



February 5, 2020

**VIA Email (CFS@fao.org)**

Ms. Liliane Ortega  
Chair, Food Systems and Nutrition Workstream  
Committee on World Food Security  
Senior Policy Specialist  
Ministry of Foreign Affairs, Switzerland

**Re: Comments on FAO's Committee on World Food Security's Draft Voluntary Guidelines on Food Systems and Nutrition:**

Dear Ms. Ortega:

The International Council of Beverages Associations ("ICBA") appreciates the opportunity to submit comments on FAO's Committee on World Food Security ("CFS")' Draft Voluntary Guidelines on Food Systems and Nutrition (the "Guidelines") We would note at the outset that we find the opportunity to provide written stakeholder input on the first draft to be very useful, and would encourage the CFS to provide at least one additional opportunity for written consultation during the negotiation process over the coming year.

ICBA is an international business association established in 1995 that is the voice of the global non-alcoholic beverage industry. The members of ICBA include national and regional beverage associations as well as international beverage companies that operate in more than 200 countries and territories and produce, distribute, and sell a variety of non-alcoholic sparkling and still beverages, including soft drinks, sports drinks, energy drinks, bottled waters, flavored and/or enhanced waters, ready-to-drink teas and coffees, 100 percent fruit or vegetable juices, nectars and juice drinks, and dairy-based beverages.<sup>1</sup> ICBA is an active member of CFS' Private Sector Mechanism and has been a recognized Observer and well-respected stakeholder at the Codex Alimentarius ("Codex") Commission for over twenty years.<sup>2</sup>

---

<sup>1</sup> ICBA members include: American Beverage Association; Arab Beverage Association; Asociación Nacional de Empresarios de Colombia; Asociación Nacional de Productores de Refrescos y Aguas Carbonatadas, A.C.; Asociación de Industrias de Bebidas Gaseosas de la República Dominicana, Inc.; Australian Beverages Council Ltd.; Beverage Association of South Africa; Brazilian Association of Soft Drink and Non Alcoholic Beverages; Cámara Costarricense de la Industria Alimentaria; Canadian Beverage Association; China Beverage Industry Association; Indian Beverage Association; Japan Soft Drinks Association; Union of European Soft Drinks Associations; Energy Drinks Europe; The Coca-Cola Company; Coca-Cola FEMSA; Arca Continental; Dr Pepper Snapple Group; PepsiCo, Inc.; and Red Bull.

<sup>2</sup> For further information, please see [www.icba-net.org](http://www.icba-net.org).

We appreciate CFS's efforts to address policy fragmentation between the food, agriculture and health sectors. ICBA supports CFS' effort to take a holistic approach to food systems policy recommendations, and we are pleased that the draft Guidelines recognize the importance of private sector contributions to sustainable food systems. The global beverage industry is committed to engaging with all actors in the food supply chain at a national, regional and global level in order to help drive change in the food systems to ensure nutrition and food security for all, and environmental sustainability for the planet.

We believe that our industry's ability to make positive contributions to the establishment of sustainable food systems will be enhanced by adopting a balanced, evidence-based, multi-stakeholder and whole of society approach. We appreciate the opportunity to provide our perspective on the draft Guidelines to CFS and encourage continued transparency and further opportunities for public comment throughout the drafting process.

**With the goal of assisting the development of CFS' policy framework for sustainable food systems, we offer the following set of principles for consideration in the Guideline development:**

- *The content of the CFS Guidelines should be elevated to higher level principles, as is best suited for intergovernmental texts, to allow for adaptation within national context.*
- *The CFS Guidelines should align with the UN NCD and UHC Political Declarations.*
- *Policy recommendations in the Guidelines should be well-established and evidence-based.*
- *We appreciate that the Guidelines recognize the need for a multi-stakeholder approach.*

**I. The content of the CFS Guidelines should reflect higher-level principles to allow for adaptation within the national context.**

ICBA recognizes the challenge inherent in drafting global guidelines around a topic as broad as food systems. For these Guidelines to represent global best practices, we would encourage the drafters to view these Guidelines as a "framework" document that can be more fully fleshed out in follow-on guidance focused on specific topics. Such a higher-level approach would also serve to acknowledge the importance of national context and allow countries to translate the Guidelines into locally relevant policies that remain aligned with the higher Guideline principles.

