating to international standardization which are available, in any event, to these international bodies.

51. After the discussion of date-marking the Swedish delegate stated that, although his delegation agreed to the results the Committee had achieved on these questions, the purpose of date-marking should, from the Swedish point of view, be more specific and be defined, as it appeared in the Swedish Background Document C with the following clarifying revisions:

"The purpose of this kind of labelling is to give satisfactory information about the correct way to keep or store fresh foods and other perishable foodstuffs and, with this as guidance, inform about the date until which such products can be used by the consumer without risk of being unfit for human consumption."

Reflecting this purpose, the Swedish delegate suggested that "date-marking" should have the prefix "durability", or "keeping-life" as it aims to inform about the main fact the average consumer wants to know and that is:

"How long does a certain food keep fit for consumption?"

Net Contents

52. The Committee had before it a Working Paper (CX/FL 72/8) on Approaches to Determining Net Contents for Enforcement Purposes,

which included statistical sampling plans and an Annex containing previous comments of governments on tolerated discrepancies between the label declaration of content and actual content. There was also a background document which discussed the definitions of the correct label marking of net contents and dealt in detail with the statistics entitled "Acceptance Sampling of Packaged Commodities" by G.E. Anderson of the Canadian Department of Consumer and Corporate Affairs. A number of delegations expressed their appreciation of the paper which set forth in a reasoned way the assumptions behind common practice in their countries.

53. It was pointed out that in the original drafting of the General Standard for the Labelling of Pre-packaged Food, when the topic of net contents had been discussed at the Second Session of this Committee (ALINORM 66/22, para. 23) that the following statement explaining this provision appeared:

"The requirements for the declaration of net contents shall be deemed to have been complied with when the net contents from an adequate sample of the containers meet, on the average, the net contents declaration, provided that there is no unreasonable shortage in an individual container."

This question was raised again at the Fifth Session of this Committee and it was interpreted as a need to define more precisely the terms used in the above quotation, such as "adequate sample" and "unreasonable shortage".

54. The working paper attempted to solve these problems. The first question put to the meeting was whether the Committee would confirm that net contents meant average contents and not minimum net contents. Since the proposed definition of the correct declaration of net contents of a lot of packaged goods, suggested in the working paper, qualified the average in order to define "unreasonable shortage", by requiring the selection of statistical parameters, a number of delegations were not convinced that the Codex Committee on Food Labelling was the competent body to discuss this problem. In addition, they pointed out that this proposal differed from national practice in many cases.

55. It was indicated that the proposal applied to shipments in definable lots at the point of import. However, at the Fourth Session of this Committee (ALINORM 69/22, para. 29) -

"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."

This statement apparently appeared in that report in response to the requests of a number of countries which enforce this matter at the retail level on individual samples where the statistical approach involving assumption of uniform lots is not possible.

56. Although many countries reaffirmed that they would be prepared to accept net contents on an average basis as indicated in the Second Report of this Committee (ALINORM 66/22, para. 23) others did not. It was decided that this was such an important matter of principle that it should be brought before the next meeting of the Commission with a note of the previous conclusions of the Committee in order that a clear decision be made. On the basis of that decision, the Commission should then decide whether the matter should

go before the Codex Committee on Methods of Analysis and Sampling. It was also suggested that, if any future work were envisaged, statistical sampling schemes could be developed for various types of food products depending on their degree of homogeneity, and from such schemes developed by the Codex Committee on Methods of Analysis and Sampling, Codex commodity committees could select the appropriate plan for their specific products.

Other Business

57. The Delegation of Norway drew the attention of the Committee to the consequences of international regulation on food labelling which may have a restrictive effect on trade. They pointed out that there is a need for better co-ordination between countries of similar language so that manufacturers could use uniform labels for such countries. This problem was relevant to the many minor variations in regulatory detail, such as, the question of size of type. The Delegation of Norway was of the opinion that this problem was vital to the work of the Codex Alimentarius and therefore requested that the attention of the Commission be drawn to this matter.

