



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

**Forty-fifth Session  
Ottawa, Ontario, Canada, 13 - 17 May 2019**

**MATTERS REFERRED TO THE COMMITTEE BY THE CAC AND OTHER CODEX SUBSIDIARY BODIES**

**A. MATTERS ARISING FROM THE 41<sup>ST</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

**MATTERS FOR INFORMATION**

***Adoption of standards at Step 8<sup>1</sup>***

1. CAC41 **adopted** the revision of the *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985): Date marking.

***New work<sup>2</sup>***

2. CAC41 **approved** the new work on guidelines on front of pack nutrition labelling.

**B. MATTERS ARISING FROM OTHER CODEX SUBSIDIARY BODIES**

**MATTERS FOR INFORMATION**

**COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES (CCNFSDU39 and 40)**

***Claim for “free” of trans fatty acids<sup>3</sup>***

3. CCNFSDU40 decided to suspend discussion on the proposed draft condition for a claim for “free” of TFAs and agreed that Canada would prepare a discussion paper on different risk management possibilities for the reduction of TFAs within the mandate of Codex for consideration by CCNFSDU41.

***Nutrition profiles<sup>4</sup>***

4. CCNFSDU39 considered the request from CCFL44 to consider how the Committee could support the work of the CCFL on front of pack nutrition labelling. CCNFSDU39 postponed discussion to CCNFSDU40
5. CCNFSDU40 agreed that Costa Rica and Paraguay would undertake a stock-take of nutrient profiles and further develop the discussion paper for consideration by CCNFSDU41.

**COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS (CCFICS24)**

***Food integrity and food authenticity<sup>5</sup>***

6. CCFICS24 continued the discussions on the topic of food integrity, food authenticity and food fraud and noted that the work was broad and might overlap with the mandates of other committees and CCFICS could consider seeking advice from the Commission and relevant Committees.
7. The results of the discussion and any proposals for new work in CCFICS would not preclude other Codex committees from initiating new work that may complement the work of CCFICS falling within the scope and mandate of their respective Committees.
8. The Committee **is invited to note** the above information.

<sup>1</sup> REP18/CAC, paras 21 – 25 and Appendix III

<sup>2</sup> REP18/CAC, para. 66 and Appendix VI

<sup>3</sup> REP19/NFSDU, paras 99 - 111

<sup>4</sup> REP18/NFSDU, paras 157 - 161 and REP19/NFSDU, paras 146 - 154

<sup>5</sup> REP19/FICS, paras 54 - 60

**MATTERS FOR ACTION****Committee on Food Hygiene (CCFH50)<sup>6</sup>*****Code of Practice on Food Allergen Management for Food Business Operators: precautionary allergen labelling***

9. CCFH50 agreed to seek advice of CCFL on (i) the appropriateness of the use of a precautionary allergen labelling statement and definition and (ii) the list of foods which cause allergic reactions (see Appendix I to this document). CCFH has also requested FAO/WHO to convene an expert consultation to provide scientific advice on threshold levels for the priority allergens (cereals containing gluten, crustaceans, eggs, fish, milk, peanuts, soybeans and tree nuts, amongst others). The full terms of reference for the scientific advice is in REP19/FH, para 56.

10. The Committee **is invited to consider** the request from CCFH and **to note** the request from CCFH to FAO/WHO for scientific advice.

**Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU40)<sup>7</sup>*****Definition for biofortification***

11. CCNFSDU40 agreed to: (i) hold the definition for biofortification at Step 4; and (ii) forward the definition to CCFL and request CCFL:

- To consider if the definition would meet their intended needs; and
- To clarify the intended use of the definition and where the definition would be best placed.

12. CCFL **is invited to consider** the request from CCNFSDU. The definition is reproduced in Appendix II.

---

<sup>6</sup> REP19/FH, para. 56

<sup>7</sup> REP19/NFSDU, paras 76 - 84

## Appendix I

**Proposed draft code of practice on food allergen management for food business operators**Hazard characterization

14. [In some instances, it may not be possible to prevent cross-contact, despite the implementation of preventive measures and GHPs, and in such situations, the application of a precautionary allergen statement such as “may contain” is substantiated. However, it may be possible to minimize cross-contact to an extent that the amount of allergen present due to cross-contact is below a threshold that could cause an adverse reaction in the majority of consumers allergic to the specific allergen. In these instances, the use of scientifically based threshold levels is a tool to evaluate risk for consumers with food allergies. Threshold levels can be used to reduce precautionary allergen labelling, in turn making precautionary labelling much more meaningful for consumers with food allergies.]