As currently drafted, we are concerned that the Guidelines are operating at a level of granularity such that they are less Guidelines and more an inventory listing policy options, some more evidence-based and developed than others. We believe there is an opportunity at this early stage of drafting to

revisit the approach to these Guidelines and both elevate and distill them into useful principles that can gain Member State consensus, as well as being useful to Member States within their local markets and national context.

## II. The CFS Guidelines should align with the most recent UN nutrition and health-related Political Declarations.

ICBA strongly supports CFS' efforts to address the 'policy fragmentation' that is occurring between various sectors. Accordingly, it is of the utmost importance that the CFS Guidelines are aligned with the outcomes of the 2018 UN High-Level Meeting Non-communicable Diseases (NCDs) and the 2019 UN High Level Meeting on Universal Health Coverage (UHC). Both the UN NCD and UHC Political Declarations reflect Member State consensus on these issues and should serve as a "roadmap" for CFS. We believe it is imperative to 1) directly reference these Political Declarations in the CFS Guidelines; and 2) ensure that any policy recommendations included in the Guidelines not be policies previously considered and rejected by Member States in the UN NCD and UHC negotiations (as well other in other UN agency forums such as the WHO).

In particular, we would direct the CFS Secretariat's attention to paragraph 44 of the UN NCD Political Declaration, which establishes the framework for encouraging the private sector to "strengthen its commitment and contribution to the implementation of national responses to prevent, control and treat non-communicable diseases to reach health and development objectives."<sup>3</sup> This paragraph establishes specific pathways for engagement with the private sector, including how to promote and produce foods consistent with a healthy diet and promotion of nutrition labelling consistent with international guidelines and national context. We would strongly encourage the CFS guidelines to follow this framework and directly reference this paragraph of the UN NCD Declaration.

We note with concern that there are several instances in which the Draft Guidelines are not aligned with the NCD and UHC Declarations. For example, the Draft Guidelines use the term "ultraprocessed" to refer to certain, undefined categories of food. We would note that the term "ultraprocessed" was explicitly considered by Member States and ultimately excluded from the UN Universal Health Coverage Political Declaration due to lack of consensus on its validity or a definition of the term. Accordingly, we encourage CFS to remain aligned with the UN roadmap and delete the term from the Guidance.

In addition, we urge the deletion of provisions in the Guidelines focused on food and beverage taxation, as such specific recommendations were already considered and rejected by Member States in the UHC and NCD Political Declarations. This exclusion of food and beverage taxation from these UN Declarations comes on the heels of numerous reports out of the World Health Organization ("WHO") which have either excluded or failed to scientifically substantiate any health outcome from taxation:

- WHO's 2017 report, "**Tackling NCDs**," identifies 16 "Best Buy" interventions that governments can undertake to combat NCDs. Taxation of sugar-sweetened beverages is NOT a Best Buy intervention – WHO's own internal modelling (the "CHOICE analysis") did not prove a public health benefit.

---

<sup>3</sup> See UN NCD Political Declaration, paragraph 44 (adopted 2018), available at [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/73/2](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/2)

- In October 2017, a sugar-sweetened beverage tax was considered and rejected by Member States for the **Montevideo Roadmap** at the WHO Global High-Level Conference on NCDs.
- In June 2018, **WHO’s Independent High-Level Commission on NCDs** identified the six key recommendations to accelerate progress in combating NCDs. This Commission considered and then explicitly rejected including an SSB tax recommendation in their Report, finding it to be neither bold, innovative nor evidence-based.
- In September 2018 and September 2019, both the UN NCD and UN UHC Political Declarations purposefully excluded specific policy recommendations related to taxation of sugar-sweetened beverages.