58. The Delegation of the United States of America suggested that consideration be given to the possibility of including a statement in the general principles of the General Standard for Labelling of Pre-packaged Foods to the effect that pesticide residues complying with legal tolerances should not be required to be listed on the label or to accompany the produce when sold at the retail level. This question was raised in connection with the requirement for the declaration of pesticide residues in certain countries resulting from post-harvest pesticide treatment on citrus fruits, e.g. the use of diphenyl. The Delegation of the United States of America was of the opinion that such a declaration created non-tariff barriers which favour those countries with shorter shipping distances. The Delegation of the U.S.A. considered that no distinction should be made at retail between pesticide residues resulting from post-harvest treatment and those resulting from pre-harvest treatment when the pesticide residues were perfectly safe and within the permitted legal tolerances. Some delegations indicated that in their country these products were considered to be preservatives and subject to labelling requirements for food additives. The Committee noted that definitions of pesticide residues, food additives and contaminants are presently under consideration.

59. The Delegation of Denmark suggested that the Committee should consider and discuss at some future date the merits of nutritional labelling. It was recognized that this was connected to some extent to the problem of claims which may be made for nutritional value. The Delegation of Denmark felt, however, that there was a distinct difference between these types of claims and an internationally uniform designation of the labelling of the nutritive content of foods.

60. The Delegation of Denmark also raised the question of the problem of unit pricing of foods. Many delegations pointed out that unit pricing was a matter which applied to many non-food products and expressed doubt as to whether pricing fell within the scope of this Committee. It was also noted that the General Standard for the Labelling of Pre-packaged Foods made no reference to prices or to the way in which they may be presented on the label. The Delegation of Switzerland indicated that a mandatory declaration of unit pricing for products sold in non-standardized sizes, whether imported or sold on the domestic market, would soon become legislation in their country.

61. The problem of new class titles for ingredients, such as seasonings, condiments and phosphates, was raised by the Delegation of Denmark. It was noted that the Codex Committee on Food Additives had considered at its recent session a class name for phosphates and had not reached any conclusions. Some delegations considered that the generic name "phosphates" could be included in the list of class titles for ingredients when the Codex Committee on Food Additives obtained data as to the exact technological possibilities of the use of these substances, and a precise definition as to exactly which substances were to be covered. The Committee agreed that the attention of the Codex Commodity Committees should be drawn to the need for stating clear and cogent reasons for any new class titles which they may suggest.

62. The Delegation of Denmark proposed the addition of the following paragraph to the General Principles of the General Standard on the Labelling of Pre-packaged Foods.

"Pre-packaged foods shall be labelled with such additional mandatory information as the evolution in food merchandising and processing requires, and which the Food Labelling Committee recommends, and the Commission approves."

The Committee appreciated this point of view and took note of the general meaning behind the proposal.

63. The Secretariat drew the attention of the Committee to the request of the Codex Committee on Cocoa Products and Chocolate (ALINORM 72/10, para. 59), that the question be examined as to whether very small units should be exempted from a complete declaration of ingredients on the label.

It was also pointed out that this was a problem which was not exclusive to chocolate products but also concerned many other commodities. The Delegation of Sweden stated that according to their legislation, small units weighing less than 25 grams did not require mandatory label declaration. The Committee decided to invite governments to comment on this problem and agreed that this would be a matter for consideration at its next Session.

64. The attention of the Committee was also drawn to the Report of the Joint ECE/Codex Alimentarius Group of Experts on Frozen Foods at its Eighth Session (ALINORM 72/25, para. 68), in which the problem had been raised as to whether the addition of salt should be declared on the label in close proximity to the name of the product.

It had been noted that many delegations had considered that it was not sufficient to declare the addition of salt in the list of ingredients, but that certain consumers suffering from various health disorders needed to know explicitly whether the product contained added salt.

It had been further noted that this was a general problem which not only concerned quick-frozen foods, but related to many other products.

The Committee considered that for ingredients of this and of similar nature, a declaration in the list of ingredients was sufficient, but agreed to keep the matter under review.

Date, Place and Agenda for Next Session

65. The Chairman of the Committee considered in the light of the discussions, that there were sufficient matters of substance together with the normal endorsements to warrant the holding of a full-scale meeting in Ottawa next year. It was also recommended that the North American meetings on general subjects should be held consecutively. Among the items which might be considered at the next meeting would be the following:

claims

date-marking

endorsement at Step 8.

consideration of labelling provisions in standards at Step 5

as well as the possible consideration of items postponed from earlier meetings or brought up at this meeting such as the labelling of bulk containers; advertising food in mail-order catalogues; small unit labelling; work on harmonizing non-technical detail (such as size of type); nutritive labelling and class titles.

ALINORM 72/22
APPENDIX I

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ALINORM 72/22
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ALINORM 72/22
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