2.3 Definitions

**[Precautionary allergen labelling means a label indicating the allergens (other than those that are listed as ingredients) that may be present in the product because of unavoidable cross-contact (e.g. “may contain”).]**

## 5.2.1.4 Monitoring and verification

72. [There should be a regular review of suppliers to ensure that all ingredients, including multi-component ingredients (e.g. sauces, spice mixes), processing aids, or operations, have not changed in a manner that introduces a new allergenic ingredient or that results in allergen cross-contact. **Manufacturers should verify that precautionary allergen labelling is only applied in instances where allergen cross-contact cannot be reasonably prevented (e.g. disassembly of equipment that results in major loss of production time) through GHPs and when such cross-contact could present a risk to allergic consumers.** Periodic product testing for undeclared allergens may also be considered.]

## 9.2.1

152. [all food products and ingredients should be accompanied by, or bear adequate information, to ensure other food manufacturers or processors and consumers can be informed whether the food is, or contains an allergen. This includes any applicable information relevant to assess the likelihood of allergen cross-contact, such as that outlined in section 5.1, and may include precautionary allergen labelling as discussion in section 9.3. Such statements should be truthful, not misleading and not used in lieu of GHPs (see section 9.3).]

## 9.3 Labelling

157. refer to the *General Principles of Food Hygiene* (CXC 1-1969)

158. the *General Standard for the Labelling of Pre-packaged Foods* (CXS 1-1985) applies.

159. The *General Standard for the Labelling of Pre-packaged Foods* lists the foods and ingredients known to cause hypersensitivity that “shall always be declared” on the label.

160. [Precautionary allergen labelling should only be used after an assessment of the likelihood of allergen cross-contact has been carried out and a risk to consumers has been identified. Following risk assessment, all possible mitigation measures available to eliminate the likelihood should be explored prior to the use of a precautionary allergen label. Precautionary allergen labels that are necessary following this process can help inform FBOs and consumers on the likelihood that the products might contain an allergen (other than those that are listed as ingredients) in situations where:

- Allergen cross-contact for a specific food cannot be prevented using GHPs;
- Allergen cross-contact occurs sporadically; and
- The allergen may be present at levels that, based on an assessment of risk, could result in adverse health consequences to the majority of allergic consumers.]

161. [however, in order to not limit food choices to allergic consumers, the use of precautionary allergen labelling should be restricted to those situations in which cross-contact cannot be controlled to the extent that the product does not present a risk to the allergic consumer.]

**Paragraph 9 from the Proposed draft code of practice on food allergen management for food business operators (list of foods which cause allergic reactions)**

9. [While many different foods can cause allergic reactions in susceptible individuals, the majority of food allergies on a global basis are caused by a variety of proteins in eight foods/ food groups (and derived products). These are<sup>1</sup>
- cereals containing gluten (i.e., wheat, rye, barley, oats<sup>2</sup>, spelt or their hybridized strains and products of these)
  - crustaceans;
  - eggs;
  - fish;
  - milk;
  - peanuts;
  - soybeans; and
  - tree nuts]

---

<sup>1</sup> The listed allergens, with some exceptions (e.g. sulphites), are also referred to in the *General Standard for the Labelling of Pre-packaged Foods* (CXS 1-1985) with respect to labelling.

<sup>2</sup> While oats do not contain gluten, they are commonly produced in the same location as gluten-containing cereals such as wheat, resulting in cross-contact.

**Proposed draft definition for biofortification**

**Biofortification**<sup>1</sup> is any process<sup>2</sup> other than conventional nutrient addition to food<sup>3</sup> whereby nutrient content is increased or become more bioavailable in all potential food sources<sup>4</sup> for the intended nutritional purposes<sup>5</sup>.

- 1) Some Member governments may prefer to use an equivalent term.
- 2) **Process** to be determined by the competent national/regional authority
- 3) **Conventional nutrient addition to food** is covered by the *General principles for the addition of essential nutrients to foods* (CXG 9-1987)
- 4) e.g. animal, plant, fungi, yeasts, bacteria
- 5) **Nutritional purpose:**
  - Preventing/reducing the risk of, or correcting, a demonstrated deficiency in the population;
  - Reducing the risk of, or correcting, inadequate nutritional status or intakes in the population;
  - Meeting requirements and/or recommended intakes of one or more nutrients;
  - Maintaining or improving health; and/or
  - Maintaining or improving the nutritional quality of food.