We encourage CFS to follow and remain aligned with these UN NCD and UHC Political Declarations and their underlying policy recommendations, and to directly reference these Political Declarations in the Guidelines.

### III. **The CFS Guidelines should reflect well-developed, transparent and evidence-based policy recommendations that have been demonstrated to improve public health.**

ICBA supports the inclusion of evidence-based policy recommendations in the CFS Guidelines. Guidelines with a strong scientific foundation are essential to providing Member States with recommendations that have transformative power for our food systems. However, there are multiple instances in the current draft of the Guidelines that rely on novel, untested policies:

- **Recommendations relating to ultraprocessed, processed foods and ingredients:** The Guidelines consistently refer to ‘processing’ both of foods and ingredients in negative terms, without providing the substantiation for doing so (**see, e.g, Section 3.3.3**). Both processed foods and homemade foods can vary in their nutritional value and the term ‘processed’ does not dictate whether a food is healthy or not. For example, a bag of baby carrots (generally acknowledged to be healthy) is considered a “processed” food, while a homemade cookie – consisting of the same ingredients and nutritional profile as cookies found in stores- is not considered a “processed food.” Such negative connotations around “processing” lack a sound scientific basis, yet are serving as the foundation for novel policy recommendations, such as “monitoring guidelines” for the processing of ingredients. This recommendation is vague, non-science based and ultimately unhelpful as policy guidance to countries. In addition, the reference to so-called **“ultraprocessed” foods (Part 1, para. 11)** should be deleted – there is no accepted definition of “ultraprocessed” as the meaning has not been negotiated, much less agreed to, by Member States, and the scientific literature is far from fully developed. And as mentioned, inclusion of this term was considered and rejected during UHC Political Declaration negotiations.
- **Recommendations related to “warning signs”:** ICBA supports science-based front of package labeling. Useful labeling efforts show the data in a neutral way, encourage manufacturers to reformulate, and help consumers make informed choices. These Guidelines go far beyond such purpose – referring to “warning signs” rather than the more appropriate term “labeling” and encouraging their use to form the basis of other regulations (restricted selling zones, advertising limitations, additional taxes). Not only is such usage not fully fleshed out in scientific literature, it is not fully fleshed out in the document. We

would encourage the Draft Guidelines to remain aligned with international standards, such as the Codex Alimentarius Commission work related to nutrition labelling. (It is worth noting that Codex does not refer to “warning signs,” rather more generally addresses the topic of “nutrition labelling, the more appropriate term.)

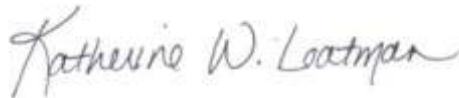
- **Recommendations related to zoning laws to regulate food nutrition** (Sec. 3.3.1). While this idea may have merit for scientific literature to explore, it is far too premature and untested for inclusion in an intergovernmental text, nor are zoning laws an area of FAO expertise. We would also note that zoning is historically within the jurisdiction of municipalities, not Member States, and thus the use of this policy idea in an intergovernmental guidance is further misplaced.

#### **IV. The CFS Guidelines recognize the importance of including all stakeholders in the shift toward sustainable food systems.**

ICBA appreciates the references in the Guidelines to the private sector as an important stakeholder in transforming food systems and believes they can be further enhanced by encouraging public-private partnerships. The Guidelines should also consider progress that has been made on key issues through industry commitments, such as food and beverage industry pledges regarding marketing to children, beverage industry sugar reduction commitments in countries around the globe, and availability of smaller packages and reformulations – all with the goal of allowing consumers to make more informed choices about their diets.

We believe that the recognition of the role of the private sector is further underscored by both the transparency and opportunity that CFS has offered via the regional consultations and this web-based consultation. We thank CFS for this opportunity to provide our perspective and hope that we can continue to provide our input on future iterations of the Guidelines.

Best regards,



Katherine W. Loatman

Executive Director